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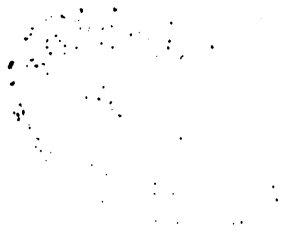
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**JOURNAL.**  
**HOUSE OF ASSEMBLY.**

—♦—  
**SESS. 1836.**

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# JOURNAL

OF THE

# HOUSE OF ASSEMBLY

OF

# UPPER CANADA,

FROM THE

14th DAY OF JANUARY TO THE 20th DAY OF APRIL, 1836.

*(BOTH DAYS INCLUSIVE.)*

IN THE SIXTH YEAR OF THE REIGN OF

**KING WILLIAM THE FOURTH:**

BEING THE

SECOND SESSION OF THE TWELFTH PROVINCIAL PARLIAMENT.

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**MARSHALL SPRING BIDWELL, ESQ. Speaker.**

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SESSION 1836.



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

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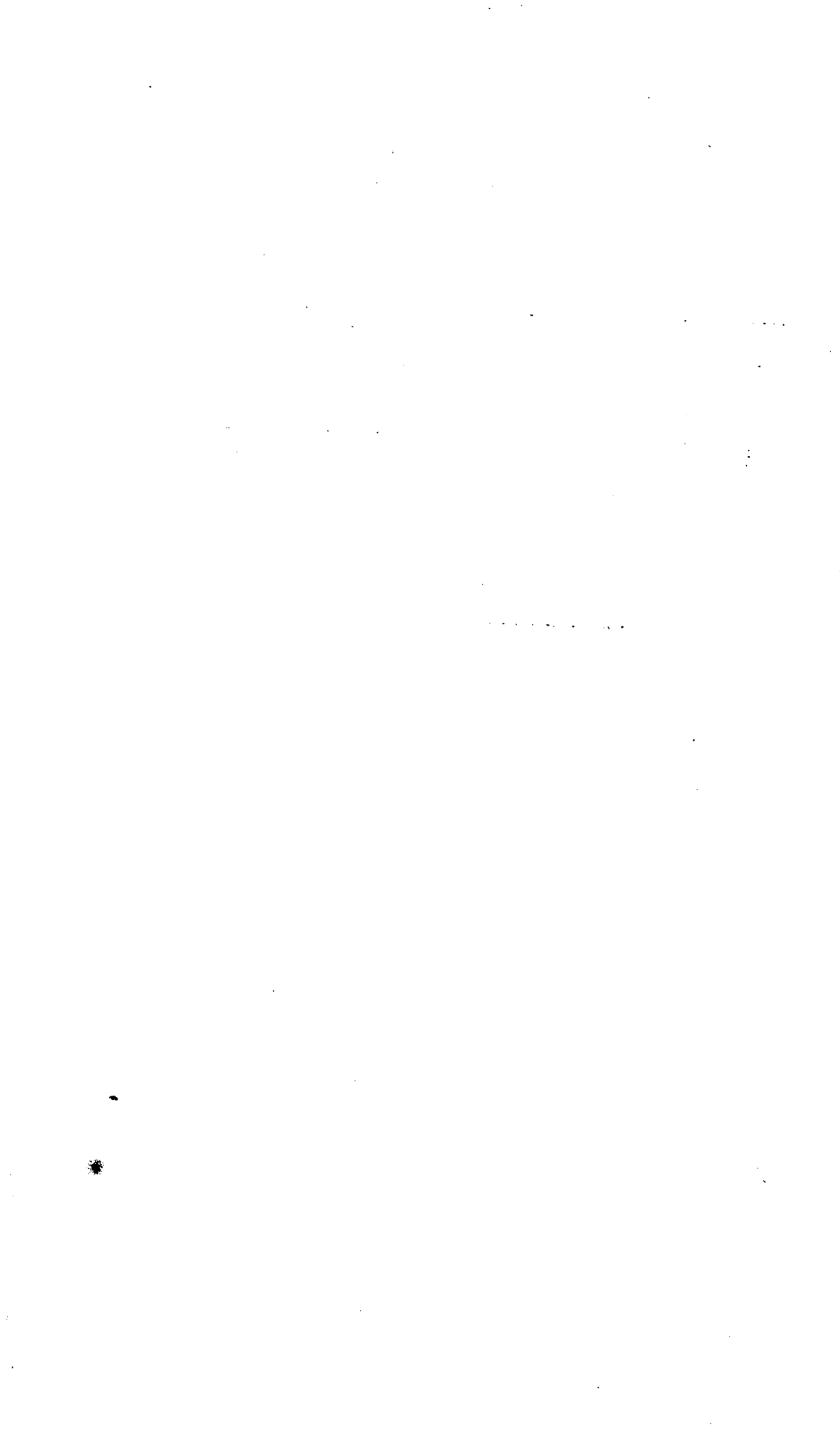
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Toronto :

PRINTED BY M. REYNOLDS.

1836.





# RULES

## FOR THE GUIDANCE OF PROCEEDINGS

IN THE

## HOUSE OF ASSEMBLY.

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### MEETINGS AND ADJOURNMENTS OF THE HOUSE.

- RESOLVED**,—That this House do meet at 10 o'clock, A. M. and if, at that hour, there is not a quorum the Speaker may take the Chair and adjourn.
- II.**—That when the House adjourns, the Members shall keep their seats until the Speaker leaves the Chair.
- III.**—That whenever an adjournment takes place for want of a quorum, the hour at which such adjournment is made, and the names of the Members present, shall be inserted in the Journals.

### QUORUM.

- IV.**—That twenty-three Members, including the Speaker, shall form a Quorum.

### MINUTES.

- V.**—That every day, 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.
- VI.**—That during the reading of the Minutes, the doors shall be closed.

### SPEAKER.

- VII.**—That the Speaker shall preserve order and decorum, and decide questions of order, subject to an appeal to the House.
- VIII.**—That the Speaker shall take the Chair when Black Rod is at the door.
- IX.**—That the Speaker shall not take part in any debate, or vote, unless the House shall be equally divided, in which case he may give his reasons for so voting, standing uncovered.
- X.**—That when the Speaker is called upon to decide a point of order or practice, he shall state the Rule applicable to the case.

### MEMBERS.

- XI.**—That every Member, previous to his speaking to any question or motion, shall rise from his seat, uncovered, and address himself to the Speaker.
- XII.**—That when two or more Members rise at once, the Speaker shall name the Member who is first to speak, subject to appeal to the House.
- XIII.**—That every Member, who shall be present when a question is put, shall vote thereon, unless the House shall excuse him, or unless he be personally interested in the question; provided such interest is 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.

- XIV.—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 other Members hold discourse which may interrupt him, nor pass between him and the Chair.
- XV.—That a Member called to order shall sit down, unless permitted to explain, and all debate on the question of order, shall take place before the decision of the Speaker.
- XVI.—That no Member shall speak beside the question in debate.
- XVII.—That any Member may of right require the question, or motion in discussion to be read for his information, at any time during the debate, but not so as to interrupt a Member speaking.
- XVIII.—That no Member other than the one proposing a question or motion, (who shall be permitted a reply) shall speak more than once on the same, without leave of the House, except in explanation of a material part of his speech, which may have been mis-conceived, but then he is not to introduce new matter.
- XIX.—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 do so, without debate.

#### LEGISLATIVE COUNCIL.

- XX.—That the Master-in-Chancery attending the Legislative Council, be received as their Messenger, at the Clerk's table, where he shall deliver such Message as he is charged with.
- XXI.—That all Messages from this House to the Legislative Council be sent by two Members, to be named by the Speaker, accompanied by the Sergeant-at-Arms.
- XXII.—That when the 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 the Messengers shall be appointed to make the said request.

#### COMMITTEE.

- XXIII.—That the Rules of the House shall be observed in Committee of the whole so far as they may be applicable, except the Rule limiting the time of speaking.
- XXIV.—That in forming a Committee of the whole House, before leaving the Chair, the Speaker shall appoint a Chairman to preside, who shall immediately take the Chair without argument or comment.
- XXV.—That every Member who shall introduce a bill, petition, or motion upon any subject which may be referred to a Committee, shall be one of the Committee without being named by the House, except in cases of controverted elections.
- XXVI.—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, (except in election committees,) where the number, to form such quorum, shall not be specially fixed by the House.
- XXVII.—That in a Committee of the whole House, a motion that the Chairman leave the Chair, shall always be in order and take precedence of every other motion, and that when the motion is made on account of any question of order or privilege arising, the Speaker shall resume the Chair without discussion or vote of the Committee.



**XXVIII.**—That in a Committee of the whole House, all motions relating to the matter under consideration shall be put in the order in which they are proposed.

**XXIX.**—That the mode of appointing a Special Committee, consisting of more than five Members, shall be, first, to determine 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.

### YEAS AND NAYS.

**XXX.**—That the Yeas and Nays shall be taken and entered on the Minutes at the request of any one Member.

### MOTIONS AND QUESTIONS.

**XXXI.**—That one day's notice shall be given of all motions for introducing new matter, other than matters of privilege and bringing up petitions.

**XXXII.**—That a motion to adjourn shall always be in order.

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

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

### AID AND SUPPLY.

**XXXV.**—That if any motion be made for any public aid, subsidy, duty, or charge upon the people, the consideration and debate thereon, shall not presently be entered upon, but adjourned till such further day as the House shall think fit to appoint, and shall be referred to a Committee of the whole House, and their opinion reported, before any resolution or vote of the House do pass thereupon.

### BILLS.

**XXXVI.**—That when a Bill or Petition is read in the House, the Clerk shall certify the readings, and the time, on the back thereof.

**XXXVII.**—That every Bill shall be read twice before it is committed and engrossed, and read a third time before it is sent up to the Legislative Council for concurrence.

**XXXVIII.**—That when any Bill shall be brought down to this House from the Honorable the Legislative Council, or when any Bill sent up from this House to the Legislative Council shall be returned with amendments, such Bill so brought down, or the amendments, shall undergo the same readings and formal consideration, and the same shall be committed and be subjected to the same order, form and stages, as are observed upon Bills originating in this House.

**XXXIX.**—That every public Bill shall be introduced by a motion for leave, specifying the object 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; and that every pri-

vate Bill, shall be founded on a petition, notice of the intention of the Petitioners having been inserted in the Upper Canada Gazette, for the period of six months previous to the meeting of the Legislature.

**XL.—**That no Bill brought into this House, shall have more than one reading on the same day.

#### PETITIONS.

**XLI.—**That all Petitions to be introduced, shall be brought in immediately after the minutes are read, and that such Petitions shall be read by the Clerk, after the third reading of any Bills that may stand for that purpose on the order of the day ; provided such Petitions shall have lain on the table two days.

#### ORDERS OF THE DAY.

**XLII.—**That all Orders of the Day, which by reason of any adjournment, shall not have been proceeded upon, shall be considered as postponed, till the next day on which the House shall sit, and shall stand first on the Order of the Day, after the third reading of Bills and Addresses and reading of Petitions.

#### ACCOUNTS.

**XLIII.—**That all accounts which shall in future be presented by any individual for work or labor done, or for articles furnished for the use of this House, shall be sworn to, and the affidavit specify that the charges therein contained, are the usual charges, and the commonly received prices for such work and labour, or for such articles furnished.

#### PRINTING.

**XLIV.—**That all the Printing done by order of the House, shall be engaged by contract for the Session, on the lowest terms offered, and during the Session, be under the superintendence of a Select Committee ; and during the recess, under the clerk.

#### UNPROVIDED CASES.

**XLV.—**That in all unprovided cases, resort shall be had to the rules usages, and forms of the Parliament of Great Britain and Ireland.

#### STANDING ORDERS OF THE HOUSE.

**I.—**That the Public Accounts laid before this House, at the present Session, be printed for the use of the Members as early as practicable—and that this Resolution be a standing order of the House in future, as to the Public Accounts to be hereafter laid before the Commons House of Assembly, and that two hundred copies of each Accounts be accordingly printed for this purpose at every Session.

JOURNAL 1824. PAGE 130, M. S.

**II.—**That in all cases of Controverted Elections for Counties, Towns, or Ridings in this Province, the Petitioners do by themselves or by their Agents, within a convenient time to be appointed by this House, deliver to the sitting members or their agents, lists of the persons intended by the Petitioners to be objected to, who voted for the sitting members, giving, in the said lists, the several heads of objections, and distinguishing the same against the names of the voters excepted to, and that the sitting members

do by themselves or by their agents, within the same time, deliver the like lists on their part to the petitioners or their agents.

JOURNAL 1825. PAGE 48, M. S.

III.—That in future two hundred copies of the Journals of this House be printed as soon as may be practicable, after each Session of the Provincial Legislature, under the provisions of the 46th (now 44th) rule.

JOURNAL 1825—6. PAGE 367, M. S.

IV.—That whenever any item on the Order of the Day shall be called, and the member who introduced the same, if present, shall not be prepared to proceed thereon, the said item shall be placed at the foot of the Order of the Day.

JOURNAL 1829. PAGE 529, M. S.

V.—That the Clerk of this House, with the approbation of the Speaker and the consent of this House, shall appoint all its Subordinate Officers and Servants, (the Sergeant at Arms excepted,) and that no officer or servant of this House shall be removed or dismissed from his office or service without its knowledge and consent. As also, that this House shall from time to time determine the rate of recompense to be made to all persons employed in its service, except in such cases as are already provided for by law.

JOURNAL 1829. PAGE 46, M. S.

VI.—That no Petition complaining of the Election and Return of any Member, who may be returned to serve in any future Parliament, shall be received by this House, unless it be presented during the first fourteen days of the Session next ensuing, after the said Election and Return.

JOURNAL 1829. PAGE 746, M. S.

VII.—That the Clerk, during the recess, shall allow Members of this House to have access to the Journals and other records, between the hours of ten in the morning and three in the afternoon of each day, and to take extracts or copies of such documents or records as they may consider necessary for their guidance and information.

JOURNAL 1829. PAGE 747, M. S.

VIII.—That no person whatever (not a Member of this House) shall be permitted to enter the Copying Clerk's Rooms.

JOURNAL 1830. PAGE 129, M. S.

IX.—That the Printed Edition of the Journals be disposed of as follows, viz :—

Three Copies to each Member.

One Copy to each of the Members of the Legislative Council.

Six Copies to the Lieutenant Governor.

Three Copies to the Library.

One Copy (each) to the Governors, Legislative Councils and Assemblies of Lower Canada, New Brunswick, Nova Scotia, and Prince Edward's Island.

Three Copies to the Library of the Imperial Parliament.

One Copy to the Colonial Department.

Six Copies to the Clerk's Office for the use of this House, and the remainder to such Members of the House of Commons of Great Britain as the Speaker may direct.

JOURNAL 1830. PAGE 194, M. S.

X.—That in future, all notices of the intentions of members to introduce Bills, Motions or Resolutions, other than matters of privilege, shall be given immediately after the reading of Petitions.

JOURNAL 1831. PAGE 70, M. S.

*Ordered*—That it be a Standing Order of this House, that the Clerk shall take down the yeas and nays on all nominations for the election of Speaker, and that the same shall be entered in the Journals.

PRINTED JOURNAL, PAGE 24. MS., PAGE 36.

JANUARY 17th, 1835.

*Ordered*—That so much of the Forty-fourth Rule of this House be rescinded, as requires the Printing to be done by contract, during the Session, at the lowest terms offered.

PRINTED JOURNAL, PAGE 41. MS., PAGE 97.

JANUARY 22nd, 1835.

*Ordered*—That the postage of packets containing only petitions to this House, and documents relating thereto, shall be charged in the account for contingencies, upon production of such packet to the Clerk, although the weight may exceed six ounces.

PRINTED JOURNAL, PAGE 41. MS., PAGE 97.

JANUARY 22nd 1835.

*Ordered*—That in future, Five Hundred Copies of the Journals of each Session of this House, be Printed for the use of Members.

PRINTED JOURNAL, PAGE 130. MS. PAGE 390.

FEBRUARY 12th, 1835.

*Ordered*—That the time for receiving and disposing of the Reports of Select Committees, shall be next in order after giving notices.

PRINTED JOURNAL, PAGE 302. MS. PAGE 972.

MARCH 30th 1835.

*Ordered*—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 clerks and officers of the House shall be under the direction of the Speaker, in all matters whatsoever connected with the performance of their official duties.

PRINTED JOURNAL, PAGE 380. MS., PAGE 1258.

APRIL 14th, 1835.

Truly extracted from the Journals.

JAMES FITZGIBBON,

CLERK OF ASSEMBLY.

# PROCLAMATION.

## UPPER CANADA.

J. COLBORNE,

LIEUTENANT GOVERNOR.

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

Proclamation for Proroguing the Parliament, to Tuesday the 30th June, 1835.

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

### GREETING.

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

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

IN TESTIMONY WHEREOF, We have caused these our Letters to be made patent, and the Great Seal of our said Province, to be hereunto affixed. WITNESS our trusty and well-beloved SIR JOHN COLBORNE, K. C. B., Lieutenant Governor of our said Province, and Major General, Commanding our Forces therein, at Toronto, this Twenty-fourth day of May, in the year of our Lord, one thousand eight hundred and thirty-five, and in the Fifth year of our Reign.

J. C.

By Command of His Excellency.

SAMUEL P. JARVIS,

*Clerk of the Crown in Chancery.*

D. CAMERON,

*Secretary.*

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twenty-sixth day of June, in the year of our Lord, one thousand eight hundred and thirty-five, the meeting of the Legislative Council and House of Assembly, stands further Prorogued to Saturday, the Eighth day of August next ensuing.

Proclamation for Proroguing the Parliament, to Saturday the 8th August, 1835.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Fifth day of August, in the year of our Lord, one thousand eight hundred and thirty-five, the meeting of the Legislative Council and House of Assembly, stands further Prorogued to Tuesday, the Fifteenth day of September next ensuing.

Proclamation for Proroguing the Parliament, to Tuesday the 15th September, 1835.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Tenth day of September, in the year of our Lord, one thousand eight hundred and thirty-five, the meeting of the Legislative Council and House of Assembly, stands further prorogued, to Saturday the Twenty-fourth day of October next ensuing.

Proclamation for Proroguing the Parliament, to Saturday the 24th October, 1835.

Proclamation for Pro-roguing the Parliament, to Tuesday the 1st December, 1835.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twentieth day of October, in the year of our Lord one thousand eight hundred and thirty-five, the meeting of the Legislative Council and House of Assembly, stands further prorogued to Tuesday, the First day of December next ensuing.

Proclamation for Pro-roguing the Parliament, to Friday the 8th January, 1836.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twenty-fifth day of November, in the year of our Lord, one thousand eight hundred and thirty-five, the meeting of the Legislative Council and House of Assembly, stands further Prorogued to Friday, the Eighth day of January next ensuing.

## PROCLAMATION.

### UPPER CANADA.

J. COLBORNE,

LIEUTENANT GOVERNOR.

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

Proclamation for calling the Parliament together on Thursday the 14th January, 1836 FOR THE ACTUAL DESPATCH OF PUBLIC BUSINESS.

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

GREETING.

WHEREAS, by our Proclamation, bearing date the Twenty-fifth day of November last, We thought fit to prorogue our Provincial Parliament, to the Eighth day of January next, at which time, at our City of Toronto, you were held and constrained to appear.

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

IN TESTIMONY WHEREOF, We have caused these our Letters to be made patent, and the Great Seal of our said Province to be hereunto affixed. WITNESS our trusty and well-beloved SIR JOHN COLBORNE, K. C. B., Lieutenant Governor of our said Province, and Major General, Commanding our Forces therein, at Toronto, this Seventh day of December, in the year of our Lord, one thousand eight hundred and thirty-five, and in the Sixth year of our Reign.

By Command of His Excellency.

J. C.

SAMUEL P. JARVIS,

*Clerk of the Crown in Chancery.*

D. CAMERON,

*Secretary.*

# House of Assembly.

THURSDAY, 14th JANUARY, 1836.

The House met.

At three o'clock, P. M. Stephen Jarvis, Esquire, Gentleman Usher of the Black Rod, came to the Bar, and delivered the commands of His Excellency, the Lieutenant Governor, for the immediate attendance of this House at the Bar of the Legislative Council Chamber.

House summoned to Bar of Legislative Council.

Mr. Speaker, with the Officers of the House and Members present, agreeably to the commands delivered, repaired to the bar of the Legislative Council Chamber; and returned.

Mr Speaker, Officers, and Members of the House attend forthwith

Mr. Perry, seconded by Mr. Duncombe, of *Oxford*, moves for leave to bring in a bill to promote the freedom of Election in the County of Leeds, and that the thirty first rule of this House be dispensed with so far as relates to the same.

Motion to bring in Leeds Election bill.

In amendment, Mr. MacNab, seconded by Mr Rykert, moves, that after the word "moves" in the original motion, the whole be expunged, and the following inserted—"that it be Resolved, that the Speaker do issue his Warrant to the Clerk of the Crown in Chancery to issue a new Writ for the Election of two Members to serve in the present Parliament for the County of Leeds, in the place of Robert S. Jameson and Ogle R. Gowan, Esquires—whose return has been declared void and illegal."

Amendment.

On which the Yeas and Nays, being taken, when as follows: Division.

## YEAS—MESSIEURS,

|  |                               |   |                            |          |
|--|-------------------------------|---|----------------------------|----------|
| Caldwell,<br>Cornwall,<br>McDonell, <i>Northumb.</i> | McKay,<br>Macnab,<br>Malloch, | Merritt,<br>Rykert,<br>Solicitor General, | Strange,<br>Wilkinson,—11. | Yeas 11. |
|--|-------------------------------|---|----------------------------|----------|

## NAYS—MESSIEURS,

|   |   |  |  |          |
|---|---|--|--|----------|
| Alway,<br>Brown,<br>Bruce,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Moore, | Morrison,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal,<br>Small, | Smith,<br>Thorburn<br>Waters,<br>Wells,<br>Woolverton,<br>Yager,—26. | Nays 26. |
|---|---|--|--|----------|

The question of amendment was decided in the negative by a majority of fifteen. Amendment lost, majority 15.

On the original question being put, the yeas and nays were taken as follows: On original question,

## YEAS—MESSIEURS,

|   |  |   |   |          |
|---|--|---|---|----------|
| Alway,<br>Brown,<br>Bruce,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson,<br>Gilchrist, | Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Moore, | Morrison,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal,<br>Rykert,<br>Shibley, | Small,<br>Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Woolverton,<br>Yager,—29. | Yeas 29. |
|---|--|---|---|----------|

## NAYS—MESSIEURS,

|  |                   |                                |                           |         |
|--|-------------------|--------------------------------|---------------------------|---------|
| Caldwell,<br>Cornwall,<br>McDonell, <i>Northumb.</i> | McKay,<br>Macnab, | Malloch,<br>Solicitor General, | Strange,<br>Wilkinson,—9. | Nays 9. |
|--|-------------------|--------------------------------|---------------------------|---------|

The question was carried in the affirmative by a majority of twenty, and the bill was read. Question carried, majority 20.

*Ordered*, That the Leeds Election Bill be read a second time to-morrow. Second reading to-morrow.

Mr. Speaker reported a letter from Clerk of Crown in Chancery.

Mr. Speaker reported a letter from the Clerk of the Crown-in-Chancery, which was read as follows :

*Clerk Crown in Chancery's Office, }  
Toronto, 14th January, 1836.*

Robert Dunlop, Esq. returned for County of Huron.

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that, in obedience to the commands of His Excellency the Lieutenant Governor, a writ of election was sued out during vacation for the return of one Member to represent the County of Huron in the present Parliament, and that Robert Dunlop, Esquire, has been duly elected to represent that County.

To the Honorable the Speaker,  
Commons House of Assembly.

SAMUEL P. JARVIS,  
C. C. C.

Mr. Chesser takes his seat.

Mr. Chesser, member for Prescott, having been sworn, was introduced by Messrs. Morrison and Bruce, and took his seat.

Mr. Speaker reports His Excellency's speech.

Mr. Speaker reported that His Excellency, the Lieutenant Governor, had been pleased, when the House attended at the bar of the Legislative Council Chamber, to open the present Session with a most gracious Speech from the throne, of which, to prevent mistakes, he had procured a copy.

The Speaker then read the Speech as follows:

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

Speech of His Excellency the Lieutenant Governor at the opening of the present Session.

Since you were last assembled no material change has taken place in the prospects of this colony.

The continuance of uninterrupted tranquillity has happily enabled and disposed the inhabitants of the Province to turn their undivided attention to the improvement of the country and the development of its resources.

In the Home and Midland Districts, and the District of Newcastle, works have been projected for the improvement of internal navigation, by opening practicable channels to the great lakes ; and rail roads have been suggested, which we cannot but hope may confer incalculable benefit upon a great portion of this vast continent, in which Upper Canada occupies so fortunate a position.

In the lower Districts the people are not less intent on the means by which the natural advantages of their situation may be improved ; and in the Western parts of the Province the past year has given rise to several plans of a very interesting character which, I am persuaded, claim your attentive examination.

The results of a free scope being thus afforded to the spirit of enterprise will soon be displayed in the rapid completion of solid improvement, if the activity which is now so prevalent, be sustained by the judicious and cordial co-operation of the Legislature.

Some of the projects, to which I refer, would have appeared a few years since, visionary, but those which we have already accomplished, and the undertakings of the neighbouring countries, may encourage you to look forward to designs on a more extensive scale, and to support to the utmost of your power the efforts of individuals and private associations.

It will be satisfactory to you to learn, that the works in progress on the Saint Lawrence are far advanced, and I trust, that by the aid of the Lower Province, all obstructions to the navigation of that great River will be speedily and effectually surmounted.

The direct emigration from the Mother Country to this Colony last season has scarcely exceeded the proportion of one-third as compared with some former years.



So far as this diminution may have been caused by a more general employment at home of manufacturers and agricultural labourers, it will not be viewed with regret.

The other causes that have tended to reduce the number of emigrants, we may be confident will not long operate—in the mean time I am convinced that you will not relax in your efforts to give emigration every possible encouragement, and to render this country a secure and convenient asylum for such of our countrymen as desire to resort to it.

Speech of His Excellency the Lieutenant Governor at the opening of the present Session.

By improving your system of constructing highways, and giving facilities to commerce, connected as it must necessarily be with your agricultural prospects: by making the means of Education general and easily available, and by attending to the condition of a people peaceably and prudently exercising the privileges of a free Government, and firmly attached to the principles of the British Constitution, you will hold forth the strongest inducements to your fellow-subjects of the British Empire to unite their fortunes with yours, and to contribute by their wealth, intelligence, and industry, to raise this Province, at no distant period, to the first rank in the Colonial possessions of the Crown.

In order that the means of instruction may augment with the population, you will doubtless apply your attention to the foundation and support of Township Schools; and no longer defer the adoption of measures for rendering the School Lands available, which have been for some time subjected to the controul of the Legislature.

The Courts of Requests as constituted under the recent Statute have, it is understood, proved more beneficial than formerly; from the representations, however, which have at various times been addressed to me, I suggest it to you as a subject deserving your consideration, whether an appeal to the District Courts might not be provided for under some restrictions.

The modification, which I have submitted to His Majesty's Government for the Charter of King's College, I shall communicate to you by Message, and I sincerely hope, that the arrangements proposed for the opening of the University will ensure your concurrence.

I strongly recommend that efficient provision may be made for the maintenance of the Provincial Penitentiary, in which a large number of convicts are at present confined.

It has become necessary to regulate an institution with care, which may have so direct an influence on the security of society and the effective administration of the laws.

The state of the Gaols, and the treatment of the prisoners confined in them, I shall have occasion to bring under your notice; for it appears to me, that to relieve the Magistrates from an undue responsibility, as well as to ensure the humane care and safe custody of the prisoners, it is desirable to frame more particular provisions than have been hitherto made, and render this department in every respect complete.

The sufferers by the war with the United States of America have not yet been paid the full amount of their acknowledged claims. The last proposition of His Majesty appeared to me so liberal, that I was persuaded the claimants would have met with no further disappointments.

By advancing the sum of £20,000 from the Provincial Revenue, the remaining £36,000 will be procured from His Majesty's Government, and these long pending claims will be finally arranged.

The repeated representations to induce His Majesty's Govern-

Speech of His Excellency the Lieutenant Governor at the opening of the present Session.

ment to assume the whole or a portion of the sums due to the sufferers, having received a full consideration, you will decide whether the comparatively small proportion remaining unliquidated shall be provided for in the manner proposed. The people of this Province, I am satisfied, will not desire to be relieved from this debt at the expense of the claimants.

The amount of duties received at the Port of Quebec during the year 1835, has equalled that of 1834, and the duties collected within the Province have considerably increased.

*Gentlemen of the House of Assembly:*

I have directed the annual accounts and the estimates to be laid before you, and I trust you will make such grants as may be necessary for the public service.

*Honourable Gentlemen and Gentlemen:*

Your several Addresses to the King, which you requested might be transmitted to the Secretary of State for the Colonies, have been laid before His Majesty.

The subjects to which they chiefly relate are of the highest importance to the interests, not of this Colony only, but of all the other British Colonies in North America: they continue, therefore, to engage the most attentive and anxious consideration of His Majesty's Government.

The enquiries which the Commissioners appointed by His Majesty have been authorized to make, respecting the Crown Revenue—the constitution of the Legislature—the Clergy Reserves—and other affairs admitting of adjustment with less difficulty, will, I trust, accelerate the final and satisfactory decision of any questions that have been raised on those points.

The peculiar position of Lower Canada, and the similar Constitution under which the institutions of both Colonies are secured, do not allow the dissensions in that Province to be regarded by you with indifference, nor indeed without deep regret, anxiety and apprehension.

The injurious effects of their influence have already been experienced; they have tended, apparently, to discourage emigration and the transfer of capital to this country; and have acted disadvantageously in respect to the terms on which the large loan authorized by the Legislature was recently negotiated in England.

But whatever measures may be adopted in consequence of the enquiries of the Commissioners, or whatever alteration may be proposed to remedy the evils, to which I have adverted, you may rest assured that the Constitution of these Provinces will be firmly upheld.

At this important, and I hope, favourable crisis, whether the interest of the Parent State, or the earnest wishes of the Colony be consulted, the Imperial Government cannot fail to deem it an essential duty to watch over and zealously protect your institutions, and cherish the attachment of all classes to the Crown.

It will afford me much satisfaction to hear of your diligent application, during the Session, to the measures which I have suggested for your consideration; and to all others which can conduce to the welfare of this prosperous and highly valuable Colony.

On motion of Mr. Dancombe *of Oxford*, seconded by Mr. Alway,  
*Ordered*—That when this House adjourns, it shall stand adjourned until ten o'clock, A. M. on Saturday next.

On motion of Mr. Morrison, seconded by Mr. Parke,

*Ordered*—That the Speech of His Excellency the Lieutenant Governor, from the Throne, at the opening of the present Session of Parliament, be referred to the consideration of a Committee of the whole House on Wednesday next, and that five hundred copies be printed for the use of Members.

Committee of whole on Speech on Wednesday next: Speech to be printed.

Mr. Speaker reported, that he had received from the Clerk of the House, and the Clerk of the Crown in Chancery, a report on the subject of taxing the bill of expenses, incurred in the trial of the Leeds contested Election at the last Session of Parliament.

Mr. Speaker reports the report on taxing costs on Leeds contested Election.

The report was read by the Clerk.

Report—(See Appendix.)

On motion of Mr. Perry, seconded by Mr. Duncombe of Oxford, *Ordered*—That the communication just read and accompanying documents be referred to a Committee of Privilege, with power to send for persons and papers and leave to report thereon, and that Messrs. Thorburn, Duncombe, of Norfolk, Roblin, Morrison, and Wells do compose said Committee.

Report and documents referred to a select committee.

Mr. Speaker reported having received from the Speaker of the House of Assembly of Jamaica, a letter with copy of a resolution of that House enclosed.

Mr. Speaker reports a letter from the Speaker of the House of Assembly in Jamaica, and resolution of that House

The letter and resolution were read as follows :

Office of Correspondence, }  
Jamaica, Nov. 26th, 1834. }

Sir,

I have the honor to transmit you a resolution of our House of Assembly expressing a desire to establish an exchange of Journals and votes between the Assemblies of Canada and Jamaica.

Letter from Speaker of the House of Assembly of Jamaica.

It is with great pleasure that I communicate to you this resolution, and it might be fortunate for both countries, were it to lead to a stricter union in defence of our Colonial privileges and constitution.

I have the honor to be,

Sir,

Your most obedient Servant,

RICHARD BARRETT,

Speaker.

To the Honorable the Speaker of the Assembly of Upper Canada.

House of Assembly, }  
19th November, 1834. }

*Resolved*,—On reference to the resolution of the 27th October, 1826, and to the communication made thereon of 28th November, 1827, that the House do present a copy of the Journals and the votes to the Assembly of Lower Canada, and do express a desire to have a copy of the Journals and votes of that Assembly in return, and that Mr. Speaker be requested to transmit the same to Montreal, in the most acceptable manner; and that Mr. Speaker be also requested to offer, through the Island Agent, a similar interchange with the Assembly of Upper Canada.

Resolution of House of Assembly of Jamaica.

By the House,

JOHN H. VIDAL,

Clerk to the Assembly.

Mr. Speaker informed the House, that, since the last Session, he had taken measures to carry into effect the directions of the House, with regard to the augmentation of the library, and that with this view he had consulted with the Honorable and learned Speaker of the Legislative Council, on the selection of the books, and an order for them was about to have been made out, when it was discovered that the money appropriated to this object had been expended for another purpose, so that no means remained at their command to pay for them, and consequently they could not be purchased.

Mr. Speaker informs the House respecting the money appropriated for use of the library.

Robert Graham Dunlop, Esquire, Member for the County of Huron, being sworn, was introduced by Messrs. Macnab and Rykert, and took his seat.

Mr. Dunlop takes his seat.

Petitions brought up:  
Of Marcus Blair,  
and 30 others;

Mr. Macnab brought up the petition of Marcus Blair, and thirty others, of the township of Cayuga, (Haldimand,) which was laid on the table.

Of Marcus Blair,  
and 17 others;

Mr. Macnab brought up the petition of Marcus Blair, and seventeen others, (same place,) which was laid on the table.

Of Marcus Blair,  
and 18 others;

Mr. Macnab brought up the petition of Marcus Blair, and eighteen others, of the same place, which was laid on the table.

Of E. Van Cortlandt,  
and 669 others.

Mr. McKay brought up the petition of Edward Van Cortlandt, and six hundred and sixty-nine others, of the Districts of Bathurst and Ottawa, which was laid on the table.

Notice of Address  
to His Majesty on  
commerce.

Mr. Mackenzie gives notice that he will, on to-morrow, move that it be Resolved,

That an humble Address be presented to His Majesty, setting forth that the depressed state of agriculture in this Province is in a great measure attributed to those laws, ordinances and instructions, for the regulation of trade, by means of which the industry of the Province is held in subservience to the interest of the commerce and shipping of the United Kingdom, and that we entertain a reasonable expectation that a more liberal policy, suitable to the wants and more permanent interests of the Colonists, will be henceforth pursued, and their foreign trade encouraged and promoted, as being eminently conducive to the prosperity of the Province.

That we have always shewn great willingness to consume the goods and merchandize of the United Kingdom and its Colonies, according to our means of payment, but that if the restrictions which embarrass our commerce were removed, and we permitted to direct the labour of our hands to the industry of our choice, to employ the cheapest and most convenient means of transport, and to carry the products of that industry to those markets in which they could be disposed of to the best advantage, our means of purchasing British goods would be thereby increased, and our capital and labour employed beneficially in diffusing wealth and enjoyment through the Colony.

That situated, as Upper Canada is, at a great distance from the sea, the communication with which by the St. Lawrence is interrupted for a great part of the year, our interests would be best promoted by the adoption of such commercial regulations as would enable our agriculturists, merchants, and manufacturers to obtain free access to the ocean through every channel by means of which they could safely convey those articles of which this Province possesses a superfluity, to the best markets, and through which they might bring back of the goods and merchandize of other lands, according to their means, without such imports being subjected to the present heavy tariff of discriminating duties, the operation of which is to add materially to the many natural obstructions incidental to our inland situation, and to retard the settlement of the waste lands of the Province by the more wealthy, intelligent, and persevering class of emigrants, who are induced to settle and invest their capital in the States of Ohio, Michigan, Pennsylvania and New York, the citizens of which have at all times the free choice of three markets, namely—Foreign States, through their own seaboard; the St. Lawrence; and the markets of the Southern States, while we of Upper Canada are restricted to the channel of the St. Lawrence only.

Requesting that His Majesty would be pleased to cause such representations to be made to the Government at Washington, as shall appear to be best calculated to induce Congress to admit the goods and merchandize of Great Britain or other Nations to pass through

the United States into Upper Canada, subject only to the duties which are or may be payable within this Province, and without being liable to the payment of any tax or impost in or to the said States; and also to permit the goods, wares, and merchandize of this Province to be transported through the said States to other countries beyond the seas, free of duty, and subject only to such regulations as may be found necessary for the prevention of infractions of the revenue laws of the American Union.

Setting forth that lumber is admitted duty free into this Province from the United States, the Government of which States exacts very heavy duties on the lumber we export thither—that the exaction of these duties gives cause of complaint to all who are largely engaged in carrying lumber from the Western Settlements of this Province to the said States—and that we trust that His Majesty's Government will enter into such negotiations as may have a tendency to place this important branch of Canadian industry on a footing of perfect reciprocity in the markets of the neighbouring Republic.

That although the prices of wheat and flour, two of our staple commodities, are frequently higher in the United States than in this Province, we are prevented from obtaining the full advantage of the increase of demand consequent on such prices, our wheat being subject to a duty in the United States ports of fifteen-pence currency on every bushel imported, with a proportional tax on Canadian flour, while to the people of the said States our markets for their wheat and flour are always open, duty free, by which regulation they are at all times enabled to avail themselves of such favourable changes as may happen in the markets of Canada.

Humbly requesting that His Majesty would cause such representations to be made to the Government of the United States as might have a tendency to place this interesting branch of Canadian commerce on a footing of reciprocity in the two countries, which principle of reciprocity, if it were extended generally to other descriptions of goods admitted duty free into the Canadas, under late Colonial Trade Acts, would confer many additional benefits on this Province.

And that in consideration of the great and increasing consumption of the merchandize of the United Kingdom, in Upper Canada, His Majesty would be pleased to recommend to his Parliament to admit the flour, meal, grain, beef, pork, and other staple products of this Province into the ports of the United Kingdom duty free, or on the terms on which the produce of Ireland is admitted into England, or at which the staple agricultural products of the Northern and Eastern States of the American Union are by a late British Act authorised to be admitted into Canada—or subject to as reasonable rates of impost as are now levied at the ports of Montreal and Quebec on the staple products and manufactures of the United Kingdom, when imported direct from Great Britain and Ireland by sea.

Representing that the entire abolition of the several duties now levied in our ports upon articles of the growth and manufacture of other countries which come not into competition with the industry of this Province, would have a tendency to increase and diffuse capital here, besides affording a protection to labour, by enabling the labourer to live cheaper, and the farmer and manufacturer to compete more successfully with the skill and industry of other countries.

That the article of tea, which is consumed in great quantities in this Province, is taxed at Quebec and prohibited on our frontier, but admitted free of duty into the United States, to which it is brought direct from the place of its growth; that the free importation of tea

Resolution on com-  
merce.

into Canada would interfere with no article of domestic manufacture either in Great Britain or her Colonies ; that although tea is prohibited from being imported hither from the United States, where it is obtained much cheaper than we now obtain it in Montreal and Quebec, the opinion prevails that it is extensively smuggled from the United States, and it is well known that the seizures made by the Officers of the Customs sometimes prove ruinous to those persons who are tempted to engage in the traffic, that hence the complaint is preferred with very great reason, that laws are enacted in England, where we are not represented in Parliament, prohibiting the people of this Province from purchasing the commodities they require at the best and cheapest markets, and compelling them, if they purchase at all, to uphold a grievous monopoly by buying at the dearest market both to the merchant and the consumer, although in preventing the Canadians from purchasing tea in the United States, the Government cannot urge the usual specious plea, that it does so to encourage some domestic production either of England or her Colonies.

That it is expedient that the following articles, when imported from Great Britain or from any other country, into Lower Canada, or into this Province from the United States, shall be imported free from all duties, namely—Teas of all kinds, coffee, cotton yarn, and all cotton manufactures, burr blocks, bolting cloths and screens, books and papers of all kinds, printers' presses, types and ink, molasses, tin in plates, and block tin.

That our close neighbourhood for many hundreds of miles to parts of the States of New York, Pennsylvania, Ohio, and Michigan, renders it a matter of difficulty for the trader who will not smuggle to compete with him who will, in all those articles which can be purchased cheapest in the markets of these States, on which a duty is now levied sufficiently high to cover the expense and risk of smuggling them across the lines.

That it is expedient to repeal the laws imposing seven and a half, fifteen, twenty, and in some cases thirty pounds of Customs duties on every hundred pounds value of many articles of goods which are of the first necessity to an agricultural community, when imported into Lower Canada by Sea, from countries not under the dominion of Great Britain, or from the United States into this Province by land or other conveyance, while in some instances no duty, and in most cases a duty of only two pounds ten shillings on every hundred pounds value is exacted on the same descriptions of goods and merchandize if imported from Great Britain or her Colonies by way of Quebec and Montreal, and that in lieu of the said discriminating duties or other regulations, only two pounds ten shillings on every hundred pounds value should be levied on such goods, whether they be imported by sea from parts abroad, or by land, river or lake conveyance from the said United States, so that a fair competition may be allowed in our markets to other Nations, and our limited capital and population employed to the best advantage.

That it is expedient to repeal the Statutes under authority of which train oil and oil of all sorts, fish, dried or salted, and books which are prohibited to be imported into the United Kingdom, are prohibited from being imported into this Province from the United States or other foreign countries ; and to allow the people of this Province to buy oils, books and fish in whatever market such articles are sold cheapest.

Resolution on commerce.

into Canada would interfere with no article of domestic manufacture either in Great Britain or her Colonies; that although tea is prohibited from being imported hither from the United States, where it is obtained much cheaper than we now obtain it in Montreal and Quebec, the opinion prevails that it is extensively smuggled from the United States, and it is well known that the seizures made by the Officers of the Customs sometimes prove ruinous to those persons who are tempted to engage in the traffic, that hence the complaint is preferred with very great reason, that laws are enacted in England, where we are not represented in Parliament, prohibiting the people of this Province from purchasing the commodities they require at the best and cheapest markets, and compelling them, if they purchase at all, to uphold a grievous monopoly by buying at the dearest market both to the merchant and the consumer, although in preventing the Canadians from purchasing tea in the United States, the Government cannot urge the usual specious plea, that it does so to encourage some domestic production either of England or her Colonies.

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That our close neighbourhood for many hundreds of miles to parts of the States of New York, Pennsylvania, Ohio, and Michigan, renders it a matter of difficulty for the trader who will not smuggle to compete with him who will, in all those articles which can be purchased cheapest in the markets of these States, on which a duty is now levied sufficiently high to cover the expense and risk of smuggling them across the lines.

That it is expedient to repeal the laws imposing seven and a half, fifteen, twenty, and in some cases thirty pounds of Customs duties on every hundred pounds value of many articles of goods which are of the first necessity to an agricultural community, when imported into Lower Canada by Sea, from countries not under the dominion of Great Britain, or from the United States into this Province by land or other conveyance, while in some instances no duty, and in most cases a duty of only two pounds ten shillings on every hundred pounds value is exacted on the same descriptions of goods and merchandize if imported from Great Britain or her Colonies by way of Quebec and Montreal, and that in lieu of the said discriminating duties or other regulations, only two pounds ten shillings on every hundred pounds value should be levied on such goods, whether they be imported by sea from parts abroad, or by land, river or lake conveyance from the said United States, so that a fair competition may be allowed in our markets to other Nations, and our limited capital and population employed to the best advantage.

That it is expedient to repeal the Statutes under authority of which train oil and oil of all sorts, fish, dried or salted, and books which are prohibited to be imported into the United Kingdom, are prohibited from being imported into this Province from the United States or other foreign countries; and to allow the people of this Province to buy oils, books and fish in whatever market such articles are sold cheapest.

And that in case the revenue that would accrue to the Province from the customs duties and other sources under the changes contemplated in this address, should fall short of the sum necessary to carry on the Government and defray the interest of the public debt we have already contracted, the difference might be raised by a judicious apportionment of taxation by the Legislature of this Province on these imported articles which are generally regarded as luxuries, or which come directly into competition with the staple productions of the colony; and that where, by giving a temporary encouragement, by means of moderate duties, to certain species of domestic industry, a reasonable expectation might be entertained that the articles so encouraged would soon be able to compete on equal terms with the products of the skill and labor of other countries, so that the tariff would no longer operate as a tax, we would not be unwilling to impose such duties.

Resolution on commerce.

Mr. Mackenzie gives notice that he will, on to-morrow, move for the repeal of the 29th rule of this House—and also for leave to bring in a bill to amend the laws regulating the elections of members of this House.

Notices  
Of repeal of 29th rule of the House & of bill to amend the election laws.

Mr. Mackenzie gives notice that he will, on to-morrow, move for the appointment of a special committee on finance—also, for leave to bring in a bill to repeal the act imposing a duty on salt—also, for leave to bring in a bill to amend the law of libel—also, for leave to bring in a bill to regulate the prices of official advertisements in the public papers—also, for leave to bring in a bill to provide for the printing and distribution of the provincial statutes—also, for leave to bring in a bill to establish a department of the post-office and post-roads—also, to move for the reading of that part of the Journals of last session which relates to the petition of John Fitzwilliam Berford, Esq. late Sheriff of the district of Bathurst—also, to move for the reading of that part of the Journals of last session, which relates to the petition of Timothy Street and others, praying for a new division of the Gore and Home districts.

For appointment of committee on finance  
Of bill to repeal salt duty act.  
Of bill to amend law of libel.

Of bill to regulate official advertisements.  
Of bill to provide for printing and distribution of statutes.

Of bill to establish Post Office and Post Road Department.

For reading Journals last Session on petition of John Fitzwilliam, Burfd.

For reading Journals of last Session on petition of Timothy Street.

For select committee on state of library and expenditure of £500, voted for its augmentation and improvement of accommodation of special committees.

Mr. Mackenzie gives notice, that he will, on to-morrow, move, that a Select Committee be appointed to enquire into the state of the Library, with a view to its augmentation, and of the sets of books belonging to this House which have not been arranged and deposited therein, and concerning the expenditure of £500 on books as ordered and provided for in a former Session; as also what temporary improvements can be made for the better accommodation of Special Committees.

Mr. Mackenzie gives notice, that he will, on to-morrow, move for leave to bring in a bill to extend the provisions of the Act, Chap. 1, of the Statutes of last Session to notes and bills above £100 value.

Of bill for extending the provisions of the Act, Ch. 1 of Statutes of last Session.

Mr. Mackenzie gives notice, that he will, on to-morrow, move, that the House do resolve itself into Committee of the whole, to consider the following resolution:

Of Committee of whole on resolution for drawback on certain articles of importation.

*Resolved*,—That it would afford a measure of relief to the Agriculture & Commerce of this Colony if on the duties now chargeable on Cotton manufactures, Woolens, Cotton Yarn, Window Glass, Books and Papers, Printers' Types, Presses and Ink, Coffee, Bolting Cloths and Screens, Burr Blocks, Molasses, Block Tin and Tin in Plates, a draw-back equal in amount to the whole of the duties imposed by law, save and except £2 10 per £100 value, were allowed for the space of one year.

Mr. Mackenzie give notice, that he intends to move for leave to bring in a bill, on to-morrow, for the better regulation of incorporated banks and insurance-offices, and partnership or joint stock banks.

Of bill for better regulation of incorporated banks, &c.



Notices  
For reading Journals of last Session on petition of Joseph Turton,

Mr. Mackenzie gives notice that he intends, on to-morrow, to move for the reading of that part of the Journals of last session, which relates to the petition of Joseph Turton, a contractor for the parliament buildings.

Of bill for payment of war sufferers.

Mr. Duncombe *of Oxford* gives notice that he will, on Monday next, move for leave to bring in a bill to provide for the payment of the claims of the sufferers by the late war with the United States.

Of bill to amend the London & Gore Rail Road Bill.

Mr. Duncombe, *of Oxford*, gives notice, that he will, on Monday next, move for leave to bring in a bill to amend the London and Gore Rail Road Bill.

Of bill to establish the value of British gold and make the same a lawful tender

Mr. Duncombe, *of Oxford*, gives notice, that he will, on Monday next, move for leave to bring in a bill to establish the value of British Gold and Silver in this Province, and make British Gold a lawful tender.

Of bill to prevent circulation of small notes.

Mr. Duncombe, *of Oxford*, gives notice, that he will, on Monday next, move for leave to bring in a bill to prevent the circulation of Bills of a smaller denomination than five dollars in this Province.

For reading Journals of last Session on bill for bank at St. Catharines.

Mr. Rykert gives notice, that he will on to-morrow, move for the reading of that part of the Journals of the first Session of the twelfth Parliament, as relates to the bill for establishing a Bank at St. Catharines, in the Niagara District.

Of Felons counsel Bill.

Mr. Wells gives notice that he will, on to-morrow, move for leave to bring in the Felons Counsel bill.

Postage on all letters and packages to be paid by Clerk.

Mr. Roblin, seconded by Mr. Durand, moves, that the postage on all letters and packages to and from members of this House, during the present Session, be paid by the Clerk, and charged in the contingent account.

Division.

On which the Yeas and Nays, being taken, were as follows :

YEAS—MESSIEURS.

|          |   |  |   |   |
|----------|---|--|---|---|
| Yeas 17. | Brown,<br>Bruce,<br>Chesser,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Durand,<br>McDonell, <i>Stormont</i> ,<br>McDonell, <i>Northumb.</i><br>Mackenzie, | Malloch,<br>Parke,<br>Perry,<br>Roblin, | Rykert,<br>Sol. General,<br>Wells,<br>Yager—17. |
|----------|---|--|---|---|

NAYS—MESSIEURS.

|          |                              |                                  |                                   |                                 |
|----------|------------------------------|----------------------------------|-----------------------------------|---------------------------------|
| Nays 12. | Alway,<br>Dunlop,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount, | McIntosh,<br>McMicking,<br>Moore, | Rymal,<br>Shibley,<br>Smith—12. |
|----------|------------------------------|----------------------------------|-----------------------------------|---------------------------------|

Carried, majority 5. The question was carried in the affirmative by a majority of five, and it was

*Ordered*—That the postage on all letters and packages to and from members of this House during the present session be paid by the Clerk and charged in the contingent account.

Adjourned.

Agreeably to order the House then adjourned 'till ten o'clock, A. M. on Saturday next.

**Saturday, January 16, 1836.**

Petitions bro't up.

The House met

Of President, Directors and Co. of Louth Harbor.

The Minutes of Thursday were read,

Mr. Rykert brought up the petition of the President, Directors and Company of the Louth Harbour; which was laid on the table.

Of Peter Frederick Verhoef.

Mr. Wilkinson brought up the petition of Peter Frederick Verhoef, of the township of Sandwich, in the Western District; which was laid on the table.

Mr. Yager brought up the petition of T. Parker and Two thousand one hundred and sixty five others, inhabitants of the County of Hastings; which was laid on the table. Petitions bro't up. Of T. Parker 2165 others.

Mr. Yager brought up the petition of Edmond Chandler, and one hundred and fifty one others of the town of Belleville, in the County of Hastings; which was laid on the table. Edmond Chandler and 151 others.

Mr. Small brought up the petition of Silas V. York; which was laid on the table. Of Silas V. York.

Mr. McMicking brought up the petition of Joseph Pell, of Stamford, in the county of Lincoln; which was laid on the table. Of Joseph Pell.

Mr. Shibley brought up the petition of John Sills and 102 others of the township of Loughborough; which was laid on the table. Of John Sills and 102 others.

Mr. Wells brought up the petition of John Henderson, a Freeholder, in the county of Leeds; which was laid on the table. Of John Henderson.

Mr. Gilchrist brought up the petition of F. S. Clench, and 68 others, members of the Cobourg Mechanics' Institute; which was laid on the table. Of F. S. Clench and 68 others.

Pursuant to the order of the day, the petition of Marcus Blair, and thirty others, of the township of Cayuga; (Haldimand) praying for a corporate capacity to enable them to erect a toll bridge over the Grand River Ouse, where it is intersected by the road leading from Niagara to Amherstburgh. Petitions read. Of Marcus Blair & 30 others praying for an act of incorporation to build bridge over the Grand River.

The Petition of Marcus Blair, and seventeen others, of the township of Cayuga aforesaid, praying for amendment in the construction of the divisions for holding the Courts of Requests in that county. The petition of Marcus Blair and eighteen others of said township, stating that the navigation of the Grand River has been impeded by the operations of the Welland Canal Company, contrary to the terms of their charter; and praying for redress—and the petition of Edward Van Cortlandt and six hundred and sixty-nine others, inhabitants of the districts of Bathurst and Ottawa—praying for the erection of a new District, having Bytown for its County town—were read. Of Marcus Blair and 17 others praying for amendment in Court of Requests Act. Of Marcus Blair and 18 others, praying for redress in the case of Welland Canal Company impeding navigation of Grand River. Of E Van Cortlandt and others praying for the creation of a new district.

Mr. Duncombe, of Oxford, gives notice that he will on the first Monday in February next, move this House to go into committee of Supply for the purpose of moving for a grant of money for the improvement of Roads and Bridges in this Province and other purposes. Notices. Committee of supply for roads and bridges.

Mr. Wilkinson gives notice that he will move, on Thursday next, for leave to bring in a bill to amend an Act passed in the 5th year of his present Majesty's reign, entitled, "An Act to provide for the payment of wages to the members of the House of Assembly representing towns in this Province." Of bill to amend the act providing for payment of wages to town members.

Mr. Small gives notice that he will, on Monday next, move for leave to bring in a bill to enable the members of the House of Assembly to vacate their seats in certain cases, and also to declare the seat vacated, of any member accepting an Executive appointment after his election. Of bill to enable members to vacate their seats, and to declare them vacant in certain cases.

Mr. Small gives notice, that he will, on Tuesday next, move for leave to bring in a bill to amend the Court of Requests act. Of bill to amend court of requests act.

Mr. Small gives notice, that he will, on Thursday next, move for leave to bring in a bill to extend the elective franchise in Cities and Towns, to inhabitants who having leased lots, have built and reside thereon. Of bill to extend the elective franchise in certain cases.

Of bill to amend the city of Toronto incorporation act.

Mr. Small gives notice, that he will, on Friday next, move for leave to bring in a bill to amend the act incorporating the City of Toronto.

Of bill to amend and repeal certain parts of an act to improve the roads in vicinity of town York

Mr. Small gives notice, that he will, on Thursday next, move for leave to bring in a bill to amend and repeal certain parts of an Act of the parliament of this Province, passed in the 3rd year of his present Majesty's reign, entitled, "An Act to raise a sum of money to improve certain roads in the vicinity of the town of York, and for other purposes therein mentioned."

Of bill to regulate the expenditure of the District Funds.

Mr. Bruce gives notice that he will on Monday next moves for leave to bring in a bill to regulate the expenditure of the district funds throughout the several districts in this Province.

Leeds election bill read 2nd time, and committed.

Pursuant to the order of the day, the Leeds election bill was read the 2nd time.

The House was put into committee of the whole on the bill.

Mr. Wilkinson in the chair.

The House resumed.

Bill amended.

Mr. Wilkinson reported that the committee had gone through the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

Third reading on Monday.

*Ordered,* That the Leeds Election bill be engrossed and read a third time on Monday next.

Agreeably to notice, Mr. Mackenzie, seconded by Mr. Wilson, moves, that it be Resolved,

Resolution on commerce.

That an humble address be presented to His Majesty, setting forth that the pressed state of agriculture in this Province is in a great measure attributed to those laws, ordinances and instructions, for the regulation of trade, by means of which the industry of the Province is held in subservience to the interest of the commerce and shipping of the United Kingdom, and that we entertain a reasonable expectation that a more liberal policy, suitable to the wants and more permanent interests of the colonists, will be henceforth pursued, and their foreign trade encouraged and promoted as being eminently conducive to the prosperity of the Province.

That we have always shewn great willingness to consume the goods and merchandize of the United Kingdom and its colonies according to our means of payment, but that if the restrictions which embarrass our commerce were removed, and we permitted to direct the labour of our hands to the industry of our choice, to employ the cheapest and most convenient means of transport, and to carry the products of that industry to those markets in which they could be disposed of to the best advantage, our means of purchasing British goods would be thereby increased, and our capital and labor employed beneficially in diffusing wealth and enjoyment through the colony.

That situated, as Upper Canada is, at a great distance from the sea, the communication with which by the St. Lawrence is interrupted for a great part of the year, our interests would be best promoted by the adoption of such commercial regulations as would enable our agriculturists, merchants and manufacturers to obtain free access to the ocean through every channel by means of which they could safely convey those articles of which this Province possesses a superfluity, to the best markets, and through which they might bring back of the goods and merchandize of other lands, according to their means, without such imports being subjected to the present heavy tariff of discriminating duties, the operation of which is to add materially to

the many natural obstructions incidental to our inland situation, and to retard the settlement of the waste lands of the Province by the more wealthy, intelligent, and persevering class of emigrants, who are induced to settle and invest their capital in the States of Ohio, Michigan, Pennsylvania and New York, the citizens of which have at all times the free choice of three markets, namely—Foreign States, through their own seaboard; the St. Lawrence; and the markets of the Southern States, while we of Upper Canada are restricted to the channel of the St. Lawrence only.

Resolution on commerce.

Requesting that His Majesty would be pleased to cause such representations to be made to the Government at Washington, as shall appear to be best calculated to induce Congress to admit the goods and merchandize of Great Britain or other Nations to pass through the United States into Upper Canada, subject only to the duties which are or may be payable within this Province, and without being liable to the payment of any tax or impost in or to the said States; and also to permit the goods, wares, and merchandize of this Province to be transported through the said States to other countries beyond the seas, free of duty, and subject only to such regulations as may be found necessary for the prevention of infractions of the revenue laws of the American Union.

Setting forth that lumber is admitted duty free into this Province from the United States, the Government of which States exacts very heavy duties on the lumber we export thither—that the exaction of these duties gives cause of complaint to all who are largely engaged in carrying lumber from the Western Settlements of this Province to the said States—and that we trust that His Majesty's Government will enter into such negotiations as may have a tendency to place this important branch of Canadian industry on a footing of perfect reciprocity in the markets of the neighbouring Republic.

That although the prices of wheat and flour, two of our staple commodities, are frequently higher in the United States than in this Province, we are prevented from obtaining the full advantage of the increase of demand consequent on such prices, our wheat being subject to a duty in the United States ports of fifteen-pence currency on every bushel imported, with a proportional tax on Canadian flour, while to the people of the said States our markets for their wheat and flour are always open, duty free, by which regulation they are at all times enabled to avail themselves of such favourable changes as may happen in the markets of Canada.

Humbly requesting that His Majesty would cause such representations to be made to the Government of the United States as might have a tendency to place this interesting branch of Canadian commerce on a footing of reciprocity in the two countries, which principle of reciprocity, if it were extended generally to other descriptions of goods admitted duty free into the Canadas, under late Colonial Trade Acts, would confer many additional benefits on this Province.

And that in consideration of the great and increasing consumption of the merchandize of the United Kingdom, in Upper Canada, His Majesty would be pleased to recommend to his Parliament to admit the flour, meal, grain, beef, pork, and other staple products of this Province into the ports of the United Kingdom duty free, or on the terms on which the produce of Ireland is admitted into England, or at which the staple agricultural products of the Northern and Eastern States of the American Union are by a late British Act authorised to be admitted into Canada—or subject to as reasonable rates of impost as are now levied at the ports of Montreal and Quebec on the staple

Resolution on commerce.

products and manufactures of the United Kingdom, when imported direct from Great Britain and Ireland by sea.

Representing that the entire abolition of the several duties now levied in our ports upon articles of the growth and manufacture of other countries which come not into competition with the industry of this Province, would have a tendency to increase and diffuse capital here, besides affording a protection to labour, by enabling the labourer to live cheaper, and the farmer and manufacturer to compete more successfully with the skill and industry of other countries.

That the article of tea, which is consumed in great quantities in this Province, is taxed at Quebec and prohibited on our frontier, but admitted free of duty into the United States, to which it is brought direct from the place of its growth; that the free importation of tea into Canada would interfere with no article of domestic manufacture either in Great Britain or her Colonies; that although tea is prohibited from being imported hither from the United States, where it is obtained much cheaper than we now obtain it in Montreal and Quebec, the opinion prevails that it is extensively smuggled from the United States, and it is well known that the seizures made by the Officers of the Customs sometimes prove ruinous to those persons who are tempted to engage in the traffic, that hence the complaint is preferred with very great reason, that laws are enacted in England, where we are not represented in Parliament, prohibiting the people of this Province from purchasing the commodities they require at the best and cheapest markets, and compelling them, if they purchase at all, to uphold a grievous monopoly by buying at the dearest market both to the merchant and the consumer, although in preventing the Canadians from purchasing tea in the United States, the Government cannot urge the usual specious plea, that it does so to encourage some domestic production either of England or her Colonies.

That it is expedient that the following articles, when imported from Great Britain or from any other country, into Lower Canada, or into this Province from the United States, shall be imported free from all duties, namely—Teas of all kinds, coffee, cotton yarn, and all cotton manufactures, burr blocks, bolting cloths and screens, books and papers of all kinds, printers' presses, types and ink, molasses, tin in plates, and block tin.

That our close neighbourhood for many hundreds of miles to parts of the States of New York, Pennsylvania, Ohio, and Michigan, renders it a matter of difficulty for the trader who will not smuggle to compete with him who will, in all those articles which can be purchased cheapest in the markets of these States, on which a duty is now levied sufficiently high to cover the expense and risk of smuggling them across the lines.

That it is expedient to repeal the laws imposing seven and a half, fifteen, twenty, and in some cases thirty pounds of Customs duties on every hundred pounds value of many articles of goods which are of the first necessity to an agricultural community, when imported into Lower Canada by Sea, from countries not under the dominion of Great Britain, or from the United States into this Province by land or other conveyance, while in some instances no duty, and in most cases a duty of only two pounds ten shillings on every hundred pounds value is exacted on the same descriptions of goods and merchandize if imported from Great Britain or her Colonies by way of Quebec and Montreal, and that in lieu of the said discriminating duties or other regulations, only two pounds ten shillings on every hundred pounds value should be levied on such goods, whether they be imported by sea from parts abroad, or by land, river or lake con-

veyance from the said United States, so that a fair competition may be allowed in our markets to other Nations, and our limited capital and population employed to the best advantage.

Resolution on commerce.

That it is expedient to repeal the Statutes under authority of which train oil and oil of all sorts, fish, dried or salted, and books which are prohibited to be imported into the United Kingdom, are prohibited from being imported into this Province from the United States or other foreign countries; and to allow the people of this Province to buy oils, books and fish in whatever market such articles are sold cheapest.

And that in case the revenue that would accrue to the Province from the Customs duties and other sources under the changes contemplated in this Address, should fall short of the sum necessary to carry on the Government and defray the interest of the public debt we have already contracted, the difference might be raised by a judicious apportionment of taxation by the Legislature of this Province on those imported articles which are generally regarded as luxuries, or which come directly into competition with the staple productions of the Colony; and that where, by giving a temporary encouragement, by means of moderate duties, to certain species of domestic industry, a reasonable expectation might be entertained that the articles so encouraged would soon be able to compete on equal terms with the products of the skill and labour of other countries, so that the tariff would no longer operate as a tax, we would not be unwilling to impose such duties.

In amendment, Mr. Small, seconded by Mr. Strange, moves that the question on the Resolution be not now put, but that five hundred copies of it be printed for the use of Members, and that it be referred to a Committee of the whole House on Friday next, and that it do stand the first item on the order of the day, for that day.

Amended.

Five hundred copies to be printed—referred to Committee of whole on Friday next, and stand first on order of the day.

Which was carried and ordered.

Ordered.

The House then adjourned 'till ten o'clock, A.M., on Monday next.

Adjourned.

### MONDAY, JANUARY 18th, 1836.

The House met pursuant to adjournment.

The minutes of Saturday were read.

Mr. Wilson brought up the petition of Owen Richards, Light-House Keeper at Point Peter, (Lake Ontario); which was laid on the table.

Petitions brought up:  
Owen Richards;

Mr. Parke brought up the petition of the Grand Jury of the London District, through their foreman, S. Bullen, Esquire; which was laid on the table.

Grand Jury of the  
London District;

Mr. Parke brought up the petition of Simeon Bullen, and seventeen others, Grand Jurors, Township Clerks and Commissioners, of the London District; which was laid on the table.

S. Bullen, and others;

Mr. Parke brought up the petition of William and James Gardiner, of the Township of Mosa, in the County of Middlesex; which was laid on the table.

W. and J. Gardiner;

Mr. Morrison brought up the petition of Henry Cowan, and seven others, of the Township of Pickering, (York); which was laid on the table.

Henry Cowan, and  
others;

Mr. Morrison brought up the petition of Leonard Wilcox, of the City of Toronto, carpenter; which was laid on the table.

Leonard Wilcox;

Mr. Wells brought up the petition of Henry Burritt, and six hundred and fifteen others, inhabitants of the District of Johnstown; which was laid on the table.

H. Burritt, and  
others;

Mr. Wells brought up the petition of William Buell, Esquire, agent for the petitioners against the return of Robert S. Jamson

W. Buell, Esquire;

- and Ogle R. Gowan, Esquires, whose seats were vacated at the last Session of the Provincial Parliament; which was laid on the table.
- J. Shipman, and others; Mr. Wells brought up the petition of John Shipman, and nineteen others, inhabitants of the District of Johnstown; which was laid on the table.
- M. Cameron, and others; Mr. McDonell, of *Stormont*, brought up the petition of Malcolm Cameron, and forty others, of the township of Roxborough, (*Stormont*); which was laid on the table.
- M. Cambell, and others; Mr. McDonell, of *Stormont*, brought up the petition of Malcolm Campbell, and forty-nine others, of the Township of Roxborough, aforesaid; which was laid on the table.
- John Young, and others; Mr. Richardson brought up the petition of John Young, and one hundred and ten others, inhabitants of the District of Niagara; which was laid on the table.
- L. L. Arnold, and others; Mr. Caldwell brought up the petition of L. L. Arnold, and forty others, of the Townships of Chatham and Camden, (*Kent*); which was laid on the table.
- Hugh Allen, and others; Mr. Robinson brought up the petition of Hugh Allan, and eighty-seven others, inhabitants of the Home District, residing between the City of Toronto and Lake Simcoe; which was laid on the table.
- Thomas Drury, and others; Mr. Robinson brought up the petition of Thomas Drury, and eighty-nine others, inhabitants of the Township of West Gwillimbury, (*Simcoe*); which was laid on the table.
- James Lesslie, and others; Mr. Solicitor General brought up the petition of James Lesslie, and sixty-seven others, inhabitants of the Home District; which was laid on the table.
- Mrs. E. Thomson. Mr. Roblin brought up the petition of Elizabeth Thomson, widow of the late Hugh C. Thomson, Esquire, of the Town of Kingston; which was laid on the table.
- Leeds Election bill read third time. Pursuant to the order of the day, the bill to regulate the manner of holding the elections in the County of Leeds was read the third time.
- On question for passing. On the question for passing the same, the yeas and nays were taken as follows:
- |                 |   |   |  |
|-----------------|---|---|--|
| YEAS—MESSIEURS, |   |   |  |
| Yeas 35.        | Alway,<br>Bruce,<br>Caldwell,<br>Chesser,<br>Chisholm,<br>Cook,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Dunlop,<br>Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McDonell, <i>Northumb.</i><br>McIntosh,<br>McKay,<br>McMicking, | Moore,<br>Morrison,<br>Parke,<br>Richardson,<br>Rykert,<br>Rymal,<br>Shaver,<br>Small,<br>Smith, |
|                 |   |   | Strange,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilkinson,<br>Wilson,<br>Woolverton,<br>Yager,—35. |
- |                 |                         |
|-----------------|-------------------------|
| NAYS—MESSIEURS, |                         |
| Nays 2.         | Macnab,<br>Robinson,—2. |
- Question carried, majority 33. The question was carried in the affirmative by a majority of thirty-three, and the bill was signed.
- Title. Mr. Wells, seconded by Mr. Shaver, moves that the bill be entitled "*An Act to ensure the freedom of Elections in the County of Leeds.*"
- Committee to carry up the Bill to the Legislative Council. Which was carried, and Messrs. Wells and Yager were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Motion for appointment of select Committee on printing of Session, 44th and 29th rules suspended. Mr. Thorburn, seconded by Mr. Woolverton, moves that a select Committee be appointed to superintend and direct the printing that may be ordered by the House to be done during its present Session, at such prices as may appear to them to be fair and reasonable; that Messrs. Wells, Bruce, Cook, Shaver, Gibson and McMicking do form the said Committee, and the 44th and 29th rules be suspended so far as they would affect this motion.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves that after the word "moves," in the original, the whole be expunged, and the following inserted—"That a Committee of seven Members be forthwith appointed by ballot, to superintend and direct the printing that may be ordered by the House to be done during the present Session, and that the 4th rule of this House be rescinded.

On which, the yeas and nays were taken as follows :

Division.

YEAS—MESSIEURS,

|                            |                                    |            |          |
|----------------------------|------------------------------------|------------|----------|
| Chisholm,                  | McDonell, <i>Stormont</i> , Perry, | Smith,     | Yeas 15. |
| Duncombe, <i>Orford</i> ,  | McDonell, <i>Northumb.</i> Roblin, | Strange,   |          |
| Duncombe, <i>Norfolk</i> , | McKay,                             | Rykert,    |          |
| Hopkins,                   | Merritt,                           | Small,     |          |
|                            |                                    | Yager,—15. |          |

NAYS—MESSIEURS,

|           |            |             |                 |          |
|-----------|------------|-------------|-----------------|----------|
| Alway,    | Lount,     | Parke,      | Thorburn,       | Nays 23. |
| Brown,    | McIntosh,  | Richardson, | Waters,         |          |
| Bruce,    | McMicking, | Robinson,   | Wells,          |          |
| Cook,     | Malloch,   | Rymal,      | Wilson,         |          |
| Cornwall, | Moore,     | Shaver,     | Woolverton,—23. |          |
| Dunlop,   | Morrison,  | Shibley,    |                 |          |

The question of amendment was decided in the negative by a majority of eight. Amendment lost, majority 8.

In amendment to the original motion, Mr. Mackenzie, seconded by Mr. Wells, moves, that the motion be amended, by adding, "and that it be an instruction to the committee to engage on the best terms they can for the daily printing of the Journal (exclusive of the Appendix) with any printer in Toronto, at their discretion, so that the members of this House may be enabled to transmit to their constituents a full and true account of their votes, resolutions and other proceedings with the greatest possible despatch—that of the edition so to be printed, four copies be daily distributed to each member, three of which to be folded by the clerks and prepared for being mailed, one copy sent to each member of the Legislative Council, and one copy to each editor, printer, or publisher of a Newspaper within this Province; that thus the conductors of the public press may be enabled to circulate among the people, the earliest and most accurate information of the votes and proceedings of their representatives; as also that the remainder of the edition be disposed of agreeable to the 9th standing order." Amendment to original motion.

Which was carried. Amendment carried.

The original question as amended, was then put and carried, as follows :

*Resolved*,—That a Select Committee be appointed to superintend and direct the printing that may be ordered by the House to be done during its present session, at such prices as may appear to them to be fair and reasonable; that Messrs. Wells, Bruce, Cook, Shaver, Gibson & McMicking do form the said committee, and the 44th and 29th rules be suspended so far as they would affect this motion. And that it be an instruction to the Committee to engage on the best terms they can for the daily printing of the Journals (exclusive of the appendix) with any printer in Toronto, at their discretion, so that the members of this House may be enabled to transmit to their constituents a full and true account of their votes, resolutions, and other proceedings, with the greatest possible despatch—that of the Edition so to be printed, four copies be daily distributed to each member, three of which to be folded by the clerks, and prepared for being mailed, one copy sent to each member of the Legislative Council, and one copy to each Editor, printer or publisher of a newspaper within this Province, that thus the conductors of the public press may be enabled to circulate, among the people, the earliest and most accurate information of the votes and proceedings of their representatives; as also that the remainder of the edition be disposed of agreeable to the 9th standing order. Original question, as amended.

Agreeably to the order of the day, the following petitions were read :



Petitions read :

Of the President, Directors and Company of the Louth Harbour stating, that having raised sufficient stock, according to the estimate of their Engineer, to complete the work, they commenced the same ; but that owing to the scarcity of money some of the Stockholders have failed in their payments, whereby their expectations have been disappointed, and praying for a loan of £1500 from the Provincial funds, to enable them to accomplish the work, which when completed, will form the finest Harbour between Burlington Bay and Niagara.

Mr. P Verhoef, a native of Prussia, to be naturalized.

Of Peter Frederick Verhoef, a native of Prussia, residing in the township of Sandwich, praying to be naturalized.

Of Thomas Parker, and others, of the County of Hastings, praying said County may be set off into a separate District.

Of Thomas Parker and 2165 others of the county of Hastings, stating that, from the great distance to the district town, they labor under vast disadvantage and expense : that from the extent of its population and resources the county is fully entitled to a separate district government, without which the benefits to be derived from its natural advantages cannot be realized : that the distance which public officers have to travel to transact their business at the different courts is oftentimes from 60 to 100 miles ; that the sheriff's milage frequently exceeds one hundred and sixty miles. Petitioners state one fact ; that at the last Court of King's Bench no less than four hundred persons were present, from the county of Hastings at an expense, altogether, of not less than £1500 : that of these not less than three hundred were farmers, and as the court was held in harvest time, it must have taken 3000 days from the work so much needed at that season, and which cannot be computed at a much less sum than four hundred pounds. That for these reasons and many others equally cogent and upon every principle of justice, petitioners pray that the county of Hastings may be erected into a separate district.

Edmonds Chandler, and others, praying for alteration in Belleville Police Act.

Of Edmonds Chandler, and one hundred and fifty-one others, inhabitants of the town of Belleville, stating that by some inadvertency some clauses militating against the interests of petitioners had crept into the Act passed for regulating the Police of that town, and praying that a new Act may be passed to alter and amend the same.

Silas V. York praying for a pension.

Of Silas V. York, a Sergeant in the Incorporated Militia, during the late war, who, from the circumstances of his certificate having been mislaid, was rejected by the Medical Board as not entitled to a pension for his wounds, and praying for relief.

Of Joseph Pell, of Stamford, praying for the establishment of a Court of Equity, to enable him to obtain justice.

Of Joseph Pell, of Stamford, in the county of Lincoln, setting forth that he came to this Province upwards of forty years ago, with his father, the late Mr. Joshua Pell, as U. E. Loyalists, and received grants from the crown ; since which he has suffered much for want of an impartial administration of Justice in this Province. That his father's property in the United States, at this day worth five hundred thousand dollars, was confiscated owing to his attachment to the British connexion ; that after his father's death in 1821, certain land speculators urged a nephew of petitioner's to go to law with him, and supplied him with money for that purpose ; and that since the year 1822 he has been annoyed with lawsuit after lawsuit, and " Court above" after " Court above," until his partner and himself have been driven from a state of affluence to one of difficulty, in their old age.

That the property wrested from him consisted of 4,700 acres of land, worth at this day at least £30,000 ; that petitioner employed several lawyers, but it was of no avail, and although his nephew had not a shadow of claim, his wife and daughter were turned out of the dwelling where he had resided nearly half a century ; that verdicts have always been given in his favor except on the first trial, but he is assured it is of no use ; Messrs. Robinson and Macaulay being a majority in the " Courts above," always turned the scale against the

man in opposition to whose interests they had before taken a liberal fee; that at one time Chief Justice Robinson put off the cause for twelve months, because he had formerly been employed by the opposite party. Mr. Justice Macaulay, who had also been an opposing counsel, tried the cause another year and non-suited petitioner.

That the "court above" always turned the scale the other way, and petitioner is legally advised that his only remedy is to pray for the establishment of a Court of Equity, where he may obtain that justice which the ordinary law courts cannot or will not afford him.

Of William Simpkins, J. P. and one hundred and two others, of the township of Loughborough, praying that the old survey of that township may be established by law.

Of John Henderson, and two hundred and twenty-four others, of the Johnstown District, stating that said Henderson at the election held for the County of Leeds, was assaulted and beaten by a man of the name of Jelly—that on complaining to the Grand Jury at the Assizes he was indicted for the same, but the Court deferred the case to the next Assizes. The parties were bound to appear; petitioner attended with six witnesses for twelve days, without any intimation from the Crown Officer that the case was to be tried at the next Quarter Sessions, when Jelly was bound to appear. Petitioner, although not bound, appeared at the Quarter Sessions, but Jelly did not appear to take his trial: that such conduct amounts to a denial of justice, and petitioner therefore prays an enquiry into the conduct and motives of the Attorney General, Robert S. Jameson, Esquire, and that the House will take such steps in the matter as may be deemed fit and proper.

Of F. S. Clench, and sixty-eight others, mechanics and others, members of the Cobourg Mechanic's Institution, praying for a sum of money to assist in the purchase of books to increase their library, and provide apparatus for the illustration of public lectures.

Mr. Rykert gives notice, that he will, on Monday next, move for leave to bring in a bill for the erection and endowment of Provincial Seminaries, and for the establishment and support of Common Schools throughout this Province.

Mr. Rykert gives notice, that he will, on Monday next, move for leave to bring in a bill to declare the rights and power of Carriers, Forwarders, Warehousemen and Wharfingers, in certain cases, in this Province.

Mr. Mackenzie gives notice, that he will ask the House, on to-morrow, for leave to bring in a bill to grant a Bounty to those who shall destroy Wolves and Bears.

Mr. Mackenzie gives notice, that he will, on to-morrow, move for the reading of that part of the Journals of last Session, which relates to the proceedings had on the petition of Thomas Appleton, late of York, Teacher.

Mr. Robinson gives notice, that he will, on to-morrow week, move for leave to bring in a bill to authorise His Majesty's Receiver General to raise by way of loan, a sufficient sum to complete the macadamization of Yonge Street to Holland Landing, upon the credit of the tolls to be collected, and such other security as may be deemed necessary to ensure the money being obtained.

Mr. Parke gives notice, that he will, on to-morrow, move for the reading of that part of the Journals of last Session relating to the petitions of William Jackson, John Ardiel and Levi Lewis.

On motion of Mr. Rykert, seconded by Mr. Caldwell,

*Ord. ed.* That the petition of the President, Directors and Company of the Louth Harbor, be referred to the Committee of Supply.

Of W. Simpkins, J. P. and others, praying that the old survey of Loughboro' may be established.

John Henderson and others, praying for an enquiry into the conduct of the Attorney General, as complained of by him.

F. S. Clench and others, of Mechanics' Institute of Cobourg, praying for pecuniary aid for said Institution.

Notices:  
Of bill for endowment of Provincial Seminaries, and support of Common Schools.

Of bill declaring the rights and power of Carriers &c.

Of bill for bounty on Wolves and Bears.

For reading Journals of last Session on petition of Thomas Appleton.

Of bill to raise by loan a sum of money to complete the macadamized road from Toronto to Holland Landing.

For reading Journals of last Session on petition of Jackson, Ardiel and Lewis.

Petitions referred.

Of President, Directors and Company, of Louth Harbor.

Of Thomas Parker.

Mr. Yager, seconded by Mr. Cook, moves that the petition of Thomas Parker be referred to a select committee, consisting of Messrs. Roblin and Shaver, with power to send for persons and papers and report thereon by bill or otherwise.

Amendment.

In amendment, Mr. Solicitor General, seconded by Mr. Duncombe of *Norfolk*, moves that all in the motion after the word "referred" be expunged, and the following inserted—"to a committee of the whole House on Thursday next, with instructions to consider the divisions of the Province, with a view to the re-organization of the same, and the setting off an additional number of Districts within the same.

Division.

On which the yeas and nays were taken as follows :

## YEAS—MESSIEURS,

|         |   |                        |                              |                             |
|---------|---|------------------------|------------------------------|-----------------------------|
| Yeas 8. | Clisholm,<br>Duncombe, <i>Norfolk</i> , | Hopkins,<br>McMicking, | Small,<br>Solicitor General, | Thorburn,<br>Woolverton,—8. |
|---------|---|------------------------|------------------------------|-----------------------------|

## NAYS—MESSIEURS,

|          |   |   |  |  |
|----------|---|---|--|--|
| Nays 25. | Bruce,<br>Caldwell,<br>Cook,<br>Duncombe, <i>Orford</i> ,<br>Dunlop,<br>Gibson,<br>Gilchrist, | McDonell, <i>Stormont</i> ,<br>McIntosh,<br>McKay,<br>Mackenzie,<br>Merritt,<br>Morrison, | Parke,<br>Richardson,<br>Robinson,<br>Roblin,<br>Rykert,<br>Rymal, | Shaver,<br>Shibley,<br>Smith,<br>Wells,<br>Wilson,<br>Yager,—25. |
|----------|---|---|--|--|

Amendment lost—  
majority 17.

The question of amendment was decided in the negative by a majority of seventeen.

The original question was then put and carried.

Of Silas V. York;

On motion of Mr. Small, seconded by Mr. Robinson,  
*Ordered*—That the petition of Silas V. York and others, be referred to a Select Committee to report thereon by bill or otherwise, with power to send for persons and papers, and that Messrs. McIntosh, Cook and McKenzie, do compose said Committee.

Edmond Chandler,  
and 151 others:

On motion of Mr. Robinson, seconded by Mr. Bruce,  
*Ordered*—That the petition of Edmond Chandler and others, be referred to the Committee to whom was referred the petition of Thomas Parker and others.

Of E. VanCortlandt  
and others:

On motion of Mr. Kay, seconded by Mr. Strange,  
*Ordered*—That the petition of Ed. Van Cortlandt and others, be referred to a Select Committee, to be composed of Messrs. Roblin, Waters and Wilkinson, with power to send for persons and papers, and report by bill or otherwise.

Of Joseph Pell.

On motion of Mr. Thorburn, seconded by Mr. Hopkins,  
*Ordered*—That the petition of Joseph Pell be referred to a Select Committee, to consist of Messrs. McMicking, Woolverton, Small, Wells, Mackenzie and Richardson, with power to send for persons, papers and records, and leave to report by bill or otherwise, and that the 29th rule of this House be dispensed with so far as it relates to the same.

Of F. S. Clench  
and 68 others.

On motion of Mr. Gilchrist, seconded by Mr. Parke,  
*Ordered*—That the petition of F. S. Clench and sixty-eight others, Members of the Mechanics' Institute of Cobourg, be referred to the Committee of Supply.

Mr. Speaker reported having received from the President of the Welland Canal Company, the accounts as directed by law to be laid before the Legislature.

Accounts—(See *Appendix*.)

Pursuant to notice, Mr. Mackenzie, seconded by Dr. Gilchrist, Motion for rescinding moves that the 29th Rule of this House be rescinded. 29th Rule.

On which the yeas and nays being taken, were as follows:

YEAS—MESSIEURS,

|            |                             |            |            |         |
|------------|-----------------------------|------------|------------|---------|
| Gibson,    | McDonell, <i>Stormont</i> , | Mackenzie, | Thorburn,  | Yeas 9. |
| Gilchrist, | McIntosh,                   | Moore,     | Wilson,—9. |         |
| Lount,     |                             |            |            |         |

NAYS—MESSIEURS,

|           |                            |             |                    |          |
|-----------|----------------------------|-------------|--------------------|----------|
| Alway,    | Duncombe, <i>Oxford</i> ,  | Parke,      | Shibley,           | Nays 30. |
| Boulton,  | Duncombe, <i>Norfolk</i> , | Perry,      | Small,             |          |
| Brown,    | Dunlop,                    | Richardson, | Smith,             |          |
| Bruce,    | Hopkins,                   | Robinson,   | Solicitor General, |          |
| Caldwell, | McKay,                     | Roblin,     | Wells,             |          |
| Chisholm, | McMicking,                 | Rykert,     | Woolverton,        |          |
| Cook,     | Merritt,                   | Rymal,      | Yager—30.          |          |
| Cornwall, | Morrison,                  |             |                    |          |

The question was decided in the negative by a majority of twenty-one.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Wilson, Election amendment moves for leave to bring in a bill to amend the Election Laws. bill read.

Which was granted, and the bill read.

*Ordered*—That the Election Amendment bill be read a second time to-morrow.

Adjourned.

Adjourned.

TUESDAY, JANUARY 19th, 1836.

The House met.

The minutes of yesterday were read.

Mr. Charles Duncombe brought up the petition of William Sumner, and fourteen others, inhabitants of the first concession of the township of Westminster, in the County of Oxford; which was laid on the table. Petitions brought up: W. Sumner, and others.

Mr. Woolverton brought up the petition of Benjamin Wait, and one hundred and forty-nine others, residing on the Indian Lands, in the County of Haldimand; which was laid on the table. B. Wait, and others.

Mr. Gibson brought up the petition of Messrs. Hughes, Shepard and Johnson, Trustees to the Farmers' Store-House, in the City of Toronto; which was laid on the table. Hughes, Shepard, and Johnson.

Mr. Macnab brought up the petition of Augustus Bates, and two hundred and forty-five others, inhabitants of the Counties of Huron and Halton; which was laid on the table. A. Bates, and others.

Mr. Macnab brought up the petition of Joseph Lister, M. D., of the town of Hamilton, in the District of Gore; which was laid on the table. Joseph Lister.

Mr. David Duncombe brought up the petition of Ezekiel Foster, and six hundred and twenty-five others, inhabitants of the County of Norfolk; which was laid on the table. E. Foster, and others.

Mr. Roblin brought up the petition of Thomas Archer, and fifty-nine others, inhabitants of the first concession, west of Green Point, in the township of Sophiasburgh, (Prince Edward); which was laid on the table. T. Archer, and others.

Mr. Alway brought up the petition of Simson M'Call, and two hundred and two others, inhabitants of the County of Norfolk; which was laid on the table. S. M'Call.

## Notices:

For Committee on Militia and other Pensioners' claims.

For Committee on Charters of Banking and Insurance Companies.

For Committee on Canals and internal improvements.

For Committee on petitions of Aliens.

For Committee on expiring Laws.

For Committee on Colleges, Academies, Common Schools, and School Lands.

For Committee on divisions of Districts.

For Committee on agriculture, improvement of breed of animals and seeds of grain, and upon trade and manufactures.

For Committee on incorporation of towns and villages.

For Committee on Penitentiary.

For Committee on roads, Macadamized roads, and bridges.

For reading Journals of last Session on petition of J. Hugill.

Of bill to repeal the laws imposing fines on Quakers, &c. for non performance of Militia duty.

For reading Journals of last Session on petition of W. Pell, and others.

Of bill for encouragement of agriculture.

Of bill to afford facility in the proof of memorials for registration.

Of bill to alter the mode of paying Members' wages.

Notice of motion for grant of £1000, to aid the sufferers at the late fire at New York.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee upon the claims of Militia and other pensioners in this Province.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee upon the incorporation and alteration of the Charters of Banking and Insurance Companies.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee upon the subject of Canals and internal improvements within this Province.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee upon the petitions of Aliens.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee upon the expiring laws of this Province.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee on Colleges, Academies, Common Schools, and School Lands.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee of eleven Members upon the division of Districts in this Province.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee on agriculture, and the improvement of the breed of animals and seeds of grain, and upon trade and manufactures.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee on the incorporation of towns and villages.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee upon the Penitentiary of this Province.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee upon Roads, Macadamized Roads, and Bridges within this Province.

Mr. Small gives notice, that he will, on to-morrow, move for reading those parts of the Journals of last Session relative to the petition of John Hugill, executor of the last will and testament of John Wilmot, deceased.

Mr. Roblin gives notice, that he will, on to-morrow, move for leave to bring in a bill to repeal the laws now in force, imposing fines on Quakers, Menonists, and Tunkers, for the non-performance of Militia duty in time of peace.

Mr. Merritt gives notice, that he will, on to-morrow, move the reading of that part of the Journals of the last Session of Parliament, relating to the petition of William Pell, and others, of Haldimand.

Mr. Parke gives notice, that he will, on to-morrow, move for leave to bring in a bill for the encouragement of agriculture, by securing the rights of off going tenants.

Mr. Boulton gives notice, that he will, on Tuesday next, move for leave to bring in a bill to afford greater facility in the proof of the memorials of deeds, wills, and other conveyances for registry, and to provide for the registry of judgments.

Mr. Boulton gives notice, that he will, on Monday, the first day of February, move for leave to bring in a bill to alter the mode of paying the wages of the Members of the House of Assembly.

Mr. Boulton gives notice, that he will move, in the Committee of Supply, for a grant of £1000 in aid of the sufferers by the late calamitous fire at New York.

On motion of Mr. Wilkinson, seconded by Mr. Caldwell,

*Ordered*—That the petition of Peter F. Verhoef, be referred to a Select Committee, composed of Messrs. Perry and Macnab, with power to send for persons and papers, and to report thereon by bill or otherwise.

Petition of Peter F. Verhoef referred.

On motion of Mr. Shibley, seconded by Mr. Strange,

*Ordered*—That the petition of William Simpkins, and others, be referred to a Select Committee, composed of Messrs. Shaver and Gibson, with power to send for persons and papers, and report thereon by bill or otherwise.

Petition of William Simpkins, and others, referred.

On motion of Mr. Boulton, seconded by Mr. Robinson,

*Ordered*—That two hundred copies of the bill for the amendment of the law of elections, be printed for the use of Members.

Election bill to be printed.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Wilson, moves, that it be resolved—That this House will proceed forthwith to the appointment of a Standing Committee of Finance, to enquire into the receipts and expenditure of the whole public Revenue of this Province, inclusive of monies authorised to be expended by the Magistrates in their several Districts, and that this Committee do consist of nine Members, and that it be instructed to enquire into the condition of those Canals, Harbours, and other Companies incorporated by law, to whom the public monies of this Province have at any time been loaned, or in which the Province hath taken stock, as also into the past and present expenditure of this House, as well as in the Legislative Council, as shewn by the contingent accounts of the several Sessions, with a view to the enforcement of the greatest possible regularity and economy, in every branch of the public expenditure; that to this Committee shall be referred the public accounts of the Province when sent down—that it have power to send for persons, papers and records, and to report from time to time by bill, address, or otherwise—that three be a quorum—and that it is to meet on the adjournment of the House this day in the Committee Room on this floor.

Motion for appointment of a Standing Committee of Finance, with power to enquire into receipts and expenditure of all public revenues, Canals, Harbours, and Incorporated Companies, &c. &c.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves, that after the word "moves" in the original, the whole be expunged, and the following inserted—That this House do forthwith proceed to the appointment by ballot of a Committee of Finance, of nine Members, to whom shall be referred the public accounts, the casual and territorial and all other accounts of the receipt and expenditure of public money, when sent down to this House, and who shall be instructed to enquire into the receipt and expenditure of public monies during past years, and all other matters which may be referred by the House from time to time for their examination, and that the Committee have power to send for persons and papers and records, and leave to report from time to time by bill or otherwise.

Amendment.

Which was carried.

On the original question as amended being put, the yeas and nays were taken as follows :

On original question, as amended.

**YEAS—MESSIEURS,**

- |            |                             |             |                    |
|------------|-----------------------------|-------------|--------------------|
| Alway,     | Hopkins,                    | Malloch,    | Rykert,            |
| Boulton,   | Lount,                      | Merritt,    | Shibley,           |
| Brown,     | McCrae,                     | Moore,      | Smith,             |
| Bruce,     | McDonell, <i>Stormont</i> , | Morrison,   | Solicitor General, |
| Caldwell,  | McDonell, <i>Northumb.</i>  | Parke,      | Strange,           |
| Chisholm,  | McIntosh,                   | Perry,      | Thorburn           |
| Cook,      | McKay,                      | Richardson, | Wells,             |
| Cornwall,  | Mackenzie,                  | Robinson,   | Woolverton,        |
| Gibson,    | McMicking,                  | Roblin,     | Yager—38.          |
| Gilchrist, | Macnab,                     |             |                    |

Yeas 38.

**NAYS—MESSIEURS,**

- |        |         |           |         |
|--------|---------|-----------|---------|
| Rymal, | Shaver, | Wilson—3. | Nays 3. |
|--------|---------|-----------|---------|

The question, as amended, was carried in the affirmative by a majority of thirty-five, and the following names were drawn :

Finance Committee  
chosen.

ROBLN,  
PERRY,  
CHARLES DUNCOMBE,  
GILCHRIST,  
MACKENZIE,  
THORBURN,  
McMICKING,  
SHAVER,  
CHISHOLM.

Salt Duty repeal bill  
brought in and read.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Cook, moves for leave to bring in a bill to repeal the law imposing a duty of sixpence per bushel on salt imported from the United States of America.

Which was granted, and the bill read.

On motion of Mr. Mackenzie, seconded by Mr. Charles Dnn-combe,

Bill referred to  
Committee of Finance.

*Ordered*—That the Salt Duty bill be referred to the Committee on Finance.

Libel Law amendment  
bill brought in and  
read.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Wells, moves for leave to bring in a bill to amend the Law of Libel.

Which was granted, and the bill read.

*Ordered*—That the Libel Law amendment bill be read a second time to-morrow.

Official Advertising  
bill brought in and  
read.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Shaver, moves for leave to bring in a bill to regulate the prices payable for advertising Sheriffs' Sales and for other Official Notices.

Which was granted, and the bill read.

Second reading  
to-morrow.

*Ordered*—That the Official Advertising bill be read a second time to-morrow.

Statute Printing and  
distribution bill  
brought in and read.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. McIntosh, moves for leave to bring in a bill to regulate the printing and circulation of the Provincial Statutes, by law.

Which was granted, and the bill read.

Second reading  
to-morrow.

*Ordered*—That the Statutes Printing Bill be read a second time to-morrow.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

Subject of Post Office  
referred to Finance  
Committee.

*Ordered*—That his motion for a bill to amend the Post Office Laws, and to establish a Post Office Department, be struck off the order of the day, and that it be an instruction to the Finance Committee to enquire into the receipts and expenditure of that branch of the public revenue, and to report to the House.

Journals read on  
subject of petition of  
John F. Berford.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Wells, moves, that so much of the Journals of this House as relates to the petition of John Fitzwilliam Berford, Esquire, late High Sheriff of the District of Bathurst, be now read.

Which was carried, and the Journals were read accordingly.

(*Pages 301 and 405, Printed Journal.*)

On motion of Mr. Mackenzie, seconded by Mr. Shibley,

*Ordered*—That the petition of John Fitzwilliam Berford, Esquire, be referred to a Select Committee, composed of Messrs. Malloch,

Petition referred to a  
Select Committee.

Wilson, Wells and Cook, with power to send for persons, papers and records, and leave to report thereon, by bill or otherwise.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Lount, moves, that that part of the Journals of last session, which relates to the petition of Timothy Street and others, praying for a new division of the Home and Gore districts, be now read.

Which was carried, and the Journals were read accordingly.

(Page 158, printed Journals.)

Journals on pet'n of Tim'y Street read

On motion of Mr. Mackenzie, seconded by Mr. Wilson,  
*Ordered*—That the petition of Timothy Street and seven hundred and sixty-four others, of Toronto, Caledon, Esquesing, &c. be referred to a select committee, to consist of the same members to whom the same petition was referred last session.

Petition referred.

On motion of Mr. Mackenzie, seconded by Mr. Parke,  
*Ordered*—That a select committee be appointed to enquire into the state of the library, with a view to its augmentation, and as to the condition of the books belonging to the House, which have not been arranged and deposited therein, as also what improvements can be made for the better accommodation of select committees—and that the said committee do consist of Messrs. Parke, Morrison, Charles Duncombe and Bruce.

Com appointed to enquire into state of library and accommodation of sel coms.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. McIntosh, moves, for leave to bring in a bill to amend the law of last session, relative to bonds, notes, &c. so that two, three or more actions could not be maintained upon any note, bond, or bill, but that the provisions of the 5th Wm. 4 ch. 1. should apply to bills over £100, as well as under.

Bill to amend the lawsuit lessening act bro't in and read.

Which was granted, and the bill read.

*Ordered*—That the bill to amend the law-suit lessening act be read a second time to-morrow.

2d reading tomorrow

Upon the reading the order of the day for a committee of the whole House on resolution on commerce.

Mr. Mackenzie, seconded by Mr. Shaver, moves that this item be struck off the order of the day.

*Ordered.*

Order for com of whole on resolu on commerce struck off

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Alway, moves that so much of the journals of this House of last session, as relates to the petition of Joseph Turton, a contractor for the parliament buildings, be now read.

Which was carried and the journals were read accordingly.

(Page 108, printed Journals.)

Journals read on pet of Jos Turton, of last session.

On motion of Mr. Mackenzie, seconded by Mr. Gibson,

*Ordered*—That the petition of Joseph Turton be referred to the committee on finance.

Referred to com'te of Finance.

Pursuant to notice, Mr. Rykert, seconded by Mr. McNab, moves for the reading of that part of the Journals of the last Session of Parliament as relates to the petition of George Adams and others, praying for the establishment of a Bank at St. Catharines in the Niagara district.

Which was carried, and the Journals were read accordingly.

(Page 32, printed Journals.)

Journals on Saint Catharines bank bill read.

Mr. Rykert, seconded by Mr. Macnab, moves, for leave to bring in a bill to establish a bank at St. Catharines in the Niagara district. Which was granted, and the bill read.

Saint Catharines bank bill read.



Second reading to morrow.

*Ordered*—That the bill for establishing a bank at St. Catharines, be read a second time to-morrow.

Felons' counsel bill brought in and read.

Pursuant to notice, Mr. Wells, seconded by Mr. Cook, moves, for leave to bring in a bill to allow persons prosecuted for felony the full defence of counsel.

Which was granted, and the bill read.

*Ordered*—That the felons' counsel bill, be read a second time to-morrow.

Bill to regulate the expenditure of the district funds brought in and read.

Pursuant to notice, Mr. Bruce, seconded by Mr. Yager, moves, for leave to bring in a bill to regulate the expenditure of the district funds in the several districts in this Province.

Which was granted, and the bill read.

*Ordered*—That the bill to regulate the expenditure of district funds, be read a second time to-morrow.

Court of requests amendment bill read.

Pursuant to notice, Mr. Small, seconded by Mr. Rykert, moves, for leave to bring in a bill to alter and amend the act establishing the Court of Requests in the several districts of this Province.

Which was granted, and the bill read.

On motion of Mr. Small, seconded by Mr. Wilkinson,

Bill referred to select committee.

*Ordered*—That this bill be not read a second time to-morrow, but that it be referred to a select committee to report thereon, and that the said committee be composed of Messrs. Richardson, Wells, and Charles Duncombe.

Mr. Speaker reported, having received a letter and documents from the directors of the Welland canal company.

The letter was read as follows .

*To the Honorable the Speaker.*

Sir,

We respectfully request you to place before the House of Assembly, the reports which are herewith enclosed.

We have the honor to be,

Sir,

Your obedient humble Servants,

CHARLES DUNCOMBE, }  
DAVID THORBURN, } *Directors Welland Canal.*  
W. L. MACKENZIE. }

*House of Assembly, }  
19th January, 1836. }*

Documents—(See *Appendix*.)

Adjourned.

**Wednesday, 20th January, 1836.**

Petitions bro't up.

The House met.

The minutes of yesterday were read.

Woodruff and others.

Mr. Rykert brought up the petition of Richard Woodruff and eighteen others, inhabitants of the district of Niagara; which was laid on the table.

W. Kirby & others

Mr. Waters brought up the petition of William Kirby and ninety others, of the township of Hawkesbury, in the Ottawa district; which was laid on the table.

J. Lee of Toronto

Mr. Charles Duncombe brought up the petition of John Lee, of the City of Toronto, plumber, glazier and lead merchant; which was laid on the table.

H. Smith.

Mr. Perry brought up the petition of Henry Smith, Esq. warden of the provincial penitentiary; which was laid on the table.

Mr. Woolverton brought up the petition of John McLean and forty others, inhabitants of the district of Niagara; which was laid on the table.

J. McLean & others

Mr. Gilchrist brought up the petition of John Pearse, Dumble and Hore, contractors for the locks at the Bobcageau Falls, in the district of Newcastle; which was laid on the table.

Pearse, Dumble,  
& Hore, Bobcageau  
Falls.

Mr. Small brought up the petition of Charles Baker and eighty-seven others, of the City of Toronto; which was laid on the table.

C. Baker & others

Mr. Richardson brought up the petition of Thomas Servos, of the town of Niagara; which was laid on the table.

T. Servos of Nia-  
gara.

Mr. Roblin brought up the petition of the president, directors and company of the Cobourg harbour company; which was laid on the table.

President, Direc-  
tors & Co. of Co-  
bourg Harbour Com-  
pany.

Mr. Solicitor General brought up the petition of Thomas Markland, Esq. and twenty-nine others, shareholders in the Midland District School Society; which was laid on the table.

T. Markland and  
others.

Agreeably to the order of the day, the following petitions were read.

Of Owen Richards, keeper of the light house at Point Peter, stating that from the barren nature of the spot on which his duty compels him to reside, he is at a yearly expense of £10 for fuel and the pasture of a cow, which leaves his salary too small for his support, and praying an addition to the same.

Petitions read.  
O Richards keep-  
er of light house,  
Point Peter, praying  
for an additional sa-  
lary.

Of the Grand Jury of the district of London, praying that as the act granting a bounty for the destruction of wolves has expired, a new act may be passed granting a liberal premium for the extirpation of those destructive animals.

Grand Jury of dis-  
trict of London,  
praying for the re-  
newal of the Wolf  
bounty act.

Of the Grand Jury of the district of London, expressing their opinion that the new Township Officers bill will operate so injuriously as in many cases to render it nugatory, and praying the repeal of such parts of it as relate to the payment of wages to commissioners and their clerks, and that in lieu thereof, a clause be inserted allowing the sum of one pound five shillings currency per annum to the clerk, in full of all fees.

Grand Jury of the  
district of London  
praying that the  
township officers' bill  
may be amended

Of William and James Gardiner, of the township of Mosa, in the London district, stating that they are the heirs of Singleton Gardiner, who last year (1834) erected a saw mill on lot No. 28, broken front on the River Thames, and also a dam across the river to raise the water—not supposing there would be any more objection made to the dam than to others erected higher up the river;—that as it was too late that season to erect an apron on the said dam, petitioners have in the course of last summer (1835), made a substantial apron and inclined plane of the following dimensions, viz: width of apron, 30 feet; length of inclined plane, 37 feet; height of dam, 4 feet;—being more accommodating than that required by the 9th Geo. 4th. ch. 4. That a saw and grist mill at this point would be of essential benefit to the public.

W & J Gardiner  
of the township of  
Mosa, in the London  
district, praying au-  
thority to erect a  
dam across Grand  
River

They therefore pray the House to sanction the erection of said dam, and to grant authority to complete the same, so as not to flood or injure any lands above, with a suitable lock for boats or craft navigating the river and also a good and sufficient apron of not less than 18 feet wide, by an inclined plane of 25 feet, to a perpendicular of 6 feet, and is so in proportion to the height thereof, for the safe passage of rafts, and ascent of fish.

Henry Cowan and others of Pickering, praying relief for the obtaining titles to their property

Of Henry Cowan and 7 others, of the township of Pickering, in the Home district, setting forth, that they are purchasers of certain lands in that township, from the late Wm. Holmes, Esq., of Quebec—that Mr. Howard, Postmaster of York, was agent, to whom they paid all the purchase money, except the last instalment; that on their tendering this, Mr. H. informed them he could act no longer, as Mr. Holmes left a will without appointing executors or others to confirm the said purchase as contracted for by him, under the late Mr. Holmes' letter of attorney—and praying the House to authorise the Court of King's Bench, or some other court to confirm their titles.

Leonard Willcox praying redress of certain grievances.

Of Leonard Willcox, of the city of Toronto, carpenter, complaining of sundry grievances and injuries on the part of the Hon. W. Allan, formerly collector of customs at the port of York, as stated at great length in this and former petitions, and praying for redress.

Henry Barritt and others praying that certain townships in said district may be created into a new district.

Of Henry Barritt and 615 others, of the district of Johnstown, shewing, that although the district possesses equal natural advantages with any other in the province, yet from the almost impassable state of the roads and the distance from the district town, the owners of lands in some parts cannot compete in the sale of them with others situate nearer the district town; and that from the distance they have to travel to market, and for the transaction of public business, the improvement of the country is very much retarded—therefore they pray for the creation of a new district, including the townships of Edwardsburg and Matilda, Mountain and Osgoode, North and South Gower, Oxford and Marlboro', and Montague and Wolford—with the district town as near the centre as may be expedient.

M Campbell and others praying for aid to improve certain roads in the township of Roxboro'

Of Malcolm Campbell and forty others, of the township of Roxboro', Eastern district, setting forth, that the rear concessions of Roxboro' and the adjoining townships in the Ottawa district contain much valuable land which would be immediately settled if the roads were tolerably accessible; that altho' the road in a direct line from Cornwall to the Ottawa is not much over 40 miles, persons have now to travel at least 60 miles thro' the county of Glengarry. They therefore pray for a grant of £300 to open and improve the road between lots No. 12 & 13 thro' the said township of Roxboro'.

M Campbell and others praying as last petitioners.

Of Malcolm Campbell and forty-nine others, of the township of Roxboro', stating the same as the last and praying for the sum of £120 to improve the boundary line between lots No. 1 and letter A. thro' the said township of Roxboro'.

Of J Young and others praying the establishment of a bank in the district of Niagara

Of John Young and one hundred and ten others, of the Niagara district, representing that district to possess a most fertile soil and greater advantages for commerce than almost any other in the Province—but that owing to the absence of a circulating medium equal to its necessities, not only that district but many others are unable to reap the full benefits of their favourable situation; a fact which has been acknowledged by the House of Assembly.

That in the neighbouring States, where Banks are almost innumerable, and capital easily obtained on reasonable security, towns and cities have sprung rapidly into existence, and the whole wilderness become a fruitful field, enriching the people and elevating the national character for enterprise, higher, perhaps, than that of any other nation upon earth.

Petitioners admit, that a branch of the U. C. Bank is established at Niagara, but being only a subordinate office, limited in its discounts, it is totally inadequate to the increasing demands of the District, and is subject, moreover, to the possibility of its instructions

being (however unintentionally) calculated to affect, injuriously, the interests of the inhabitants.

That no doubt can be entertained of the ability of the District to support a Bank—and for these reasons and many others, Petitioners pray for the establishment of a Banking Institution in the District, with a capital of one hundred thousand pounds.

Of L. L. Arnold and 40 others, of the townships of Chatham and Camden, in the Western district, stating, that for want of sufficient boundaries no regular survey having been made, they settled agreeably to the boundaries of the townships of Harwich and Howard on the opposite side of the River, and pray that these lines may now be established.

L L Arnold and others praying that the boundaries of their lands may be established.

Of Hugh Allen and 87 others, residing on and near Yonge Street, representing, that from the present increased travelling on Yonge Street, the statute labor is quite insufficient to keep it in even a tolerable state of repair, and that from two years' experience, they are convinced that the system of Macadamizing is the only one that can ensure a good road at all seasons of the year, from Toronto to the Holland Landing. They therefore pray that an Act may be passed for commuting the statute labor of the inhabitants residing on the street, and laying a tax on the first range of townships east and west of the same—and authorising the expenditure of not more than ten thousand pounds per annum, exclusive of the statute labor—and that if this should not meet the views of the House, they would pass an Act incorporating a private company for the purpose, as prayed for on former occasions.

Hugh Allen and others praying that Yonge st to Holland landing may be macadamized.

Of Thomas Drury and eighty-nine others, of the township of West Gwillimbury, representing that the road leading from Beverley mills on Yonge-street to the village of Bradford, in the said township, is every thing but passable, which subjects them to great hardship and privation: that the said road passes through a great swamp through which the west branch of the Holland river runs; that many attempts have been made from time to time to make this road good; subscriptions have been raised; small sums have been granted by the Legislature; but all without effect: that desirous still, that said road should be maintained even at their own expense, they held a meeting on 24th October, 1835, and agreed to petition the Legislature for an Act levying one-half-penny per pound for seven years, on all rateable property in the said township in addition to the sum now by law authorised to be collected; and advancing by way of loan the sum of £300, until the said tax shall become efficient, which loan however should not be understood to exclude them from participating in the benefit arising from any sum granted for the roads generally throughout the Province.

Thos Drury & others praying that ½d per £ be levied on rateable property in township of West Gwillimby to improve a certain road.

Of James Lesslie and 67 others, of the city of Toronto and vicinity, representing that there exists a most eligible line for a rail road between Toronto and Lake Huron, the distance being only 80 miles;—that said road would, in their opinion, become the great thoroughfare to Lake Michigan and the south western shores of Lake Huron—that instead of Buffalo, Oswego and Toronto would be the route certainly chosen by emigrants to the north-western parts of the United States, and that such a work could not fail of adding materially to the resources of the Province.—Petitioners are confident of being able to raise the necessary funds, and therefore pray for an act of incorporation to enable them to effect the work.

James Lesslie and others of Toronto to be incorporated to construct a rail road between Toronto & Lake Huron.

Mrs E Thomson  
pray'g remuneration  
for services of her  
late husband.

Of Elizabeth Thomson, of Kingston, widow of the late Hugh C. Thomson, Esq., member of the House of Assembly, setting forth the public services performed by him and praying remuneration for the same.

Wm Buell, Esq.  
agent for electors of  
Leeds praying that  
the taxed costs of  
the Leeds controver  
ted election be paid.

And of Wm. Buell, Esq., Agent for sundry Electors of the county of Leeds, in the matter of the Leeds controverted Election, representing that the costs taxed by the proper officers in that case have not been paid, and praying that justice may be done to the Petitioners.

Jno Shipman and  
others of Johnstown  
District.

Of John Shipman and nineteen others, of the Johnstown district, stating, that he (Shipman) attended on the 2d day of March last, at the election for the county of Leeds, was violently assaulted and beaten with clubs—in consequence of which, he brought an action against two persons for assault and battery, and against a third for riot and house-breaking;—but that owing to the partial and corrupt conduct of Robert S. Jameson, Esquire, Attorney General, the crown officer on that circuit, these persons were not brought to trial, nor has he been able to procure redress—wherefore petitioners pray the interference of the House, to afford them relief, and to protect them in future from what they conceive to be a denial of justice.

Notices :

Of District Court  
amend bill

Mr. Richardson gives notice, that he will, on Monday next, move for leave to bring in a bill to amend the practice and extend the jurisdiction of the district courts in this Province, and to provide salaries for the resident judges thereof, in lieu of fees.

Of Township offi-  
cers act amend bill.

Mr. Richardson gives notice, that he will, on Monday next, move for leave to bring in a bill to amend the township officers' bill of last Session.

Of bill to abolish  
imprisonment for  
debt.

Mr. Richardson gives notice, that he will, on Monday next, move for leave to bring in a bill to abolish imprisonment for debt in this Province, except in cases of fraud.

For read'g Jour on  
pet of J Fortier.

Mr. Richardson gives notice, that he will, on to-morrow, move for the reading of the Journals of last Session, relating to the petition of James Fortier, of the township of Toronto.

Of select com on  
employing reporters

Mr. Richardson gives notice, that he will, on to-morrow, move for the appointment of a Select Committee to take into consideration the expediency of employing a sufficient number of Reporters to report the debates of the present Session.

Of bill to restrict  
Judges hold'g seats  
in the councils.

Mr. Small gives notice, that he will, on to-morrow, move for leave to bring in a bill to restrict the Judges of His Majesty's Court of King's Bench, or of any other court of law or equity hereafter to be established, from holding seats in the Executive or Legislative Councils.

Petitions referred.

Mr. Richardson, seconded by Mr. Cornwall, moves, that the petition of John Young and others, praying for an act of incorporation for a bank in the town of Niagara, be referred to a select committee, to be composed of Messrs. Thorburn, Dunlop and Wilkinson, to report thereon by bill or otherwise.

John Young and  
others.

On which the yeas and nays were taken as follows:

YEAS—MESSIEURS,

Alway,  
Brown,  
Caldwell,  
Cook,  
Cornwall,  
Duncombe, *Norfolk*,  
Durand,  
Dunlop,

Gibson,  
McCrae,  
McKay,  
Mackenzie,  
McMicking,  
Merritt,  
Moore,

Parke,  
Richardson,  
Robinson,  
Rykert,  
Shibley,  
Small,  
Smith,

Sol. General,  
Strange,  
Waters,  
Wells,  
Wilkinson,  
Wilson,  
Woolverton—29.

NAYS—MESSIEURS.

|                                    |                                 |                              |                                 |         |
|------------------------------------|---------------------------------|------------------------------|---------------------------------|---------|
| Bruce,<br>Chisholm,<br>Gielchrist, | Hopkins,<br>Lount,<br>McIntosh, | Macnab,<br>Perry,<br>Roblin, | Rymal,<br>Shaver,<br>Yager,—12. | Nays 12 |
|------------------------------------|---------------------------------|------------------------------|---------------------------------|---------|

The question was carried in the affirmative by a majority of se-  
venteen, and ordered accordingly. majority 17.

On motion of *Mr. Robinson*, seconded by *Mr. Richardson*,  
*Ordered*—That the petition of Hugh Allen and others, be refer-  
red to Messrs. Lount and Gibson. Petitions referred.  
Hugh Allen and  
others.

On motion of *Mr. Robinson*, seconded by *Mr. Small*,  
*Ordered*—That the petition of Thomas Drury and others, be  
referred to Messrs. Lount and Gibson. Thos Drury and  
others.

On motion of *Mr. Roblin*, seconded by *Mr. Strange*,  
*Ordered*—That the petition of Elizabeth Thomson, be referred  
to a select committee, to be composed of Messrs. Solicitor General  
and Yager, with power to send for persons and papers, and leave to  
report thereon. E Thomson.

On motion of *Mr. Cornwall*, seconded by *Mr. Caldwell*,  
*Ordered*—That the petition of Lewis L. Arnold and other inhab-  
itants, of the townships of Chatham and Camden, be referred to a  
committee, composed of Messrs. McCrae and Wilkinson, and to  
have power to send for persons and papers, and report thereon by  
bill or otherwise. L L Arnold.

Pursuant to the order of the day, the House was put into a  
committee of the whole, on His Excellency's speech at the opening  
of the session. House in com of  
whole on Speech at  
opening session

*Mr. Cornwall* was called to the chair.

The House resumed.

*Mr. Cornwall* reported that the committee had agreed to a  
resolution, which he was directed to submit for the adoption of the  
House. Committee reports  
a resolution

The report was received.

The resolution was read as follows :

*Resolved*, That an humble address be presented to His Excellency, thanking His  
Excellency for his speech from the Throne at the opening of the present Session. Resolution on  
Speech at opening of  
present Session

That this House regret that since they were last assembled no material change has  
taken place in the prospects of this Colony; but they firmly hope to see such an amelioration  
of our institutions as will under the continuance of uninterrupted tranquillity hap-  
pily enable the inhabitants, as they are disposed, to turn their undivided attention to the  
improvement of the country and the development of its resources.

That this House will be most happy to see the enterprise of any private companies  
rewarded by success in the completion of the works they may have recently projected in  
the Home and Midland districts, and the district of Newcastle, for the improvement of  
internal navigation, by opening practicable channels to the great lakes; and if the rail  
roads which have also been suggested shall be undertaken and completed they will cer-  
tainly confer incalculable benefit upon a great portion of this vast continent, in which  
Upper Canada occupies geographically so fortunate a position. But to realize these nat-  
ural advantages it is necessary to obviate in some way the embarrassments arising from  
our extensive frontier, being at present separated by the neighbouring States, from the  
vast coast of the Atlantic Ocean with its numerous harbours accessible at any season of  
the year from all quarters of the world.

That this House are happy to learn that the people in the Lower Districts are not  
less intent on the means by which the natural advantages of their situation may be im-  
proved, and that in the Western parts of the Province the past year has given rise to  
several plans of a very interesting character, upon which, when made known to this  
House, they will bestow the attentive examination they deserve.

That no solid improvements, justified by our population and resources, shall want  
the judicious and cordial co-operation of this branch of the Legislature. Some of the  
projects to which His Excellency has referred would have appeared, a few years since,

Resolution  
Speech at opening of  
present Session

on visionary; when, however we look at the undertakings in the neighbouring countries so eminently flourishing and prosperous, we ought to be able to derive from them encouragement for designs on a more extensive scale, and called to give a free scope to the utmost of our power to the spirit of enterprise displayed by individuals and private associations. In recognising this reference to the rapid and prosperous advances of the neighbouring countries, to which our condition affords so striking a contrast, we humbly represent that under a system of cheap and responsible government, all their public lands and other sources of national wealth are faithfully and scrupulously applied to great objects of general improvement. It appears that out of the proceeds from the sale of wild lands \$11,000,000 will be apportioned by the General Government among the different States of the Union.

That it is satisfactory to this House to learn that the works in progress on the St. Lawrence are far advanced, and they trust that by the aid of the Lower Province, with which it is equally our duty and our interest to cultivate a good understanding, all obstructions to the navigation of that great river will be speedily and effectually surmounted.

That this House are aware that the direct emigration from the mother country to this colony last season has scarcely exceeded, if it has equalled, the proportion of one third as compared with some former years. If this diminution were caused by a more general employment at home of manufacturers, and agricultural labourers, we should not view it with regret. The other causes which tended to reduce the number of emigrants to this Province, while so vast a number have thronged to the neighbouring Republic, we are happy to learn will not long operate; and His Excellency may be assured we shall not relax in our efforts to give to emigration every possible encouragement, and to render this country a secure and convenient asylum for such of our countrymen as desire to resort to it.

That this House thank His Excellency for suggesting several of the most important subjects, calculated to afford the strongest inducements to our fellow subjects of the British Empire to unite their fortunes with ours, and to contribute by their wealth, intelligence, and industry, to raise this Province, at no distant period, to the first rank in the colonial possessions of Great Britain, such as improving the system of our highways, and giving facilities to commerce, connected as it must necessarily be with our agricultural prospects; by making the means of education general and easily available, and by attending to the condition of a people, peaceably and prudently exercising the privileges of a free government, and firmly attached to the principles of the British constitution. But our past most assiduous labours upon those important objects, including the impartial administration of justice, have proved comparatively unavailing. The bill passed by us in our late session, appropriating £25,000 to the public highways, was rejected by the Legislative Council. We House have also endeavoured to give increased facilities to commerce by engaging in extensive public works, by which Parliament has incurred a debt of a serious magnitude, when compared to the resources and expenditure of the colony, while the public wealth yielded by the sale of wild lands, crown and clergy reserves, and other sources, is expended in paying priesthoods, pensions, and the like purposes, rather destructive than beneficial to the best interests of the community.

That this House also last Session, passed a bill for the protection of the agricultural interests of the Colony by imposing duties on wheat and other articles imported from the United States, thereby establishing a greater degree of reciprocity in the commercial relations of the Colony than at present exists; which bill was lost in the Legislative Council.

That this House have also been anxious in past years to make the means of education general and easily available, but it has only lately become known to the Legislature, that a bountiful provision in Lands was made by the Crown about 40 years ago, though since deteriorated by a recent unfavourable exchange for inferior lands. The University of King's College was grounded on a Royal Charter, sought for and granted in 1826, upon principles so exclusive and sectarian, as to render it deservedly unacceptable to the great body of the people, for whose benefit it was professedly intended, and although the most reasonable modifications were suggested by a series of Resolutions in the year 1829, yet it is now, for the first time, that His Excellency has been enabled to announce from His Majesty's Government any specific proposition respecting it. Nor ought this House to fail to notice, that large appropriations have been made out of the University fund, not to the District and Township Schools, undeservedly neglected, but to sustain Upper Canada College in this City, in which the sons of all the wealthiest families are educated, and which ought therefore to be supported without so questionable an encroachment on public funds.

That this House repeat their assurances to His Excellency, that they will renew the same assiduous attention to the objects His Excellency has thus recommended; but the uniform experience of nearly half a century has forced the conviction, confirmed by the history of nations, that no richness of soil, or salubrity of climate; no wealth in public lands, or industry and economy among a deserving people, can ensure their peace, welfare and prosperity, without the possession of those suitable institutions which will yield cheap, honest and responsible Government.

That the Courts of Requests, as constituted under the recent Statute, have, it is hoped, proved more beneficial than formerly—and this House will, as suggested by His Excellency, take into consideration, whether an appeal to the District Court might not be provided for under some restrictions.

Resolution on  
Speech at opening  
of present Session

That this House will give their serious consideration to the modification His Excellency has submitted to His Majesty's government for the charter of King's College, when His Excellency shall communicate it to them by message, and this House sincerely hope that the arrangements proposed for the opening of the University will be such as to ensure their concurrence.

That the maintenance of the Provincial Penitentiary, as recommended by His Excellency, will receive the careful consideration of this House, being convinced that it is necessary to regulate an institution with care which may have so direct an influence on the security of society and the effective administration of the laws.

That this House shall be happy to have their attention called to the state of the jails and the treatment of the prisoners confined in them, whose humane care, and safe custody are so important, and they regret that the superintendency of the magistrates has not ensured those ends.

That it is matter of profound regret that the sufferers by the late war with the United States of America, have not yet been paid the full amount of their acknowledged claims, but the proposition from His Majesty's government mentioned by His Excellency shall receive the most anxious deliberation of this House.

That this House regret to learn that the amount of duties received at the port of Quebec has not increased since 1834 as well as the amount of those collected within the Province.

That the annual accounts and the estimates when laid before this House will receive their careful examination, and we hope this House, notwithstanding a season of general depression, will find reason to continue those supplies which have ever heretofore been granted in so very ample a manner,

That this House are thankful that their several addresses to the King have been laid before His Majesty. The subjects to which they chiefly relate (a modification of the Legislative Council; a responsible Executive Council, alike possessing the confidence of the King and the people; the controul of all the sources of public wealth by the Provincial Parliament, & non-interference in our domestic affairs by the Colonial Minister, so remote from the scene of government, and unacquainted with the country and its inhabitants, are indeed subjects of the highest importance to the inhabitants not of this colony only but of all the British colonies in North America. But Lower Canada possessing a constitution like our own, has experienced the same defeats and prayed for the same remedies. Without recognizing the Royal Commissioners mentioned by His Excellency, we presume that their opinion will not be regarded as paramount to the wants and wishes of 1,000,000 of His Majesty's people, constitutionally expressed by their representatives in their respective Legislatures.

That this House deeply regret that His Excellency has been advised to animadvert upon the affairs of the Sister Province, which has been engaged in a long and arduous struggle for an indispensable amelioration of their institutions and the manner of their administration. This House respectfully but firmly express their respect for their patriotic exertions, and they do acquit them of being the cause of any of the dissensions and embarrassments existing in the country.

That this House hope His Excellency will have the satisfaction to hear of their diligence and application during the Session to the measures His Excellency has suggested for their consideration, and to others which will conduce to the welfare of this highly valuable colony at this important and, they hope, favorable crisis.

On the question for the adoption of the resolution, Mr. Solicitor General, seconded by Mr. Richardson, moves, that all the words, after the word "resolved," be expunged, and the following inserted:

Resolution proposed in amend't to the foregoing resolution

That an humble Address be presented to His Excellency, the Lieutenant Governor, thanking His Excellency for his gracious Speech from the Throne, at the opening of the present Session of the Legislature.

That we view with most sincere gratification, and cordially concur in the opinion expressed by His Excellency, that the continuance of uninterrupted tranquillity which pervades this Province, has disposed its inhabitants to turn their undivided attention to the improvement of the country, and the development of its resources.

That we observe with satisfaction, that the works projected for the improvement of internal navigation in the Home and Midland districts—the district of Newcastle and other parts of the Province, are such, as cannot fail, if carried into effect, to confer incalculable benefit, not only upon Upper Canada, but upon a great portion of this vast continent; and therefore not only the improvements in progress, but all others that may be undertaken with a like object, shall receive every encouragement and assistance which a



Resolution proposed in amendment to foregoing resolution

prudent regard to economy and the resources of the Colony will justify this House in extending to them.

That it is most satisfactory to learn from His Excellency, that the works in progress on the St. Lawrence are far advanced—and we unite in the earnest hope, that the sister Province, which must derive, at least, equal advantage, from the completion of these works, with Upper Canada, will no longer defer making corresponding exertions to ensure their being carried into full effect, and by that means cement the union and community of interests which now binds them together, and remove the inducements which will otherwise be created, on the part of this Province, to seek access to the Ocean, and intercourse with the Mother Country and other distant portions of the Globe, by a different route than the Sea Ports of Montreal and Quebec.

That we fully appreciate the great benefits which this Province has derived from the emigration of our fellow subjects from Great Britain and Ireland, and their settlement among us—and we earnestly hope that if from any other cause than increased prosperity at Home, and a disinclination on that account to emigrate, a check has been put to this most desirable addition to the number of our inhabitants, it may speedily be removed—and most assuredly this House will not refuse its concurrence to any measure that will secure to such of our countrymen as may resort to our shores, protection and support in their endeavours to establish themselves in security and independence among us.

That sensible of the advantages that must result to our commerce and agricultural pursuits from our improved system of highways, we shall feel ourselves bound to devote our careful attention to the recommendation of His Excellency on this important subject—and fully convinced that by rendering education generally and easily available, we shall in the most effectual manner, improve the condition of a people, peaceably and prudently exercising the privileges of a free government, and firmly attached to the British constitution, we shall apply our earnest and anxious consideration to every measure tending to so desirable an object—connected with which subject the establishment and support of township schools—the management of school lands—and any communication His Excellency may be pleased to make on the subject of the charter of King's college, will be included in our deliberations.

That we are happy to learn that the Court of Requests as constituted by a recent statute has been found to confer advantages on the community—and we shall investigate every suggestion or measure that may be brought under our consideration, having reference to the due and effectual administration of justice, with all the care and attention so important a subject demands.

That the claims of the sufferers by the late war with the United States have engaged the attention of the Legislature for several years past, and deeply sympathizing with that meritorious class of our fellow subjects, in their losses and deprivations caused by their devoted attachment to their Sovereign—and their heroic opposition to the attempt made by a powerful enemy to wrest this Province from the Crown of Great Britain, large advances have already been made from the Provincial Treasury for their relief, under the confident expectation that the balance of these claims would be paid by the Imperial government—but as these hopes have not been realised, this House will not fail to take into consideration how far the revenues of the colony will justify a further advance from its resources—fully persuaded that the people of this Province will approve of any effort that this House, consistently with its duty to its constituents, can make to discharge a claim they have many and powerful reasons to desire to see paid.

That the recommendation of His Excellency the Lieutenant Governor to make efficient provision for the maintenance of the Provincial Penitentiary shall receive our attention, as shall also any communication His Excellency may make on the state of the gaols and the treatment of the prisoners confined in them; it being most important to relieve magistrates from an undue responsibility, as well as to ensure the humane care and safe custody of the persons confined in these places.

That we are happy to learn that the duties collected at the Port of Quebec the last year are equal in amount to those received in the year 1834—and that the sum received in Upper Canada has considerably increased.

That we shall give to the public accounts when laid before us, our attentive consideration, as well as the estimates that may be submitted for the necessary support of the public service.

That we receive with much satisfaction the assurance that the important addresses transmitted by His Excellency to the Imperial Government since the last Session, and which relate to subjects of the highest importance, not only to this Colony, but to all the British North American Colonies, continue to engage the most attentive and anxious consideration of His Majesty's Government; and we earnestly hope that the enquiries which the Commissioners appointed by His Majesty have been authorised to make respecting the Crown Revenue—constitution of the Legislature—Clergy Reserves—and other affairs admitting of adjustment with less difficulty will accelerate the final and satisfactory decision of any question that have been raised on these important subjects.

That we fully concur with His Excellency that the peculiar position of Lower Canada, and the similar constitution under which the institutions of both colonies are secur-

ed do not allow the dissensions in that province to be regarded by His Majesty's subjects of this colony with indifference, nor indeed without deep regret, anxiety and apprehension—and we deeply lament to be informed, that their injurious effects have already been experienced to the extent, and in the instances referred to by His Excellency—and it will be to this House and the people of Upper Canada, a subject of the highest gratification to find that the proceedings of the Commissioners appointed by His Majesty to enquire into the affairs of the sister province, will lead to a complete and satisfactory adjustment of every matter that may be submitted to their investigation,—and that perfect harmony and prosperity may be fully established among all classes of our fellow subjects in that colony. Whatever may be the result, however, of the measures referred to, this House and the inhabitants of this province will receive with unmixed satisfaction the assurance that the constitution under which they live, to which they are deeply attached,—which confers upon them the most ample security of person and property—and every privilege that freemen can desire—will be firmly upheld,—this assurance contains the most satisfactory evidence that the Imperial Government deems it an essential duty to watch over and zealously protect our institutions, and cherish the attachment of all classes to the Crown, and cannot fail to encourage this House to persevere, in its efforts to carry into effect every measure that may conduce to the welfare of this prosperous and highly valuable colony.

Resolution proposed in amendment to foregoing resolution

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

|   |  |                                     |  |
|---|--|-------------------------------------|--|
| Boulton,<br>Caldwell,<br>Cornwall,<br>Dunlop, | McDonell, <i>Northumb.</i><br>McKay,<br>McNab,<br>Malloch, | Richardson,<br>Robinson,<br>Rykert, | Sol. General,<br>Strange,<br>Wilkinson—14. |
|---|--|-------------------------------------|--|

Yeas 14.

NAYS—MESSIEURS.

|   |  |  |   |
|---|--|--|---|
| Alway,<br>Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Moore, | Morrison,<br>Parke,<br>Perry,<br>Rymal,<br>Shaver,<br>Shibley,<br>Small, | Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—30. |
|---|--|--|---|

Nays 30.

The question of amendment was decided in the negative by a majority of sixteen.

Amendment lost

On the original question being put, the yeas and nays were taken as follows :

On original ques.

YEAS—MESSIEURS,

|   |  |  |   |
|---|--|--|---|
| Alway,<br>Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking, | Moore,<br>Morrison,<br>Parke,<br>Rymal,<br>Shaver,<br>Shibley,<br>Small, | Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—29. |
|---|--|--|---|

Yeas 29.

NAYS—MESSIEURS,

|   |   |   |  |
|---|---|---|--|
| Boulton,<br>Caldwell,<br>Cornwall,<br>Dunlop, | McDonell, <i>Northumb.</i><br>McKay,<br>Macnab,<br>Malloch, | Perry,<br>Richardson,<br>Robinson,<br>Rykert, | Sol. General,<br>Strange,<br>Wilkinson—15. |
|---|---|---|--|

Nays 15.

The question was carried in the affirmative by a majority of thirteen, and the resolution was adopted.

Question carried

On motion of Mr. Morrison. seconded by Mr. Shaver,

*Ordered*—That Messrs. Wells and Gibson be a committee to draft an address in answer to the speech from the throne at the opening of the present session, founded on the foregoing resolution.

Committee to draft an address

Mr. Wells from the select committee to draft and report an address in answer to the speech of His Excellency from the throne at

Com reports an address the opening of the present session, in accordance with a resolution adopted by the House; presented a draft which was received and read twice.

On the question for the adoption of the address,  
 Motion to refer address to committee of whole tomorrow Mr. Sol. General, seconded by Mr. Malloch, moves in amendment, that the address be referred to a committee of the whole House to-morrow.

Lost On which the House divided, and it was decided in the negative.

Address adopted The address was adopted, and ordered to be engrossed and read a third time forthwith.

Read 3d time Pursuant to the order of the day, the address in answer to His Excellency's speech at the opening of the present session was read a third time.

On passing On the question for passing the address,  
 Amendment proposed Mr. Perry, seconded by Mr. Macnab, moves in amendment, that the question be not now put, but that it be the first thing on the order of the day to-morrow.

Division. On which, the yeas and nays being taken were as follows:

## YEAS—MESSIEURS.

|          |  |   |                                     |  |
|----------|--|---|-------------------------------------|--|
| Yeas 14. | Boulton,<br>Caldwell,<br>Dunlop,<br>McDonell, <i>Northumb.</i> | McKay,<br>Macnab,<br>Malloch,<br>Perry, | Richardson,<br>Robinson,<br>Rykert, | Sol. General,<br>Strange,<br>Wilkinson—14. |
|----------|--|---|-------------------------------------|--|

## NAYS—MESSIEURS,

|          |  |   |  |  |
|----------|--|---|--|--|
| Nays 28. | Alway,<br>Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand, | Gibson,<br>Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie, | McMicking,<br>Moore,<br>Morrison,<br>Parke,<br>Rymal,<br>Shaver,<br>Shibley, | Small,<br>Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Yager—28. |
|----------|--|---|--|--|

Amendment lost, majority 11. The question was decided in the negative by a majority of four-teen.

Amendment to original question, moved. In amendment to the original question, Mr. Boulton, seconded by Mr. Richardson, moves that the following be added to the address:

That the House be dissolved. In conclusion, we beg most respectfully to intimate to Your Excellency that as this address may be supposed to advocate the introduction of new principles of government into our constitution, we should feel happy if in the exercise of the royal prerogative a reference were made to our constituents by a dissolution of Parliament, for the purpose of ascertaining how far they concur in the sentiments and opinions of their representatives on these important points.

Division. On which, the yeas and nays were taken as follows:

## YEAS—MESSIEURS,

|          |   |  |   |  |
|----------|---|--|---|--|
| Yeas 16. | Boulton,<br>Caldwell,<br>Cook,<br>Dunlop, | McDonell, <i>Northumb.</i><br>McKay,<br>McNab,<br>Malloch, | Richardson,<br>Robinson,<br>Rykert,<br>Smith, | Solicitor General,<br>Strange,<br>Thorburn,<br>Wilkinson—16. |
|----------|---|--|---|--|

## NAYS—MESSIEURS,

|          |  |  |  |  |
|----------|--|--|--|--|
| Nays 26. | Alway,<br>Bruce,<br>Chisholm,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking, | Moore,<br>Morrison,<br>Parke,<br>Rymal,<br>Shaver,<br>Shibley, | Small,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—26. |
|----------|--|--|--|--|

The question of amendment was decided in the negative by a majority of ten. Amendment lost, majority ten

In amendment to the original question, Mr. Perry, seconded by Mr. McKay, moves, that after the second section in the Address, the whole be expunged, and the following inserted :

“ That we are well aware that projects for Canals, Rail Roads, &c.—have been lately suggested in several districts of the Province, and many no doubt, claim our attentive examination—and we are fully persuaded that nothing is better calculated to encourage the spirit of enterprise, than by affording to it a free scope by means of judicious legislation, by which practical and solid improvements may be rapidly completed—the completion of which, together with our observation of the expeditious manner in which great and important undertakings are brought to a successful termination in the neighbouring countries, will serve to encourage us to look forward to designs of improvement on so extensive a scale as at this time, with our limited means, might appear visionary, and induce us to continue to support, to the utmost of our power, the efforts of individuals and private associations—and we had indulged in the hope from the various representations made by this House to His Majesty’s Government, that Your Excellency would have received authority to place all the revenues and resources of the province at the disposal of the Legislature at the opening of the present Session, and we confidently trust that ere long our just expectations will be fully realised—by which the means of extending improvements will be vastly increased and the country be assured that the Revenues heretofore appropriated by the Executive Government without the consent or approbation of the people’s representatives, to the encouragement and support of various priesthoods and other improper objects, to the great annoyance, dissatisfaction, and injury of His Majesty’s subjects will be directed to objects of general interest.—And we are firm in the conviction that nothing short of the whole and complete control and direction of all the resources and revenues of the country by the Legislature, will give general satisfaction to the people. Amendment to original question

That it is gratifying to us to learn that the works in progress on the St. Lawrence are in an advanced state, and we confidently trust that our sister colony with whom it is our duty and interest to be on the most friendly terms, will not hesitate to aid in the removal of all obstructions to the free and uninterrupted navigation of that great river, from which improvement each Province will derive reciprocal advantages.

That we regret to hear from your Excellency (notwithstanding the fertility of our soil and mildness of our climate, added to other numerous natural advantages which our country possesses) that the emigration during the past year, of our fellow subjects from the Mother Country has been very trifling, while it would appear from various sources of information, that thousands of them have flocked to the neighbouring Republic, thereby adding to their wealth, intelligence and enterprise; as it is to the introduction of emigrants of industry, enterprise, intelligence, and wealth, that we must, in a great measure depend on, to people and settle our region, and to whose exertions, added to those of our present inhabitants, we must look for the development of our resources and extension of its prosperity; therefore we rejoice to be informed that we may be confident that the main causes, that have led to divert emigrants from our shores will not long continue, and we feel it to be our duty to state to Your Excellency, that in our opinion, one, among many other causes which may be attributed is the very uncertain and unsatisfactory manner in which the Land Granting Department is conducted, that in addition to the vexatious delays and frequent changes in its system of doing business, the high prices generally put by the government on the Crown lands offered for sale is quite sufficient to discourage emigrants from resorting to our country, and that Your Excellency may rest assured that this House will continue to use its efforts to give to emigration every possible encouragement, and to render this country a secure and convenient asylum for such as desire to take up their abode with us—by correcting and reforming abuses, whether in the Land Granting or other departments—amending our institutions, and directing all the resources of the country to their proper and legitimate objects—viz: the improvement of our highways and bridges, and other approved modes of conveyance within our reach, facilitating and encouraging agriculture, manufactures, trade, and commerce, and to make the means of general education alike available and brought within the reach of all His Majesty’s subjects indiscriminately, together with other measures calculated to render the condition of a people peaceable and capable of exercising the privileges of a free government, and by a union of intelligence, industry, and wealth, raise this Province at no distant period to the first rank in the colonial possessions of Great Britain.

That we are not unmindful of the munificence of our late beloved Sovereign in setting apart, many years ago, 500,000 acres of land for purposes of education in the several districts of this Province, and no doubt intended for the general benefit of the people, and we sincerely regret that His Majesty’s government was prevailed upon, about the year 1824, on the recommendation of the Executive of this Province, made without the knowledge or approbation of the people or their representatives, and before any steps had been taken to carry the first object of the appropriation into execution (namely, the establishing and endowing of free grammar schools in the several districts) to divert the most valuable portion of those lands, amounting to 225,000 acres, from the said object to the endowment and support of King’s College, in addition to other endowments so liberally bestowed upon that institution—an institution established upon exclusive and sectarian principles, and otherwise not suited to the wants and circumstances of the country, while the remaining portion of the said lands have in like manner been so exchanged by the government, as in our opinion materially to lessen their value; and although this House has been unceasing, in accordance with the desire of the great body of the people and the known wishes of His Majesty’s government, (as ex-

Amendment to original question.

pressed in various despatches at different times) in its endeavours to extend the valuable blessings of education to all classes of His Majesty's subjects without distinction, by disposing of the Clergy Reserves for common school purposes—by obtaining the restoration of the lands first intended for free grammar schools, and by such a modification of the charter of King's College as would place it on such a basis as to enable the youth of the country, without discrimination, who desire to obtain the higher branches of education, to participate equally in its blessings; which measures have been thwarted in the Legislative Council, and thereby rendered unavailing;—and we feel bound in candour to state that the present is the first time this House was ever made acquainted that any recommendation for the modification of the said charter had proceeded from the Executive Government of this Province, and we sincerely hope that His Excellency, in making the recommendation to which he alludes, has been influenced by the wishes of the people of this colony so repeatedly expressed through their representatives.

That we have no doubt but the Courts of Requests, as established by the present law, have proved more beneficial than formerly, and we are not without belief that the system is still susceptible of further improvement, by authorising a Jury in certain cases, and providing that the Commissioners shall in future be nominated by the people of the several townships—that is, a certain number shall be nominated or recommended by the people, out of which the Government may select; and in several other respects to which we shall direct our attention, and we shall not fail at the same time to give due consideration to Your Excellency's suggestion in relation to the subject.

That we shall feel it our duty to take into our serious consideration the propriety of making provision for the maintenance of the Provincial Penitentiary, and we are fully convinced that much of the usefulness of the Institution depends upon its management, and the regulation of the discipline established, the same remarks will also apply to the several gaols in the Province; the manner of treating prisoners confined in them is a subject worthy of our consideration, and if it shall appear from the communication Your Excellency has promised to bring to our notice, or from other sources of information, that it is expedient to relieve the magistrates from the superintendence, and better ensure the humane care and safe custody of the prisoners by other provisions, we shall most cheerfully apply our attention to the best mode of accomplishing that object.

That the case of the sufferers by the late war will engage our serious attention, and we are free to admit that their acknowledged claims ought long since to have been satisfied, and we sincerely regret that they have been so long delayed, but we must be permitted to express our settled conviction that when we consider that the said war was carried on and finally terminated without consulting the people of this country, and that the government has heretofore claimed the control, and have appropriated, without the knowledge or consent of Parliament, the whole Casual and Territorial Revenue, amounting to a very large annual sum, which revenue was protected by the people of this country to the utmost of their power during the said war, and in the defence of which they were unavoidably called upon to undergo innumerable hardships, privations and sacrifices, over and above the said losses, that His Majesty's Government alone ought, in justice long ago either to have settled the said claims, or to have enabled this Province to do so by surrendering the said revenue, and particularly after the Legislature of this country had from its scanty means already advanced no less a sum than £ for the liquidation of the said losses, thereby evincing a hearty sympathy and disposition to relieve the distresses of their fellow subjects—and we further beg to state that at the time the last advance of £57,000 was made by this Province, this House was assured in the most positive manner by his Majesty's then Attorney-General and others supposed to be in the confidence of the Government, that no further sum would be required from the Legislature of this Colony, but that the residue would at once be advanced by His Majesty's Government, yet we do not hesitate to pledge ourselves to make immediate provision for the payment of the £20,000 so soon as the Casual and Territorial Revenues shall be unconditionally submitted to the control of the Legislature.

That it appears that the amount of duties received at the Port of Quebec during the past year has only equalled that of 1834, which is matter of regret to us, inasmuch as the government has contracted a considerable debt for public works in the prospect and anticipation that their construction would be the means of adding to our population, trade, and revenue, and although the duties collected within this Province have considerably increased, we cannot view that circumstance as a mark of the increased trade, commerce, and general prosperity of the country.

That this House will duly consider the annual accounts and estimates when laid before us, and although Your Excellency has avoided adverting to the casual and Territorial Revenue, we trust that we shall, at an early day, have laid before us a full and complete account in detail of the receipts and payments of all the public revenues of the colony.

That we are gratified to hear that our several addresses to the King of the highest importance and interests not only to this colony, but to all His Majesty's Colonies in North America have done and continue to engage His Majesty's attention and anxious consideration, the subject to which they more particularly relate are a change in the composition of the Legislative Council—the entire control by the Legislature of all the resources of the Province and revenues arising therefrom—a non interference in our local affairs by the ever changing Colonial Ministers and His Majesty's Government, situated as they are across the Atlantic, and having no practical means of knowing the circumstances and wants of the country, and the immense evil they are likely to do to the best interests of this colony by their hasty and injudicious decisions relative to our affairs, often as they must necessarily be upon imperfect or interested representations, a strong remonstrance against any steps being taken at the solicitation of the Honorable the Legislative Council or any other body to settle the Clergy Reserve question upon any other principle than desired and so often recommended by the people through their representatives, or in any way to establish a union or connexion in this colony between church and State—and

the introduction of the same practice in the administration of the Executive Government of this Province as is pursued by His Majesty in administering the Government of England which, from the reasonableness and justice of the request, His Majesty's loyal subjects in this Province have confidently hoped would without delay be acceded to by their Most Gracious Sovereign, and without which it is expecting too much to suppose that the people can remain contented prosperous and happy.

That could we, as the representatives of the people, regard with indifference important proceedings in any country with which we have constant intercourse, we feel that we should be wanting in zeal for the public welfare, yet we cannot but deprecate in the strongest terms any attempt whatever proceeding from any quarter, to embroil this Province in a quarrel with the sister colony, with whom we feel it to be our first duty and interest to cultivate a good and friendly understanding, and we cannot be persuaded but that His Majesty's government will mark with displeasure any such attempts so eminently calculated not only to continue, but to increase any dissatisfaction, and tend to lessen the confidence of His Majesty's subjects in both Provinces in the wisdom and justice of His Majesty's government, and without feeling ourselves called upon to express any opinion as to the policy or propriety of all the changes sought for by either party in Lower Canada, we feel willing to extend to our fellow subjects in that Province, the same privileges that we claim for ourselves, namely—liberty to propose and make constitutional exertions to bring about the establishment of such institutions and laws and such an administration of the government as are warranted by the constitution, and calculated to advance the peace, prosperity, and welfare of the Province, and it is only when a party determine to forego the constitution and set all law at defiance, and resolve to force upon the country their own views and wishes by force and violence, and at the sacrifice of peace and good order, and to threaten the annihilation of the government by civil war, that any thing serious may be apprehended by this Province.

That we hail with satisfaction the assurance of Your Excellency that the constitution of the Province will be upheld, and shall deem the day on which the practical administration of the principles of that constitution which we are told are the same as that of our mother country shall commence, as a most happy epoch in the history of this colony. In England we see His Majesty on the throne in the midst of a great nation, surrounded by his people, and administering the constitution on all important points agreeably to the wishes of his subjects, and calling to his councils and filling important offices in the kingdom, with such men only as enjoy the confidence of the people, expressed through their representatives, while in this Province, with the same constitution, in form, the Executive government, for the most part is administered by men who never had, or have long since lost the confidence of the people, and while all the important offices of trust, honor or emolument, as well as those of minor importance, such as Justices of the Peace, Commissioners, Sheriffs, Collectors of Customs, Coroners, Boards of Education, Boards of Health, Registrars, and also of the Militia, are bestowed on persons belonging to a particular party in politics, and which we feel to be in direct opposition to the principles of our constitution, and to the practice long and happily pursued by our most gracious Sovereign in the parent state.

That we agree with your Excellency that the present is an important and, we hope favorable crisis in the situation of this Province, and we most sincerely hope that the Imperial Government may not fail to deem it their essential duty and interest to watch over and protect our civil and religious Rights, liberties and institutions, by which and consulting the earnest wishes of the colony, His Majesty will not fail to cherish the attachment of all classes to the Crown.

That we hope your Excellency may have the satisfaction to hear not only of our diligent application to various measures long sought for by the people and of great importance to the welfare and improvement of this highly—favored Colony, but also of their having been brought to a successful and happy issue during the present Session of Parliament.

On which the yeas and nays being taken, were as follows :

|                            |                             |             |                |           |
|----------------------------|-----------------------------|-------------|----------------|-----------|
| YEAS—MESSIEURS,            |                             |             |                | Division. |
| McKay,                     | Perry,                      | Roblin,     | Strange—4.     | Yeas 4    |
| NAYS—MESSIEURS,            |                             |             |                |           |
| Alway,                     | Gibson,                     | Malloch,    | Shibley,       |           |
| Boulton,                   | Gilchrist,                  | Moore,      | Small,         |           |
| Bruce,                     | Hopkins,                    | Morrison,   | Smith,         |           |
| Caldwell,                  | Lount,                      | Parke,      | Sol. General,  |           |
| Chisholm,                  | McDonell, <i>Stormont</i> , | Richardson, | Thorburn,      |           |
| Cook,                      | McDonell, <i>Northumb.</i>  | Robinson,   | Waters,        |           |
| Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Rykert,     | Wells,         |           |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Rymal,      | Wilson,        | Nays 36.  |
| Durand,                    | McMicking,                  | Shaver,     | Woolverton—36. |           |

The question of amendment was decided in the negative by a majority of thirty-two. Amendment lost majority 32

On the question for passing the address, the yeas and nays being taken, were as follows : On passing the address

## YEAS—MESSIEURS,

|         |                            |                             |           |             |
|---------|----------------------------|-----------------------------|-----------|-------------|
| Yeas 29 | Alway,                     | Gilchrist,                  | Moore,    | Smith,      |
|         | Bruce,                     | Hopkins,                    | Morrison, | Thorburn,   |
|         | Chisholm,                  | Lount,                      | Parke,    | Waters,     |
|         | Cook,                      | McDonell, <i>Stormont</i> , | Rymal,    | Wells,      |
|         | Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Shaver,   | Wilson,     |
|         | Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Shibley,  | Woolverton, |
|         | Durand,                    | McMicking,                  | Small,    | Yager—29.   |
|         | Gibson,                    |                             |           |             |

## NAYS—MESSIEURS,

|         |                            |          |             |                    |
|---------|----------------------------|----------|-------------|--------------------|
| Nays 12 | Boulton,                   | McKay,   | Richardson, | Rykert,            |
|         | Caldwell,                  | Malloch, | Robinson,   | Solicitor General, |
|         | McDonell, <i>Northumb.</i> | Perry,   | Roblin,     | Strange—12.        |

Question carried,  
majority 17  
Address passed

The question was carried in the affirmative by a majority of seven-  
teen, and the address was passed as follows:

*To His Excellency Sir John Colborne, K. C. B. Lieutenant  
Governor of the Province of Upper Canada, Major  
General commanding His Majesty's Forces therein, &c.  
&c. &c.*

## MAY IT PLEASE YOUR EXCELLENCY:

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly thank Your Excellency for your speech from the Throne at the opening of the present Session.

Address to His Ex'cy  
in answer to  
speech at opening of  
present Session.

We regret that since we were last assembled no material change has taken place in the prospects of this Colony; but we firmly hope to see such an amelioration of our institutions as will under the continuance of uninterrupted tranquillity happily enable the inhabitants, as they are disposed, to turn their undivided attention to the improvement of the country and the development of its resources.

We will be most happy to see the enterprise of any private companies rewarded by success in the completion of the works they may have recently projected in the Home and Midland districts, and the district of Newcastle, for the improvement of internal navigation, by opening practicable channels to the great lakes; and if the rail roads which have also been suggested shall be undertaken and completed they will certainly confer incalculable benefit upon a great portion of this vast continent, in which Upper Canada occupies, geographically, so fortunate a position. But to realize these natural advantages it is necessary to obviate in some way the embarrassments arising from our extensive frontier, being at present separated by the neighbouring States, from the vast coast of the Atlantic Ocean with its numerous harbours accessible at any season of the year from all quarters of the world.

We are happy to learn that the people in the Lower Districts are not less intent on the means by which the natural advantages of their situation may be improved, and that in the Western parts of the Province the past year has given rise to several plans of a very interesting character, upon which, when made known to us we will bestow the attentive examination they deserve.

That no solid improvements, justified by our population and resources, shall want the judicious and cordial co-operation of this branch of the Legislature. Some of the projects to which your Excellency has referred would have appeared, a few years since, visionary; when, however we look at the undertakings in the neighbouring countries so eminently flourishing and prosperous, we ought to be able to derive from them encouragement for designs on a more extensive scale, and called to give a free scope to the utmost of our power to the spirit of enterprise displayed by individuals and private associations. In recognising this reference to the rapid and prosperous advances of the neighbouring countries, to which our condition affords so striking a contrast, we humbly represent that under a system of cheap and responsible government, all their public lands and other sources of national wealth are faithfully and scrupulously applied to great objects of general improvement. It appears that out of the proceeds from the sale of wild lands \$11,000,000 will be apportioned by the General Government among the different States of the Union.

It is satisfactory to this House to learn that the works in progress on the St. Lawrence are far advanced, and we trust that by the aid of the Lower Province, with which it is equally our duty and our interest to cultivate a good understanding, all obstructions to the navigation of that great river will be speedily and effectually surmounted.

We are aware that the direct emigration from the mother country to this colony last season has scarcely exceeded, if it has equalled, the proportion of one third as compared with some former years. If this diminution were caused by a more general employment at home of manufacturers, and agricultural labourers, we should not view it with regret. The other causes which tended to reduce the number of emigrants to this Province, while so vast a number have thronged to the neighbouring Republic, we are happy to learn will not long operate; and your Excellency may be assured we shall not relax in our efforts to give to emigration every possible encouragement, and to render this country a secure and convenient asylum for such of our countrymen as desire to resort to it.

Address in answer to Speech of His Ex'y the Lt. Governor nor at the opening of the present session

We thank your Excellency for suggesting several of the most important subjects, calculated to afford the strongest inducements to our fellow subjects of the British Empire to unite their fortunes with ours, and to contribute by their wealth, intelligence, and industry, to raise this Province, at no distant period, to the first rank in the colonial possessions of Great Britain; such as improving the system of our highways, and giving facilities to commerce, connected as it must necessarily be with our agricultural prospects; by making the means of education general and easily available, and by attending to the condition of a people, peaceably and prudently exercising the privileges of a free government, and firmly attached to the principles of the British constitution. But our past most assiduous labours upon those important objects, including the impartial administration of justice, have proved comparatively unavailing. The bill passed by us in our late session, appropriating £25,000 to the public highways, was rejected by the Legislative Council. We have also endeavoured to give increased facilities to commerce by engaging in extensive public works, by which Parliament has incurred a debt of a serious magnitude, when compared to our resources and expenditure, while the public wealth yielded by the sale of wild lands, crown and clergy reserves, and other sources, is expended in paying priesthoods, pensions, and the like purposes, rather destructive than beneficial to the best interests of the community.

We also last Session, passed a bill for the protection of our agricultural interests by imposing duties on wheat and other articles imported from the United States, thereby establishing a greater degree of reciprocity in our commercial relations than at present exists; which bill was lost in the Legislative Council.

We have also been anxious in past years to make the means of education general and easily available, but it has only lately become known to the Legislature, that a bountiful provision in Lands was made by the Crown about 40 years ago, though since deteriorated by a recent secret unfavourable exchange for inferior lands. The University of King's College was grounded on a Royal Charter, sought for and granted in 1826; upon principles so exclusive and sectarian, as to render it deservedly unacceptable to the great body of the people, for whose benefit it was professedly intended; and although the most reasonable modifications were suggested by a series of Resolutions in the year 1829, yet it is now, for the first time, that your Excellency has been enabled to announce from His Majesty's Government any specific proposition respecting it. Nor ought we to fail to notice, that large appropriations have been made out of the University fund, not to the District and Township Schools, undeservedly neglected, but to sustain Upper Canada College in this City, in which the sons of all the wealthiest families are educated, and which ought therefore to be supported without so questionable an encroachment on public funds.

We repeat our assurances to your Excellency, that we will renew the same assiduous attention to the objects your Excellency has thus recommended; but the uniform experience of nearly half a century has forced the conviction, confirmed by the history of nations, that no richness of soil, or salubrity of climate; no wealth in public lands, or industry and economy among a deserving people, can ensure their peace, welfare and prosperity, without the possession of those suitable institutions which will yield cheap, honest, and responsible Government.

The Courts of Requests, as constituted under the recent Statute, have, it is hoped, proved more beneficial than formerly—and we will, as suggested by your Excellency, take into consideration, whether an appeal to the District Court might not be provided for under some restrictions.

We will give our serious consideration to the modification Your Excellency has submitted to His Majesty's government for the charter of King's College, when your Excellency shall communicate it to us by message, and we sincerely hope that the arrangements proposed for the opening of the University will be such as to ensure our concurrence.

The maintenance of the Provincial Penitentiary, as recommended by your Excellency, will receive our careful consideration, being convinced that it is necessary to regulate an institution with care which may have so direct an influence on the security of society and the effective administration of the laws.

We shall be happy to have our attention called to the state of the jails and the treatment of the prisoners confined in them, whose humane care and safe custody are so important, and we regret that the superintendency of the magistrates has not ensured those ends.



Address in answer to speech of His Excellency the Lt. Governor at the opening of the present session.

It is matter of profound regret that the sufferers by the late war with the United States of America, have not yet been paid the full amount of their acknowledged claims, but the proposition from His Majesty's government, mentioned by your Excellency, shall receive our most anxious deliberation.

We regret to learn that the amount of duties received at the port of Quebec has not increased since 1834 as well as the amount of those collected within the Province.

The annual accounts and the estimates when laid before us will receive our careful examination, and we hope this House, notwithstanding a season of general depression, will find reason to continue those supplies which have ever heretofore been granted in so very ample a manner,

We are thankful that our several addresses to the King have been laid before His Majesty. The subjects to which they chiefly relate—a modification of the Legislative Council; a responsible Executive Council, alike possessing the confidence of the King and the people; the controul of all the sources of public wealth by the Provincial Parliament, & non-interference in our domestic affairs by the Colonial Minister, so remote from the scene of government, & unacquainted with the country and its inhabitants,—are indeed subjects of the highest importance to the inhabitants, not of this colony only, but, of all the British colonies in North America. But Lower Canada possessing a constitution like our own, has experienced the same defects and prayed for the same remedies. Without recognizing the Royal Commissioners mentioned by your Excellency, we presume that their opinion will not be regarded as paramount to the wants and wishes of 1,000,000 of His Majesty's people, constitutionally expressed by their representatives in their respective Legislatures.

We deeply regret that your Excellency has been advised to animadvert upon the affairs of the Sister Province, which has been engaged in a long and arduous struggle for an indispensable amelioration of their institutions, and the manner of their administration. We respectfully but firmly express our respect for their patriotic exertions, and we do acquit them of being the cause of any of the dissensions and embarrassments existing in the country.

We hope your Excellency will have the satisfaction to hear of our diligence and application during the Session to the measures your Excellency has suggested for our consideration, and to others which will conduce to the welfare of this highly valuable colony at this important and, we hope, favorable crisis.

MARSHALL S. BIDWELL, *Speaker.*

*Commons House of Assembly, 20th January, 1836.*

On motion of Mr. Morrison, seconded by Mr. Shaver,

*Ordered*—That Messrs. Wells and Bruce be a committee to wait on His Excellency to learn when His Excellency will be prepared to receive this House with its address in reply to His Excellency's speech from the throne, at the opening of the present session.

Adjourned.

**Thursday, January 21, 1836.**

The House met

The minutes of yesterday were read.

Mr. Wells from the select committee to wait on His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the House with its address in answer to the speech of His Excellency at the opening of the present Session, reported that His Excellency had been pleased to name the hour of three p. M. this day.

Mr. Boulton brought up the petition of John Brown, Esq., of Port Hope, contractor for building a Light House on Guil Island, in Lake Ontario; which was laid on the table.

Mr. Merritt brought up the petition of John Everitt, and ninety-four others, of the Niagara district; which was laid on the table.

Mr. Boulton brought up the petition of John David Smith, Esq., of Port Hope; which was laid on the table.

Mr. McIntosh brought up the petition of William Johnston and thirty-five others, of the township of Georgina (Simcoe); which was laid on the table.

Mr. Gilchrist brought up the petition of Wilson S. Conger, of Cabourg (Durham); which was laid on the table.

Com's to wait on His Ex'y to know when the Address will be received

Committee report that His Excellency will receive the House at 3, P M

Petitions bro't up.

Of John Brown, Esq. of Port Hope

Of John Everitt, and others.

Of John D Smith, Esq'r of Port Hope

Of Wm. Johnston and 35 others

Of Wilson S Conger

Mr. Wells brought up the petition of Ja's. W. Campion, of the town of Prescott; which was laid on the table. J W Campion.

Mr. Charles Duncombe brought up the petition of the Rev. Geo. O'Kill Stuart and forty two others, of the town of Kingston; which was laid on the table. Of Rev Geo O'Kill Stuart and 42 other.

Mr. Charles Duncombe brought up the petition of William Conway Keele, of the City of Toronto; which was laid on the table. Of W C Keele of Toronto

Mr. Gibson brought up the petitions of John Finch and thirty-two others—W. B. Crew and one hundred and eight others—Moses White and thirteen others—William Williamson and one hundred and forty four others—and of John Murphy and one hundred and sixteen others, inhabitants of the Home District; which were laid on the table. J Finch & others  
WB Crew & others  
M White & others  
W. Williamson & others  
J Murphy & others

Mr. Roblin brought up the petition of Elisha Huff and seventeen others, inhabitants of the second concession West of Green Point, in the township of Sophiasburg (Prince Edward); which was laid on the table. Of Elisha Huff & 17 others

Pursuant to the order of the day, the following petitions were read: Petitions read.

Of William Sumner and nineteen others of the 1st concession, township of Westminster, on the subject of the Commissioners' road in that township, and praying that an Act may be passed to annex the allowance for road on the town line to the first concession of said township. Of Wm: Sumner and 19 others township of Westminster praying the annexation of a piece of road to the base line of township.

Of Benjamin Wait and one hundred and forty-nine others, of the township of Indian Lands, county of Haldimand, praying that a permanent station may be appointed for holding the Courts of Request, instead of the present division of the township for holding said Courts. Of Benjamin Wait and 149 others, praying that the Courts of Request be held in one place.

Of Hughes, Shepard, and Johnson, trustees of the Farmers' Storehouse, in Toronto, praying for an Act of Incorporation under the title of "the President, Directors, and Company of the Farmers' Store of the Home district." Of Hughes, Shepard and Johnson, praying for an Act of incorporation.

Of Augustus Bates and two hundred and forty-five others, of the counties of Halton and Huron, praying to be incorporated as a company with a capital of three hundred and fifty thousand pounds, with power to construct a rail road from the most convenient place at Wellington Square, in the county of Halton, in the district of Gore, and to terminate at Goderich harbor, in the county of Huron, upon such intermediate route as may be determined on by engineers appointed for that purpose. Of Augustus Bates and 245 others praying an act to authorise them to construct a rail road from Wellington Square to Goderich.

Of Joseph Lister, M. D. of Hamilton, in the district of Gore, stating that during the prevalence of the Cholera in the year 1834, he attended the whole season at the Emigrant shed near the wharf at Port Hamilton, and administered medicines to all the patients, which were numerous—that at the close of the year when his account was sent in, the Board of Health from whom he had received orders to visit the patients at the shed, informed him they were unable to pay him, having no funds; from the great and serious injury his own practice sustained from the above circumstance, petitioner prays the House to take his case into consideration and afford him relief. (This petition is accompanied by a certificate corroborative of the facts stated and signed by ten inhabitants of the town of Hamilton.) Of Dr. Lister praying remuneration for attendance on Cholera patients at Hamilton in 1834.

Of Ezekiel Foster and six hundred and twenty-five others of the county of Norfolk, representing that in consequence of the removal of the district town—and the great increase of population it has Of Ezekiel Foster and 625 others, praying that the County

of Norfolk be set off as a separate district with Simcoe for County Town.

Of Tho's Archer and 59 others, praying that a survey made in 1800 may be established.

Of Simpson McCall and 202 others, praying for separation of Norfolk with Vittoria for dis. town Notices.

Of a bill to provide fire proof offices

Of a bill to amend the wild land assessment law.

Of bill to amend 2d Geo. 4 ch. 8.

Of bill to dispose of Clergy Reserves.

Sel. Com. on petition of T. Parker and others report Hastings separation bill.

Bill read 1st time.

Second reading to-morrow.

Sel. Com. on petition of J. Young and others report the Niagara Dist. Bank bill.

Niagara dist. bank bill read first time.

2nd reading to-morrow.

Petitions referred.

Of Tho's Servos.

Of Wm & Jas Gardiner.

become necessary to divide the London district—and praying that the present county of Norfolk, together with the townships of Walpole and Rainham (formerly belonging to it) Burford, Oakland, Norwich and Bayham, may be set apart as a separate district, with the town of Simcoe for the County Town.

Of Thomas Archer and fifty nine others, first concession West of Green Point, Sophiasburg—stating that in the year 1800 the side lines of the lots in the said first concession were laid out by Mr. Deputy Surveyor Stevens; that by this survey petitioners have made their improvements, planted their orchards and erected their buildings and fences, and praying the House to confirm the said survey as made by Mr. Stevens.

Of Simpson McCall and two hundred and two others of the county of Norfolk, praying to be set off as a separate district with Vittoria for the district town.

Mr. Boulton gives notice, that he will, on Tuesday next, move for leave to bring in a bill to provide fire proof offices for the several counties in this Province.

Mr. Robinson gives notice, that he will, on to-morrow, move for leave to bring in a bill to alter and amend the wild land assessment law.

Mr. Small gives notice, that he will, on to-morrow, move for leave to bring in a bill to amend the 2d Geo. 4, chap. 8, entitled,—*“An Act to make further regulation respecting the weekly maintenance of insolvent debtors.”*

Mr. Perry gives notice, that he will, on Saturday next, move for leave to bring in a bill for the sale of the Clergy Reserves, for common school purposes.

Mr. Roblin, from the select committee to which was referred the petition of Thomas Parker and others, of the county of Hastings, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the house would be pleased to receive the same.

The report was received, and the Hastings separation bill was read a first time.

*Ordered*—That the bill to erect the county of Hastings into a separate district, be read a second time to-morrow.

Mr. Richardson, from the select committee to which was referred the petition of John Young and others, informed the House that the committee had agreed to report by bill; a draft of which he was ready to submit to the House, whenever it should be pleased to receive the same.

The report was received and the bill to incorporate a banking company in the district town of the Niagara district, was read a first time.

*Ordered*—That the district of Niagara banking bill be read a second time to-morrow.

On motion of Mr. Richardson, seconded by Mr. Robinson, *Ordered*—That the petition of Thomas Servos be referred to a select committee to be composed of Messrs. McDonell, of Stormont, Cook and Chisholm, to report thereon by bill or otherwise.

On motion of Mr. Parke, seconded by Mr. Alway, *Ordered*—That the petition of William and James Gardiner be referred to a select committee, to be composed of Messrs. Richardson and Cornwall, to report by bill.

On motion of Mr. Gilchrist, seconded by Mr. Moore,  
*Ordered*—That the petition of John Pearse and others, be referred to a select committee, consisting of Messrs. Roblin, Chisholm, and Boulton, with power to send for persons and papers, and to report thereon by bill or otherwise.

Of Pearse, Dumble and Hore.

Pursuant to notice, Mr. Small, seconded by Mr. Wilkinson, moves for leave to bring in a bill to enable members of the House of Assembly to vacate their seats in certain cases, and also to declare the seats of members accepting office vacated thereby.

Members vacating seat bill brought in.

Which was granted, and the bill read.

Mr. Merritt, seconded by Mr. Rykert, moves, that the accounts of the Welland Canal Company, now before the House, be referred to a committee, consisting of Messrs. McKay, Roblin, Parke, Shaver, and Smith—and as it has been publicly alleged by William Lyon Mackenzie, Esquire, one of the directors appointed by this House—that a defalcation of the funds of that company, to a very large amount, exists—the committee be requested to call upon that gentleman to furnish them, within ten days—the items which compose the said defalcation—that the said committee transmit a copy of the same to the Secretary of the Welland Canal Company—requesting him to submit a statement in reply thereto, within ten days thereafter, in order that the committee may take such steps, as to them may be deemed advisable—to ascertain the truth of such disputed charges—with power to send for persons and papers, and to report, not only on the said accounts and charges, but, the general management of the canal.

Motion for Sel Com. upon the Welland Canal account alleged defalcation & the general management of the Canal.

On which debates ensued.

At three o'clock, p. m., the House waited upon His Excellency the Lieutenant Governor, with the address in answer to His Excellency's Speech at the opening of the present session.

House wait upon His Excellency with its address in answer to speech.

And being returned.

The debate on Mr. Merritt's motion was resumed.

Mr. Charles Duncombe, seconded by Mr. Wells, moves, that the debate be adjourned until ten o'clock to-morrow.

Motion to adjourn the debate on Welland Canal motion.

Mr. Secretary Rowan, brought down from His Excellency, the Lieutenant Governor, a Message, and, having delivered the same, withdrew.

Message from His Excellency.

Mr. Charles Duncombe's motion being put, the Yeas and Nays were taken, as follows :

Division on motion to adjourn debate.

YEAS—MESSEURS,

|                           |                            |             |                 |          |
|---------------------------|----------------------------|-------------|-----------------|----------|
| Alway,                    | Duncombe, <i>Norfolk</i> , | Moore,      | Wells,          | Yeas 15. |
| Bruce,                    | Durand,                    | Morrison,   | Wilson,         |          |
| Chisholm,                 | Gibson,                    | Richardson, | Woolverton--15. |          |
| Duncombe, <i>Oxford</i> , | Mackenzie,                 | Smith,      |                 |          |
|                           |                            |             |                 |          |

NAYS—MESSIEURS.

|           |            |           |               |          |
|-----------|------------|-----------|---------------|----------|
| Caldwell, | McIntosh,  | Robinson, | Shibley,      | Nays 20. |
| Cook,     | McMicking, | Roblin,   | Sol. General, |          |
| Cornwall, | Merritt,   | Rykert,   | Thorburn,     |          |
| Hopkins,  | Parke,     | Rymal,    | Wilkinson,    |          |
| Lount,    | Perry,     | Shaver,   | Yager,—20.    |          |
|           |            |           |               |          |

The question was decided in the negative by a majority of five.

Question lost majority 5.

The original question was then put as follows :

Mr. Merritt, seconded by Mr. Rykert, moves, that the accounts of the Welland Canal Company, now before the House, be referred to a Committee, consisting of Messrs. McKay, Roblin, Parke, Shaver

Original question.

Original motion on select committee on Welland Canal affairs.

and Smith—and as it has been publicly alledged by William Lyon Mackenzie, Esquire, one of the Directors appointed by this House—that a defalcation of the funds of that Company to a very large amount exists. The Committee be requested to call upon that gentleman, to furnish them, within ten days, the items which compose the said defalcation—that the said Committee transmit a copy of the same to the Secretary of the Welland Canal Company, requesting him to submit a statement in reply thereto, within ten days thereafter, in order that the Committee may take such steps as to them may be deemed advisable, to ascertain the truth of such disputed charges, with power to send for persons and papers, and to report, not only on the said accounts and charges, but, on the general management of the Canal.

On which the yeas and nays were taken as follows :

Division.

YEAS—MESSIEURS,

|         |                                    |                          |                    |                                    |
|---------|------------------------------------|--------------------------|--------------------|------------------------------------|
| Yeas 9. | Caldwell,<br>Cornwall,<br>Merritt, | Richardson,<br>Robinson, | Roblin,<br>Rykert, | Solicitor General,<br>Wilkinson—9. |
|---------|------------------------------------|--------------------------|--------------------|------------------------------------|

NAYS—MESSIEURS,

|          |  |  |  |  |
|----------|--|--|--|--|
| Nays 26. | Alway,<br>Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand, | Gibson,<br>Hopkins,<br>Lount,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Moore, | Morrison,<br>Parke,<br>Perry,<br>Rymal,<br>Shaver,<br>Shibley, | Smith,<br>Thorburn,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—26. |
|----------|--|--|--|--|

Question lost majority 17.

The question was decided in the negative by a majority of seventeen.

Mr. Speaker reported His Excellency's answer to address on speech.

Mr. Speaker reported that when the House attended upon His Excellency with its address in answer to His Excellency's speech at the opening of the present session, and presented the same, His Excellency had been pleased to make the following reply :

GENTLEMEN :

It is with great concern that I have attended to some parts of this address.

His Excellency the Lt. Governors answer to address on speech.

I shall take an early opportunity of transmitting it to His Majesty's Government.

With respect to your observations on the charter of King's College, I have to state, that, although no precise proposals for the modification of the charter have originated with His Majesty's Government, nor is it now intended to suggest any on the part of His Majesty's Ministers, you have frequently been informed that the King is desirous of affording prompt attention to the wishes of the Legislative Council and the House of Assembly, and of giving effect to such measures as might be agreed on by them, for the amendment of the charter.

Mr. Speaker reported that Mr. Secretary Rowan had brought down from His Excellency the Lieutenant Governor a message and copy of despatch from the Right Hon. the Secretary of State for the Colonies.

Mr. Speaker reports message from His Excellency and copy of a despatch from Secretary of State.

Mr. Speaker read the Message as follows :

J. COLEORNE.

The Lieutenant Governor transmits to the House of Assembly, the accompanying copy of a despatch from the Secretary of State for the Colonies, the con-

tents of which cannot fail to impress on the Assembly, the lively interest which His Majesty feels in the welfare of the Province. Message.

Government House,  
21st January, 1836. }

The clerk read the despatch as follows :

Copy.

No. 52.

DOWNING STREET,  
20th October, 1835.

SIR,

I am commanded by the King to inform you, that the address transmitted to His Majesty, from the Commons House of General Assembly of the Province of Upper Canada, in their last session, has engaged His Majesty's most deliberate and serious attention.

Despatch.

I have also laid before the King, the report from the committee of grievances appointed by that House, and transmitted to me in your despatch of the 12th September, with the observations contained in your despatch of the 16th of that month, on some of the topics embraced in that report. To those topics the King has been pleased to devote as much of his time and attention, as has been compatible with the shortness of the period which has elapsed since the arrival in this country of your despatches of September.

According to the ordinary usage, the Session of the General Assembly of Upper Canada for the present year, will commence at the beginning of the ensuing month of November. A considerable part of the session must, therefore, unavoidably elapse before the House can receive His Majesty's answer to their address, or those communications which His Majesty proposes to instruct me to convey to the House, on the subjects discussed by the committee of grievances, in their seventh report.

The King therefore commands me to direct, that, immediately on the receipt of this despatch, you do make the necessary arrangements for securing that the General Assembly of Upper Canada shall meet by the end of the month of January next, then to receive the communications which will at that time be made to them by His Majesty and under His Majesty's instructions, in reference to the subjects to which I have adverted. With a view to those arrangements, you will take the first opportunity of laying before the House, a copy of this despatch.

The House will be assured, that in the promised communications they will find conclusive proof of the desire and fixed purpose of the King to redress every real grievance, affecting any class of His Majesty's subjects in Upper Canada, which has been brought to His Majesty's notice by their representatives in provincial parliament assembled; His Majesty entertaining the firm conviction that the Commons of the House of Assembly will concur with him in reviewing the various subjects of complaint in a spirit of moderation and of mutual confidence, and that they will not propose any measures incompatible with the great fundamental principles of that constitution, under which the Province has made unparalleled advances in general prosperity and social happiness, and to the maintenance of which, the King and both Houses of the General Assembly of the Province, have given pledges so solemn and deliberate.

I have, &c.

(Signed)

GLENELG.

Adjourned.

Friday, 22nd January 1836.

The House met.

The minutes of yesterday were read.

Mr. Wilkinson brought up the petition of John Smith and seventeen others of the townships of Chatham and Camden (western district,) which was laid on the table.

Petitions brought up  
John Smith and  
others.

Mr. Gibson brought up the petition of James Hogg and one hundred and five others, and of Cornelius Van Ostrand and sixty others, inhabitants of the Home district, which were laid on the table.

James Hogg and  
others, and C. Van-  
Ostrand and others.

Mr. Perry brought up the petitions of Nelson Cozens of the town of Cornwall (Stormont,) which was laid on the table.

Nelson Cozens.

Mr. Solicitor General brought up the petition of the Hon. William Allan and sixty-nine others, members of the board of trade, and others of the city of Toronto, which was laid on the table.

Hon. Wm. Allan  
and others.

H D McMurdo.

Mr. Solicitor General brought up the petition of Henry Douglass McMurdo of Sherbrooke, in the county of Haldimand, which was laid on the table.

Petitions read.

Pursuant to the order of the day the following petitions were read:—

Of Richard Woodruff and 18 others praying the War Losses may be liquidated.

Of Richard Woodruff and eighteen others of the Niagara district, praying the House that, during the present session, means may be provided for the final liquidation of their just claims for losses sustained by them during the late war with the United States.

Of David Pattie praying that the two divisions of the township of Hawkesbury may be made into separate townships.

Of David Pattie and one hundred and twenty-three others, of the township of Hawkesbury, stating that from the extent and peculiar shape of said township, great inconvenience is experienced in assembling to transact the diversified business of the township—and earnestly praying that each of the two divisions, of which the township is at present composed, be erected into distinct and separate townships, for all the purposes of township business, and for such other purposes as the House may deem expedient.

Of John Lee of Toronto, praying assistance to work a lead mine in the township of Clinton.

Of John Lee of the City of Toronto—stating that the importation of lead into this Province, is attended with a very great expense, and a serious disadvantage to persons engaged in Petitioner's line of business.

That Petitioner has lately discovered a valuable mine of lead ore in the township of Clinton, and has, at his own expense, commenced mining operations—and succeeded in obtaining some fine specimens of lead ore, at a short distance below the surface, and has no doubt that the main body of this ore may be easily got at without much trouble or expense.

That Petitioner has obtained a grant from His Majesty's Government, of the privilege of working this mine—and praying that such a sum of money, upon security and his own responsibility, to be placed in the hands of Commissioners, and to be re-paid in five years, be granted him as will enable him, with his own private means, to bring the mine into successful operation.

Of Henry Smith Warden of the Penitentiary praying for an increase of salary.

Of Henry Smith, warden of the provincial penitentiary—stating, that by the stat. 4th Wm. 4th ch. 37, the salary appointed for the payment of the warden's services is two hundred pounds per annum—that said salary is insufficient to support petitioner in that degree of comfort and respectability which is necessary for the maintenance of the senior officer of the provincial penitentiary—that although petitioner was actively engaged in entering into agreements with contractors, and in making provision for the maintenance of convicts, for a long period prior to the first day of June last, yet petitioner has not received any portion of his salary until from and after the first day of June—that the salaries exclusive of other emoluments received by the wardens of the penitentiaries at Richmond, Sing Sing, Boston, Auburn, and Wethersfield, in the United States of America, are respectively £500, £437 10, £375, £312 10, and £300, making an average rate of pay to those officers of £360 per annum—and praying that such increase of salary for his services, as warden of the provincial penitentiary, as may seem just and proper.

Of John McLean and 41 others praying for an act of incorporation.

Of John McLean and forty one others of the District of Niagara praying that an act of incorporation may be granted them to construct a harbor at or near the mouth of the thirty mile creek in the township of Clinton, district of Niagara.

Of Pearse, Dumble and Hore, setting forth, that they contracted with Commissioners appointed by the Legislature to construct a Ca-

nal and locks to connect the navigation between Sturgeon and Pigeon Lakes—and completed their contract nearly two years ago—that in consequence of the failure of the principal Commissioner a large part of the amount which they were to receive has not been paid to them—that a bill passed the House of Assembly granting the sum of £722 to petitioners—but failed to pass into a law,—and praying the House to resume the consideration of the claims and grant them that assistance they may deem proper.

Of Pearse, Dumble and Hore, praying assistance in consequence of a failure of one of the Commissioners or a contract petitioners took.

Of Charles Baker and eighty-six others of the City of Toronto, stating that they are put to great inconvenience in the recovery of small debts in the Courts of Requests—as the Act, in that behalf, requires the creditor to sue for and prove the debt in the division in which the debtor lives—such a requisition, petitioners consider a grievance, tending to foster injustice in the debtor towards the creditor—and creating an impossibility in many cases to obtain attendance of witnesses—that petitioners conceive that payment should be obtained where the debt is contracted, and praying an amendment in the existing act to remedy their grievance.

Of Charles Baker and others praying that the Court of Requests Act may be amended.

Of Thomas Servos, late a private in the 1st Reg't of Stormont militia, setting forth that he was six months, during the late war in the above regiment, in the course of which time he was in several important engagements with the enemy; that in the invasion at Ogdensburgh he was severely wounded in the left leg, which it was found necessary to amputate on the same day. That after petitioner was cured and enabled to walk with the aid of a wooden leg, he again attached himself to the army, and made himself useful in the service by every means in his power, either as a pilot or otherwise. That petitioner is the son of an U. E. Loyalist, and suffered much in common with the rest of his father's family during the colonial revolution. That petitioner is now fifty-seven years of age, and that part of his mutilated limb has again opened where the amputation was performed, and has continued in that state, since the early part of last summer, so as totally to unfit him to contribute in the least, by his own exertions, to the support of himself or family, consisting of a wife and seven children, and finds that his pension of twenty pounds per annum is very inadequate thereto—and praying the House to take his case into consideration and grant him relief. (This petition is accompanied by a certificate in respect to the general good conduct of petitioner, signed by twelve persons.)

Of Tho's. Servos praying for an increase of pension.

Of the president and directors of the Port Hope harbour and wharf company, praying for an increase of their stock, to ten thousand pounds in shares of twelve pounds ten shillings, or that a loan be granted them payable out of the tolls collected annually, as to the House may seem meet.

Of Thomas Markland, Esq. and twenty-nine others, shareholders in the Midland district school society—setting forth that the act of incorporation makes no provision for assigning the shares of the same, or of succeeding to shares by inheritance or otherwise; the consequences of which could not have been intended by the Legislature—and that no provision is made for the filling vacant offices occasioned by death or otherwise. Petitioners therefore pray that their act of incorporation may be amended, by enabling the heirs and assignees of shareholders in the said society, to enjoy the rights and privileges attached to the said shares, and also to provide for supplying the vacancies which may from time to time arise in the offices connected with the said society—and further praying that the said amendment

T Markland Esq'r & others praying for an amendment in the act incorporat'g the Midland district school society



may extend to make it obligatory on the treasurer of the said society, to account annually, or oftner if required, to the president and trustees of the said society, for the funds in his hands, and also to make it the duty of the said president and trustees, to report for the information of the said shareholders, on the state of the said society at the annual meeting in each year, previous to a new election of the officers for the ensuing year.

**Notices.**

Of bill to establish a Court of Equity.

Mr. Solicitor General gives notice, that he will, on to-morrow, move for leave to bring in a bill to establish a court of equity in the Province.

Of bill making an appropriation of school lands.

Mr. Solicitor General gives notice, that he will, on to-morrow, move for leave to bring in a bill to provide for the appropriation and management of school lands in this Province.

For committee of whole to provide means for a turnpike through the province

Mr. Solicitor General gives notice, that he will, on to-morrow, move for a committee of the whole house to consider the best means of providing for the construction and keeping in repair, a turnpike, from some point commencing on the Province line to Sandwich, in the Western district.

For committee of whole on division of the province.

Mr. Solicitor General gives notice, that he will, on to-morrow, move for a committee of the whole House, to consider the divisions of the Province, with a view to the establishment of an additional number of districts therein.

On motion of Mr. Solicitor General, seconded by Mr. Woolverton,

Petition of James Lesslie & others referred.

*Ordered*—That the petition of James Lesslie and others, praying for an Act incorporating a company to construct a rail-road from the City of Toronto to Lake Huron, be referred to a select committee, to be composed of Messrs. Robinson, Small, Gibson, and McIntosh.

Select Committee on roads and bridges

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Perry, moves, that a select committee be appointed upon the subject of roads, macadamized roads, and bridges, within this Province—composed of Messrs. Perry, Morrison, Bruce, Roblin, Cook, Hopkins, Robinson, Thorburn, McDonell, of Stormont, and Cornwall—with power to send for persons and papers, and leave to report thereon by bill or otherwise; and that the 29th and 31st rules of this House be dispensed with so far as relates to this motion.

*Ordered.*

Select committee upon militia and other pensioners.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Wilson, moves, that a committee be appointed upon the claims of Militia and other pensioners in this province, and that Messrs. Richardson, Roblin, McNab, Gibson, David Duncombe, and McMicking, do compose such committee, and that they have power to send for persons and papers; and leave to report by bill or otherwise.

*Ordered.*

Select committee upon education.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Alway, moves, that a select committee be appointed on the subject of Education, to be composed of Messrs. Chisholm, Bruce, Morrison, Perry, Dunlop and Thorburn, with power to send for persons and papers and leave to report thereon by bill or otherwise—and that the 31st and 29th rules of this House be dispensed with so far as relates to this motion.

*Ordered.*

Select committee upon canals and internal improvements

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Gibson, moves, that a select committee be appointed upon the subject of Canals and internal improvements within this province, that Messrs. Perry, Thorburn, Gilchrist, Merritt, McIntosh, and Dunlop,

do compose the same, with power to send for persons and papers, and leave to report by bill or otherwise; and that the 29th rule of this House be suspended, so far as relates to this motion.

*Ordered.*

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Alway, moves, that a select committee be appointed upon the petition of Aliens—to be composed of Messrs. Wilkinson, Richardson, Perry, Roblin, and Chisholm; with power to send for persons and papers and leave to report thereon by bill or otherwise.

Select committee upon petitions of aliens

*Ordered.*

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Bruce, moves, that a select committee be appointed upon the subject of the Penitentiary of this province, composed of Messrs. Strange, Bruce, Morrison, and Parke, with power to send for persons and papers, and leave to report thereon by bill or otherwise.

Select committee upon Penitentiary.

*Ordered.*

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Wells, moves, that a select committee be appointed upon the expiring laws of this province, to be composed of Messrs. Shaver, Cook, Gilchrist, Alway, and David Duncombe; with power to send for persons and papers, and leave to report thereon by bill or otherwise.

Select committee upon expiring laws.

*Ordered.*

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Shibley, moves, that a select committee be appointed on Agriculture and the improvement of the breeds of animals and seeds of grains, and upon trade and manufactures—to be composed of Messrs. Moore Hopkins, Wolverton Roblin, Perry, Shaver, Waters, Gilchrist, Chisholm, McIntosh, and Lount—with power to send for persons and papers, and leave to report by bill or otherwise; and that the 31st and 29th rules of this House be suspended so far as relate to this motion

Select committee upon agriculture, breeds of animals, seeds of grain, trade and manufactures.

*Ordered.*

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Moore, moves, that a select committee be appointed on the Incorporation of Towns and Villages to be composed of Messrs. Small, Solicitor General, Durand, Yager, and Bruce—with power to send for persons & papers, and leave to report thereon, by bill or otherwise.

Select committee upon incorporation of towns and villages

*Ordered.*

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Cook, moves, that a select committee be appointed upon the subject of the Incorporation and alteration of the charters of Banking and Insurance companies, and that Messrs McIntosh, Merritt, Morrison, and Gilchrist, do compose the same, with power to send for persons and papers, and leave to report by bill or otherwise.

Select committee upon incorporation and alteration of charters of banking and insurance companies.

*Ordered.*

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Wells, moves, that a select committee be appointed, on the subject of the division of Districts in this Province, to be composed of Messrs. Wells, Waters, McKay, Shaver, McDonell of *Stormont*, Perry, Gilchrist, Morrison, Durand, Smith, Merritt, David Duncombe, Alway, Cornwall, Roblin, Mallock and Robinson, with power to send for persons and papers, and leave to report thereon by bill or otherwise, and that the 29th rule of this House be suspended so far relates to this motion.

Select committee upon divisions districts.

*Ordered.*

Mr. Thorburn, seconded by Mr. McMicking, moves, that Messrs. Solicitor General, Chisholm, Gibson, McDonell, of *Stormont*, Small,

Special committee upon the management &c. of the Wel

land Canal, and up on other subjects relating to said canal.

Roblin, Shaver, Park, Merritt, and Mackenzie, be a special committee to enquire into the management of the Welland Canal, to whom be referred all the accounts, reports, books, &c. &c. that is, or may be brought before this House, relative to the Welland Canal Company, or charges, or any other thing that may be preferred against the same, and that the said committee have power to send for persons and papers, books and documents, or records, in any way connected with the affairs of the canal or its company, and that the said committee have power to employ a clerk or clerks, or any person or persons, that they may deem necessary, so as to enable the said committee to arrive at the knowledge of the actual state and condition of the past and present affairs of the said canal or the affairs of its company, and to report to this House from time to time, so as to enable this House to come to some definite point with regard to the said canal or its management—and that the 29th and 31st rules of this House be dispensed with so far as relate to the same.

Amendment.

In amendment, Mr. Roblin, seconded by Mr. Yager, moves, that the names of Mackenzie and Merritt, be expunged from the original motion.

Division on amendment.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|                            |          |             |                |
|----------------------------|----------|-------------|----------------|
| Caldwell,                  | Macnab,  | Richardson, | Smith,         |
| Chesser,                   | Malloch, | Robinson,   | Sol. General,  |
| Cornwall,                  | Merritt, | Roblin,     | Strange,       |
| Lewis,                     | Parke,   | Rykert,     | Wilkinson,     |
| McDonell, <i>Northumb.</i> | Perry,   | Small,      | Woolverton—21. |
| McKay,                     |          |             |                |

Yeas 21.

NAYS—MESSIEURS.

|                           |                            |            |            |
|---------------------------|----------------------------|------------|------------|
| Alway,                    | Durand,                    | McIntosh,  | Shaver,    |
| Bruce,                    | Gibson,                    | Mackenzie, | Thorburn,  |
| Chisholm,                 | Hopkins,                   | Moore,     | Waters,    |
| Cook,                     | Lount,                     | Morrison,  | Wells,     |
| Duncombe, <i>Norfolk,</i> | McDonell, <i>Stormont.</i> | Rymal,     | Wilson—20. |

Nays 20.

Question carried, majority 1.

The question of amendment was carried in the affirmative by a majority of one.

On original question as amended

On the original question as amended being put, the yeas and nays were taken as follows :

YEAS—MESSIEURS,

|                            |          |             |                    |
|----------------------------|----------|-------------|--------------------|
| Caldwell,                  | McKay,   | Richardson, | Smith,             |
| Chesser,                   | McNab,   | Robinson,   | Solicitor General, |
| Cornwall,                  | Malloch, | Roblin,     | Strange,           |
| Dunlop,                    | Merritt, | Rykert,     | Wilkinson,         |
| Lewis,                     | Parke,   | Small,      | Woolverton—22.     |
| McDonell, <i>Northumb.</i> | Perry,   |             |                    |

Yeas 22.

NAYS—MESSIEURS,

|                           |                            |            |             |
|---------------------------|----------------------------|------------|-------------|
| Alway,                    | Durand,                    | McIntosh,  | Shaver,     |
| Bruce,                    | Gibson,                    | Mackenzie, | Thorburn,   |
| Chisholm,                 | Hopkins,                   | Moore,     | Waters,     |
| Cook,                     | Lount,                     | Morrison,  | Wells,      |
| Duncombe, <i>Norfolk,</i> | McDonell, <i>Stormont.</i> | Rymal,     | Wilson,—20. |

Nays 20.

Question carried, majority 2.

The question was carried in the affirmative, by a majority of two, and ordered accordingly.

Petitions referred

On motion of Mr. Small, seconded by Mr. Wilson,

Of Cha's Baker and others.

*Ordered*—That the petition of Charles Baker and others, be referred to the Committee to whom was referred the bill to amend the Court of Requests Act.

land Canal, and up on other subjects relating to said canal.

Roblin, Shaver, Park, Merritt, and Mackenzie, be a special committee to enquire into the management of the Welland Canal, to whom be referred all the accounts, reports, books, &c. &c. that is, or may be brought before this House, relative to the Welland Canal Company, or charges, or any other thing that may be preferred against the same, and that the said committee have power to send for persons and papers, books and documents, or records, in any way connected with the affairs of the canal or its company, and that the said committee have power to employ a clerk or clerks, or any person or persons, that they may deem necessary, so as to enable the said committee to arrive at the knowledge of the actual state and condition of the past and present affairs of the said canal or the affairs of its company, and to report to this House from time to time, so as to enable this House to come to some definite point with regard to the said canal or its management—and that the 29th and 31st rules of this House be dispensed with so far as relate to the same.

Amendment.

In amendment, Mr. Roblin, seconded by Mr. Yager, moves, that the names of Mackenzie and Merritt, be expunged from the original motion.

Division on amendment.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |                            |          |             |                |
|----------|----------------------------|----------|-------------|----------------|
| Yeas 21. | Caldwell,                  | Macnab,  | Richardson, | Smith,         |
|          | Chesser,                   | Malloch, | Robinson,   | Sol. General,  |
|          | Cornwall,                  | Merritt, | Roblin,     | Strange,       |
|          | Lewis,                     | Parke,   | Rykert,     | Wilkinson,     |
|          | McDonell, <i>Northumb.</i> | Perry,   | Small,      | Woolverton—21. |
|          | McKay,                     |          |             |                |

NAYS—MESSIEURS.

|          |                           |                            |            |            |
|----------|---------------------------|----------------------------|------------|------------|
| Nays 20. | Alway,                    | Durand,                    | McIntosh,  | Shaver,    |
|          | Bruce,                    | Gibson,                    | Mackenzie, | Thorburn,  |
|          | Chisholm,                 | Hopkins,                   | Moore,     | Waters,    |
|          | Cook,                     | Lount,                     | Morrison,  | Wells,     |
|          | Duncombe, <i>Norfolk,</i> | McDonell, <i>Stormont.</i> | Rymal,     | Wilson—20. |
|          |                           |                            |            |            |

Question carried, majority 1.

The question of amendment was carried in the affirmative by a majority of one.

On original question as amended

On the original question as amended being put, the yeas and nays were taken as follows :

YEAS—MESSIEURS,

|          |                            |          |             |                    |
|----------|----------------------------|----------|-------------|--------------------|
| Yeas 22. | Caldwell,                  | McKay,   | Richardson, | Smith,             |
|          | Chesser,                   | McNab,   | Robinson,   | Solicitor General, |
|          | Cornwall,                  | Malloch, | Roblin,     | Strange,           |
|          | Dunlop,                    | Merritt, | Rykert,     | Wilkinson,         |
|          | Lewis,                     | Parke,   | Small,      | Woolverton—22.     |
|          | McDonell, <i>Northumb.</i> | Perry,   |             |                    |

NAYS—MESSIEURS,

|          |                           |                            |            |             |
|----------|---------------------------|----------------------------|------------|-------------|
| Nays 20. | Alway,                    | Durand,                    | McIntosh,  | Shaver,     |
|          | Bruce,                    | Gibson,                    | Mackenzie, | Thorburn,   |
|          | Chisholm,                 | Hopkins,                   | Moore,     | Waters,     |
|          | Cook,                     | Lount,                     | Morrison,  | Wells,      |
|          | Duncombe, <i>Norfolk,</i> | McDonell, <i>Stormont.</i> | Rymal,     | Wilson,—20. |
|          |                           |                            |            |             |

Question carried, majority 2.

The question was carried in the affirmative, by a majority of two, and ordered accordingly.

Petitions referred

On motion of Mr. Small, seconded by Mr. Wilson,

Of Cha's Baker and others.

Ordered—That the petition of Charles Baker and others, be referred to the Committee to whom was referred the bill to amend the Court of Requests Act.

On motion of Mr. Roblin, seconded by Mr. Perry,  
*Ordered*—That the petition of Thomas Archer and others, be referred to a Select Committee, to be composed of Messrs. Wilson and Gibson, with power to send for persons and papers, and to report thereon by bill or otherwise.

Of Thomas Archer and others.

On motion of Mr. Wells, seconded by Mr. Shaver,  
*Ordered*—That the petition of Henry Burritt and others, praying for a new District to be set apart from the Eastern, Ottawa and Johnstown districts, be referred to the Committee for the division of districts.

Of Henry Burritt and others.

On motion of Mr. Wells, seconded by Mr. Chisholm,  
*Ordered*—That the petition of the Rev. James W. Campion, A. M., praying for a grant for the support of Grenville College, be referred to the Committee on Education.

Of Rev. Jas. W. Campion, A. M.

On motion of Mr. Woolverton, seconded by Mr. Waters,  
*Ordered*—That the petition of John McLean and others, of the district of Niagara, praying to be Incorporated for the purpose of constructing a Harbour at the mouth of the Thirty Mile Creek on Lake Ontario, be referred to the Committee on Canals and internal improvements, with leave to report by bill or otherwise.

Of John McLean and others.

On motion of Mr. Wells, seconded by Mr. Cook,  
*Ordered*—That the petition of William Buell, Esq. be referred to a committee to be composed of Messrs. Shaver, Small, Richardson and Perry, with power to send for persons and papers and leave to report thereon.

Of W. Buell, Esq.

On motion of Mr. Solicitor General, seconded by Mr. Gibson,  
*Ordered*—That the petition of Thomas Markland and others, shareholders in the Midland district school society be referred to a select committee, composed of Messrs. Perry and Strange, with leave to report thereon by bill or otherwise.

Of Thomas Markland and others.

On motion of Mr. Morrison, seconded by Mr. Wells,  
*Ordered*—That the petition of Leonard Wilcox be referred to a committee consisting of Messrs. Wells and McIntosh.

Of Leonard Wilcox

On motion Mr. Mackenzie, seconded by Mr. Wells,  
*Ordered*—That it be an instruction to the committee on the Welland Canal affairs to take steps for having the Welland Canal office and its contents immediately removed to Toronto, to one of the committee rooms of this House, and that the 31st rule be suspended so far as it would affect this motion.

Welland Canal office to be removed to Toronto.

Pursuant to the order of the day, the House was put into a committee of the whole on the subject of a resolution to address His Majesty on the trade and commerce of this colony.

House in committee on resolution to address His Majesty on trade and commerce.

Mr. Caldwell in the chair.

The House resumed.

Mr. Caldwell reported that the committee had made some progress, and asked leave to sit again to-morrow.

Chairman reports progress.

The report was received and leave granted accordingly.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,  
*Ordered*—That the motion for the wolf bill be struck from the order of the day.

Motion for wolf bill struck off order of the day.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Morrison, moves, that so much of the Journals of last session as relates to the report of the select committee on the petition of Thomas Appleton, teacher, Toronto, be now read.

Journals of last session read on report of committee on T. Appleton's petition.

Which was carried and the journals were read accordingly.

On motion of Mr. Roblin, seconded by Mr. Perry,

*Ordered*—That the petition of Thomas Archer and others, be referred to a Select Committee, to be composed of Messrs. Wilson and Gibson, with power to send for persons and papers, and to report thereon by bill or otherwise. Of Thomas Archer and others.

On motion of Mr. Wells, seconded by Mr. Shaver,

*Ordered*—That the petition of Henry Burritt and others, praying for a new District to be set apart from the Eastern, Ottawa and Johnstown districts, be referred to the Committee for the division of districts. Of Henry Burritt and others.

On motion of Mr. Wells, seconded by Mr. Chisholm,

*Ordered*—That the petition of the Rev. James W. Campion, A. M., praying for a grant for the support of Grenville College, be referred to the Committee on Education. Of Rev. Jas. W. Campion, A. M.

On motion of Mr. Woolverton, seconded by Mr. Waters,

*Ordered*—That the petition of John McLean and others, of the district of Niagara, praying to be incorporated for the purpose of constructing a Harbour at the mouth of the Thirty Mile Creek on Lake Ontario, be referred to the Committee on Canals and internal improvements, with leave to report by bill or otherwise. Of John McLean and others.

On motion of Mr. Wells, seconded by Mr. Cook,

*Ordered*—That the petition of William Buell, Esq. be referred to a committee to be composed of Messrs. Shaver, Small, Richardson and Perry, with power to send for persons and papers and leave to report thereon. Of W. Buell, Esq.

On motion of Mr. Solicitor General, seconded by Mr. Gibson,

*Ordered*—That the petition of Thomas Markland and others, shareholders in the Midland district school society be referred to a select committee, composed of Messrs. Perry and Strange, with leave to report thereon by bill or otherwise. Of Thomas Markland and others.

On motion of Mr. Morrison, seconded by Mr. Wells,

*Ordered*—That the petition of Leonard Wilcox be referred to a committee consisting of Messrs. Wells and McIntosh. Of Leonard Wilcox

On motion Mr. Mackenzie, seconded by Mr. Wells,

*Ordered*—That it be an instruction to the committee on the Welland Canal affairs to take steps for having the Welland Canal office and its contents immediately removed to Toronto, to one of the committee rooms of this House, and that the 31st rule be suspended so far as it would affect this motion. Welland Canal office to be removed to Toronto.

Pursuant to the order of the day, the House was put into a committee of the whole on the subject of a resolution to address His Majesty on the trade and commerce of this colony.

House in committee on resolution to address His Majesty on trade and commerce.

Mr. Caldwell in the chair.

The House resumed.

Mr. Caldwell reported that the committee had made some progress, and asked leave to sit again to-morrow.

Chairman reports progress.

The report was received and leave granted accordingly.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

*Ordered*—That the motion for the wolf bill be struck from the order of the day.

Motion for wolf bill struck off order of the day.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Morrison, moves, that so much of the Journals of last session as relates to the report of the select committee on the petition of Thomas Appleton, teacher, Toronto, be now read.

Journals of last session read on report of committee on T. Appleton's petition.

Which was carried and the journals were read accordingly.

Report of T. Appleton's petition referred to a committee

On motion of Mr. Mackenzie, seconded by Mr. Wilson,  
*Ordered*—That the report on Thomas Appleton's petition, praying that he be remunerated for common school money withheld from him, be referred to the committee on finance.

Journals of last session read on petitions of Jackson, Ardiel, and Lewis.

Pursuant to notice, Mr. Parke, seconded by Mr. Moore, moves, that that part of the Journals of last session, relating to the petitions of William Jackson, John Ardiel, and Levi Lewis, be now read.

Which was carried, and the Journals were read accordingly.

(*Printed Journals—page 175.*)

The petitions of Jackson, Ardiel, and Lewis, of last session referred to a select committee.

On motion of Mr. Parke, seconded by Mr. Moore,  
*Ordered*—That the petitions of William Jackson, John Ardiel and Levi Lewis, be referred to Messrs. Perry, Charles Duncombe Morrison, and Wells; with power to send for persons and papers and to report thereon by address or otherwise.

Petition of Joseph Lister referred.

On motion of Mr. Macnab, seconded by Mr. Boulton,  
*Ordered*—That the petition of Joseph Lister, be referred to a select committee, consisting of Messrs. Smith and Rymal, with leave to report thereon by bill or otherwise.

Motion for adjournment.

On motion of Mr. Richardson, seconded by Mr. Robinson,  
*Ordered*—That this House do adjourn until Monday next, at ten o'clock.

And the House adjourned accordingly.

### Monday, 25th January, 1836.

Petitions bro't up.

The House met—pursuant to adjournment.

Catharine Efner

The minutes of yesterday were read.

Mr. Small brought up the petition of Catharine Efner, late of the township of York, widow; which was laid on the table.

W. Milne and Alpheus S. St. John

Mr. Merritt brought up the petition of William Milne, and Alpheus S. St. John, commissioners for building a bridge over the Grand River; which was laid on the table.

H. Brant and others.

Mr. Merritt brought up the petition of Henry Brant and fifteen others, Indian Chiefs, residing on the Grand River; which was laid on the table.

John Macklem and others.

Mr. McMicking brought up the petition of John Macklem, and forty six others, of the township of Bertie, in the county of Lincoln; which was laid on the table.

Peter Aylea and others.

Mr. McKay brought up the petition of Peter Aylea and six hundred and ten others, inhabitants of the district of Ottawa; which was laid on the table.

J. Collins,

M. Wilkinson brought up the petition of John Collins, of the township of Sandwich, (Essex); which was laid on the table.

J. VanNorman & others.

Mr. Alway brought up the petition of Joseph VanNorman and one hundred and eighty-six others, of the county of Norfolk which was laid on the table.

Wm. Ambridge & others.

Mr. Caldwell brought up the petition of William Ambridge and forty others, inhabitants of the Western district; which was laid on the table.

J. Millar & others

Mr. Roblin brought up the petition of John Miller and seventy-five others, of the villages of Hallowell and Picton, (Prince Edward); which was laid on the table.

T. Sewell & others

Mr. Richardson brought up the petition of Thomas Sewell and one hundred and ninety others, of the town of Niagara; which was laid on the table.

Mr. Richardson brought up the petition of Thomas Creen and two hundred and eighty-nine others, inhabitants of the district of Niagara; which was laid on the table. Tho's Creen and others.

Mr. McMicking brought up the petition of William Powell and forty-two others, of the township of Bertie, (Lincoln); which was laid on the table. W Powell & others

Mr. Macnab brought up the petition of Talman Beach, of New-haven, Huron County, State of Ohio, U. S., gentleman; which was laid on the table. Talman Beach.

Mr. McNab brought up the petition of Eddy Clarke and nine others, of the township of Hamilton, (Wentworth); which was laid on the table. E. Clarke & otho

Mr. McMicking brought up the petition of W. Reid and forty-four others, of the townships of Crowland, Wainfleet, &c. (Lincoln); which was laid on the table. W Reid & others

Pursuant to the order of the day the following petitions were read:— Petitions read.

Of John Brown, Esquire, of Port Hope, setting forth, that he contracted for the building of the light house on Gull Island, authorised to be erected by statute of the last session, for the sum of seven hundred and ninety-seven pounds currency—three hundred of which has been paid; the work to be performed by the first day of November, 1835. That in the prosecution of his contract, causes have operated to retard the work. First—the unusually violent and boisterous weather during the latter part of the summer and the fall. Second—the necessity of transporting stone from Kingston for the work, and Third—the misapprehension of petitioner in regard to the difficulties, afterwards found to exist, from the fact of the Island being under water—that in consequence of these circumstances, together with the necessity of constructing a harbor and building a house for the workmen—petitioner has been put to an extra expense of £345—and praying the House that this sum be granted him, together with an extension of time for the completion of the work. J. Brown, of Port Hope, praying assistance to enable him to fulfil a contract he took to erect a Light House on Gull Island.

Of John Everitt and ninety-four others, of the district of Niagara, praying that a new district court house may be erected at Dunnville, for the accommodation of the western division of said district, and the present court house remain for the use of the eastern division thereof. John Everitt and others, praying that a new district courthouse may be erected in Dunville.

Of John David Smith, of Port Hope, Esquire, who states himself, that he is the brother of the late Peter Smith, who located lots numbers twenty-eight and twenty-nine, and the broken fronts in the first concession, number twenty-six in the second concession, and numbers eighteen and nineteen in the fifth concession in the township of Hope—that the said Peter Smith since died in the West Indies. That Petitioner is heir at law to his said brother, who died intestate, but on application of Petitioner for said lands, he found they had been granted to the late Joseph Wilcocks, Esquire, formerly Sheriff of the Home district—although they had been previously located in the name of his brother, under the authority of an Order in Council. That said Wilcocks, during the late War with the United States of America, left this Province and was killed fighting in the ranks of the enemy. That, in consequence of said Wilcocks thus dying seized of said lands, they ought to be again vested in the Crown—that to effect which purpose, Petitioner prays that a bill of attainder may be passed. John D Smith, of Port Hope, praying the passing of a bill of attainder to reinvest certain lands in the King.



W Johnson and others, praying for a sum of money

Of William Johnson and thirty-five others, of the township of Georgina, praying for a sum of money to enable them to complete the building of a school house which they have commenced—and likewise for the support of a teacher of good education.

W S Conger, praying redress of injuries sustained from Col J Covert.

Of William Seymour Conger, of Cobourg, setting forth that he was appointed in 1830 to raise and equip a volunteer corps to be attached to the first regiment Northumberland militia, commanded by Colonel John Covert, which was accomplished by petitioner at great expense and trouble, and to the satisfaction of Colonel Covert and the regiment generally—and he received in 1831 from His Excellency a commission appointing him Captain—that said Covert has endeavoured by unfounded charges against the petitioner, to injure his character as an officer and a civilian—and has aspersed and attempted to disband the said volunteers—that the petitioner has urged upon the proper authorities the necessity of investigating the conduct of Colonel Covert, but has as yet received no redress—and prays the House to institute such an enquiry as they may see fit.

Of J W Campion, Prescott, praying assistance in support of "the Grenville College."

Of James W. Campion of the town of Prescott, stating that he has erected an extensive establishment in said town for the education of youth, denominated "the Grenville College"—that petitioner has established said college upon the most liberal principles; affording an opportunity for children of parents of all denominations to receive a genteel and useful education. That petitioner has selected teachers of unexceptionable character; to one of whom he pays, out of his own private funds the sum of one hundred pounds per annum. The building will contain 250 or 300 children of both sexes, and in it are taught several children gratis; and praying the House to take the premises into consideration, and provide suitable means for the support and continuance of the establishment.

G O'Kill Stewart, of Kingston, praying to amend Court of Requests Act

Of George O'Kill Stewart and 42 others, of the town and township of Kingston, praying that the jurisdiction of the Court of Requests may extend to £25; that when the alleged debt exceeds £5, either party may demand a jury; and that when judgment is given for a sum exceeding £5 execution shall not issue under 90 days from the date of the judgment.

W Keele to be admitted an Attorney in this Province

Of William Conway Keele, of the city of Toronto, gentleman, Attorney of the Court of King's Bench in England, praying that an Act may be passed to enable him to follow his profession in this Province—in the duties of which he has been actively engaged for the last twenty years.

J Finch and others to improve roads

Of John Finch and thirty-two others, of the Home District, stating, that they are satisfied that great benefit has accrued to the public from macadamizing approaches to the city of Toronto, and praying that the statute labor may be compounded for, and the system extended to the Holland Landing, north, and on the eastern and western roads to the limits of the district—and that the amount expended annually do not exceed £10,000, exclusive of the commutation for statute labor.

M White and others for the same

Of Moses White and thirteen others, of the same district, praying the same.

W Williamson and others for the same

Of William Williamson and one hundred and forty-five others, of the same place, praying the same.

J Murphy & others for the same

Of John Murphy and one hundred and sixteen others, of the same place, praying the same.

Of Elisha Huff and fifteen others, of the second concession, west of Green Point, Sophiasburg, stating that the survey of the second concession is incomplete and praying that the side lines of the same may be finally established.

E. Huff & others  
to complete survey.

Of Josh. Smith and seventeen others, of the townships of Chatham and Camden, in the Western district, praying that the side lines of the said townships may not be governed by those of the townships of Harwich and Howard, on the opposite side of the river, as prayed for by some interested persons, but that a new survey of the townships of Chatham and Camden may be made.

J. Smith & others  
for a survey.

Of James Hogg and 105 others of the Home district, praying that the principle roads in the district may be macadamized, as prayed for in several other petitions on the same subject.

J. Hogg & others  
to improve roads.

Of Cornelius VanNostrand and sixty others, of the Home district, praying the same as last.

C. Van Nostrand  
for the same.

Of Nelson Cozens, of Cornwall, in the Eastern district, son of an U. E. Loyalist—representing that petitioner's father, Joshua Y. Cozens, in the year 1796, purchased from Captain Joseph Brant, an accredited and acknowledged public agent of the Six Nations Indians, a tract of land on the Grand or Ouse river—for which he received proper titles, with the sanction and approval of Lieutenant Governor Simcoe, as certified under the hand and seal of the Provincial Secretary—that at the instance of Lieutenant Governor Simcoe, said title deeds and papers were entrusted to and carried to London by a confidential agent of the purchaser, for the avowed purpose of sale to emigrants and others—that said agent, after two or three years stay, returned to America, having deposited the deeds, &c. with an eminent mercantile house in London, which house soon after failed, and the two partners of which, in a few years both died—that from various adverse circumstances up to the period of the late war—petitioner's father was debarred the means of personally seeking to recover the deed and papers, which, until of late years he had no just grounds to fear were lost; and that since the close of the war to the present, his father has had to struggle with the cares of rearing a large family, which added to his having his right arm crippled, rendered it impossible for him to make those personal exertions for the recovery of his absent titles, which petitioner, his friends, and agents, have for the last ten years unceasingly continued.

Of Nelson Cozens  
of Cornwall, Eastern  
District, praying the  
assistance of the  
House in the recovery  
of certain lands  
obtained by his father  
from Captain Brant public agent  
of the six nation Indians.

That petitioner, in whom is now vested his father's right, as detailed accurately to His Excellency in Council, the state of the case, and prayed for the recognition of his right to such portion of the land as His Majesty's government were still in possession of, and for an equivalent for that part which, with the knowledge of the sale by Brant to petitioner's father, the Governor had ceded to others.—That upon reference by the Executive Council to the trustees of the Six Nations, and their report thereon,—the matter was submitted to the crown officers, and firstly to the Attorney General, a man then only two years resident in the country, unqualified (as petitioner states) for the high office he fills, and woefully ignorant of the early history of the landed transactions of this colony. The Attorney General's report was concurred in by the Executive Council, and approved by His Excellency—that petitioner obtained a copy thereof, and having proved the entire report to have been based upon error and injustice, and so far convinced the Executive Council and His Excellency the Lieutenant Governor, of the falsities and fallacies thereof, as to cause a third hearing upon it, and it becoming inevitable that

either the petitioner or the learned Attorney General, the first adviser of the crown, must be sacrificed—petitioner was informed that His Excellency was inclined to look upon the case as one of a private nature,—and that the Executive Council of Upper Canada could not, consistently with their instructions from the Home government, advise the Lieutenant Governor to act in opposition to his first adviser, the Attorney General—and on petitioner's manifesting his dissatisfaction at the defence of error and imbecility, was given to know that he might appeal to His Majesty's home government. That petitioner still remonstrated in mild, feeling, and respectful language, against the injustice of the Attorney General's report; begging it might be set aside, or that the Council might express their undisguised opinions thereof; solemnly declaring his readiness to appeal to His Majesty, but condemning the attachment to the claim of the unfounded report of the Attorney General. That having attended upon His Excellency and the Council since July, 1834, he now calls upon the House of Assembly to assist in doing him that justice which he thinks has been denied him, by ensuring him a favorable reception of his claim by His Majesty's government, and that petitioner and his father may be speedily re-invested with their equitable rights.

Of William Allan and others, praying admission into this Province, of British manufactures through the United States, duty free.

Of the Hon. William Allan and sixty-nine others, members of the Board of Trade, Merchants, &c. of the city of Toronto, praying the House to recommend to the Home government the admission into this Province of British Manufactures through the United States, duty free.

That among other advantages, a merchant might replenish his stock of British goods more frequently, and therefore would not be under the necessity of keeping such a heavy stock on hand, as goods by that route could be landed at Toronto every month in the year.—That among many other advantages to the Province would be that of being able to ascertain and receive its own revenue, and thus putting an end to the controversy on that subject.

That under all circumstances, petitioners recommend the subject to the serious consideration of the House, in the hope that they will not fail to recommend it to the notice of the Imperial Parliament by a unanimous vote.

Of John D. McMurdo, of Sherbrooke, county of Haldimand praying for a bill of Divorce.

**Notices.**

Of address to His Excellency for information respecting certain lands for the endowment of parsonages for the clergy.

Mr. Small gives notice, that he will, on to-morrow, move that it be resolved, that an humble address be presented to His Excellency, the Lieutenant Governor, praying that His Excellency will be pleased to direct to be laid before this House, with as little delay as possible, a detailed statement, shewing the number and names of the several clergymen of the church of England, and of any other denomination of christians who have been permitted by the executive government of this province to relinquish or surrender their private freehold property for the endowment of parsonages with the number of acres surrendered, the estimated value thereof to each individual surrendering the amount paid therefor in money or lands, the description of lands given therefor, whether crown or clergy reserves, the number of acres given to each individual, and where situated.

Reading Journals of last session on petition of P. DeGrassi

Mr. Small gives notice, that he will, on to-morrow, move that so much of the Journals of last session as relates to the petition of Philip De Grassi be read.

Mr. Caldwell gives notice, that he will, on to-morrow, move for the reading of that part of the Journals of last session which relates

to the reduction of the duty on all tobacco imported into the ports of the United Kingdom of Great Britain and Ireland, the growth and produce of this Province.

Mr. Perry gives notice, that he will, on to-morrow, move for leave to bring in a bill for the regulation of grand and petit juries in this Province.

Mr. Perry gives notice, that he will, on to-morrow, move for leave to bring in a bill for the more equal distribution of the property of persons dying intestate in this Province.

Mr. Wilson gives notice, that he will, on to-morrow, move for the appointment of a Select Committee of nine Members, to enquire into the state of the Administration of Justice in this Province—and into the fees of Courts of Law, including the Crown Office and Sheriff's fees, with a view of lessening the burthens of the people, and taking such measures as may deservedly increase their confidence in the administration of the Laws, and the impartiality of the Judges.

On motion of Mr. David Duncombe, seconded by Mr. Hopkins, *Ordered*—That the petition of Ezekial Foster and others, be referred to the Standing Committee on the division of Districts.

On motion of Mr. D. Æ. McDonell, seconded by Mr. Chisholm, *Ordered*—That the petition of Malcolm Campbell and others, of the township of Roxborough, County of Stormout, Eastern district, praying for a grant of money for the public highways in said township, be referred to the Committee on Roads, Macadamized Roads and Bridges.

On motion of Mr. Charles Duncombe, seconded by Mr. Wilson, *Ordered*—That the petition of William Conway Keele, be referred to a Select Committee, to be composed of Messrs. Small and Thorburn; with power to send for persons and papers and leave to report thereon by bill or otherwise.

On motion of Mr. Waters, seconded by Mr. Chesser, *Ordered*—That the petition of William Kirby and others, of the township of Hawkesbury, in the Ottawa district, be referred to a select committee, composed of Messrs. Gibson and Woolverton, with power to send for persons and papers, and report thereon by bill or otherwise.

On motion of Mr. C. Duncombe, seconded by Mr. Alway, *Ordered*—That the petition of John Lee be referred to a committee to be composed of Mr. MacNab and Thorborne, with power to report thereon.

On motion of Mr. McIntosh, seconded by Mr. Woolverton, *Ordered*—That the petition of William Johnson and others, of Georgina, be referred to the committee on schools to report thereon.

Mr. Charles Duncombe, seconded by Mr. Wilson, *Ordered*—That it be a standing order of this House, that one copy of the Journals of this House be annually sent to the House of Assembly of Jamaica.

On motion of Mr. Perry, seconded by Mr. Strange, *Ordered*—That the petition of Henry Smith, Esquire, be referred to the standing committee on claims.

On motion of Mr. Roblin, seconded by Mr. Yager, *Ordered*—That the petition of Wilson Seymour Conger, be referred to a select committee, to be composed of Messrs. Perry and Gilchrist, with power to send for persons and papers, and leave to report thereon.

Notice of Reading Journals of last session on reduction of duty on tobacco.  
Of bill for regulation of Juries.

Of bill to regulate intestates' property.

Of select commit. on administration of justice, &c.

Petitions referred.

Of Ezekiel Foster and others.

Of M. Cambell and others.

Of W. C. Keele.

Of Wm. Kirby & others.

Of John Lee.

Copy of Journals to be sent to Jamaica

Petitions referred.

Of H. Smith, Esq.

Of W. S. Conger.

Of Wm. Allan & others.

On motion of Mr. Solicitor General, seconded by Mr. Small,  
*Ordered*—That the petition of William Allan and others, be referred to the committee of the whole House on Trade and Commerce, and that 200 copies of the petition be printed for the use of members.

Of J. Brown, Esq.

On motion of Mr. Boulton, seconded by Mr. Small,  
*Ordered*—That the petition of John Brown, Esquire, be referred to a special committee, to be composed of Messrs. Parke, Roblin, Thorburn, and Wells; to report thereon by bill or otherwise.

War loss claims referred to committee of whole on Monday next.

On the order of the day being called for Mr. Charles Duncombe's war loss bill—Mr. Charles Duncombe, seconded by Mr. Alway, moves, that the subject of the claims of the sufferers during the late war be referred to the committee of the whole House on Monday next, and that it be the first item on the order of the day for that day.

Which was carried.

Bill to amend town members' wages act, brought in.

Pursuant to notice, Mr. Wilkinson, seconded by Mr. Cornwall, moves, for leave to bring in a bill to amend an Act to provide for the payment of wages to the members of the Assembly who represent the different towns in this Province.

2nd reading to-morrow.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Law of election amendment bill in committee of whole.

Pursuant to the order of the day, the bill to amend the law of elections, was read the second time, and referred to a committee of the whole House.

Mr. Woolverton was called to the chair.

The House resumed.

Progress—sit again tomorrow.

Mr. Woolverton reported, that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

The report was received, and leave was granted accordingly.

Mr. Speaker informs the house that he had witnessed the swearing in of Sir Francis B. Head as Lieutenant Governor of this Province.

Mr. Speaker informed the House, that a commission from His Majesty appointing His Excellency Sir Francis Bond Head, Knight of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit; Lieutenant Governor of this Province, in the place of His Excellency Sir John Colborne, had been read this day, at one o'clock, in the Council Chamber, in the presence of the Executive Council and various public officers, and himself—and that Sir Francis Bond Head had there taken the usual oaths of office, as Lieutenant Governor.

Standing committee on schools and school lands.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Parke, moves, that there be a standing committee appointed upon the subject of common schools, and school lands, and that Messrs. Perry, Chisholm, Morrison, Bruce, Charles Duncombe, and Dunlop, do compose the same, and that they have power to send for persons and papers, and report thereon by bill or otherwise, and that the 29th rule of this House be dispensed with so far relates to the same.

*Ordered.*

Journals read of last session on petition of J. Hugill.

Pursuant to notice, Mr. Small, seconded by Mr. Strange, moves, that so much of the Journals of the last session as relates to the petition of John Hugill, be now read.

Which was carried, and the Journals were read accordingly.

(Page 223, printed Journals.)

Hugill's pet. referred to sel. com.

On motion of Mr. Small, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of John Hugill be referred to a select committee, to report thereon by bill or otherwise, with power to send for persons and papers, and that Messrs. Morrison and Wells, do compose said committee.

Pursuant to notice, Mr. Roblin, seconded by Mr. Thorburn, moves, for leave to bring in a bill to repeal the laws now in force, imposing fines on Quakers, Menonists, and Tunkers, for non-performance of militia duty in time of peace. Quakers &c. relief bill brought in.

Which was granted, and the bill read.

*Ordered*—That the bill for the relief of Quakers, Menonists, &c., from the performance of militia duties, in time of peace, be read a second time to-morrow. 2nd reading to-morrow.

Pursuant to notice, Mr. Parke, seconded by Mr. Alway, moves for leave to bring in a bill for the encouragement of Agriculture, by securing the rights of off-going tenants. Off going tenants bill brought in.

Which was granted, and the bill read.

*Ordered*—That the bill for securing the rights of off-going tenants be read a second time to-morrow. 2nd reading to-morrow.

Pursuant to the order of the day, the bill to amend the law of libel was read the second time. Libel law amendment bill read 2nd time.

The House was put into committee of the whole on the bill. Com. of whole on the bill.

Mr. Yager was called to the chair.

The House resumed.

Mr. Yager reported that the committee had gone through the provisions of the bill, and having agreed to the same without amendment, submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. Third reading to-morrow.

Pursuant to the order of the day, the bill to regulate official advertising was read a second time. Official advertising bill read 2nd time.

The House was put into committee of the whole on the bill. Com. of whole on the bill.

Mr. Gibson was called to the chair.

The House resumed.

Mr. Gibson reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow

Adjourned.

**Tuesday, 26th January, 1836.**

The House met

The minutes of yesterday were read.

Mr. Mackenzie brought up the petition of Thomas Splitlog and seven others, head chiefs and warriors of the Huron or Wyandot nation; which was laid on the table. Petitions brought up  
Of Tho's Splitlog and 7 others.

Mr. Gibson brought up the petition of William Lyon Mackenzie, Esquire, Executor to the estate of the late Robert Randal, of the county of Lincoln; which was laid on the table. Of W. L. Mackenzie, Esq.

Mr. Morrison brought up the petition of Francis Leys and 103 others, inhabitants of the township of Pickering, (York); which was laid on the table. Of Francis Leys and 103 others.

Mr. Mackenzie brought up the petition of James Brown and fifteen others, of the City of Toronto, and township of York; which was laid on the table. Of James Brown and 15 others.

Mr. Roblin brought up the petition of Reuben White and two hundred and twenty-three others, inhabitants of the Newcastle, Prince Edward, and Midland districts; which was laid on the table. Of Reuben White and 223 others.

Pursuant to notice, Mr. Roblin, seconded by Mr. Thorburn, moves, for leave to bring in a bill to repeal the laws now in force, imposing fines on Quakers, Menonists, and Tunkers, for non-performance of militia duty in time of peace. Quakers &c. relief bill brought in.

Which was granted, and the bill read.

*Ordered*—That the bill for the relief of Quakers, Menonists, &c., from the performance of militia duties, in time of peace, be read a second time to-morrow. 2nd reading to-morrow.

Pursuant to notice, Mr. Parke, seconded by Mr. Alway, moves for leave to bring in a bill for the encouragement of Agriculture, by securing the rights of off-going tenants. Off going tenants bill brought in.

Which was granted, and the bill read.

*Ordered*—That the bill for securing the rights of off-going tenants be read a second time to-morrow. 2nd reading to-morrow.

Pursuant to the order of the day, the bill to amend the law of libel was read the second time. Libel law amendment bill read 2nd time.

The House was put into committee of the whole on the bill. Com. of whole on the bill.

Mr. Yager was called to the chair.

The House resumed.

Mr. Yager reported that the committee had gone through the provisions of the bill, and having agreed to the same without amendment, submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. Third reading to-morrow.

Pursuant to the order of the day, the bill to regulate official advertising was read a second time. Official advertising bill read 2nd time.

The House was put into committee of the whole on the bill. Com. of whole on the bill.

Mr. Gibson was called to the chair.

The House resumed.

Mr. Gibson reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3rd reading to-morrow.

Adjourned.

### Tuesday, 26th January, 1836.

The House met

The minutes of yesterday were read. Petitions brought up

Mr. Mackenzie brought up the petition of Thomas Splitlog and seven others, head chiefs and warriors of the Huron or Wyandot nation; which was laid on the table. Of Tho's Splitlog and 7 others.

Mr. Gibson brought up the petition of William Lyon Mackenzie, Esquire, Executor to the estate of the late Robert Randal, of the county of Lincoln; which was laid on the table. Of W. L. Mackenzie, Esq.

Mr. Morrison brought up the petition of Francis Leys and 103 others, inhabitants of the township of Pickering, (York); which was laid on the table. Of Francis Leys and 103 others.

Mr. Mackenzie brought up the petition of James Brown and fifteen others, of the City of Toronto, and township of York; which was laid on the table. Of James Brown and 15 others.

Mr. Roblin brought up the petition of Reuben White and two hundred and twenty-three others, inhabitants of the Newcastle, Prince Edward, and Midland districts; which was laid on the table. Of Reuben White and 223 others.

Of Wm. Brickman and 43 others.

Mr. Roblin brought up the petition of William Brickman and forty-three others, of the second, third and fourth concessions of the township of Ameliasburgh, (Prince Edward); which was laid on the table.

Libel law amendment bill read third time.

Pursuant to the order of the day, the Libel Law amendment bill was read the third time, and passed *nem. con.*

Passed Nem. Con.

PRESENT—Messrs. *Alway, Bruce, Chesscr, Chisholm, Cook, Charles Duncombe, David Duncombe, Gibson, Hopkins, Lount, D. Æ. McDonell, McIntosh, Mackenzie, McMicking, Moore, Morrison, Parke, Perry, Roblin, Sharcr, Shibley, Small, Thorburn, Waters, Wells, Wilson, Woolterton, Yager.*

Title of libel law amendment bill.

Mr. Mackenzie, seconded by Mr. Wells, moves, that the bill be entitled, "*An Act to amend the Law of Libel.*"

Bill carried up to Leg. Council.

Which was carried, and Messrs. Mackenzie and Wells were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Official advertising bill read 3rd time.

Pursuant to the order of the day, the Official Advertising bill was read the third time, and passed *nem. con.*

Passed Nem. Con.

PRESENT—Messrs. *Alway, Bruce, Chesscr, Chisholm, Cook, Charles Duncombe, David Duncombe, Gibson, Hopkins, Lount, Donald Æ. McDonell, McIntosh, Mackenzie, McMicking, Moore, Morrison, Parke, Perry, Roblin, Sharcr, Shibley, Small, Thorburn, Waters, Wells, Wilson, Woolterton Yager.*

Title to official advertising bill.

Mr. Mackenzie, seconded by Mr. Wilson, moves, that the bill be entitled, "*An Act to regulate the prices to be charged for Printing Official Advertisements.*"

Bill carried up to Leg. Council.

Which was carried, and Messrs. Mackenzie and Wilson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petitions referred.

On motion of Mr. Gibson, seconded by Mr. Waters,

Of S Hughes and others.

*Ordered*—That the petition of Samuel Hughes and others, be referred to a committee, consisting of Messrs. Mackenzie and Morrison, with leave to report thereon by bill or otherwise.

On motion of Mr. Wells, seconded by Mr. Cook,

Of J Henderson, J Shipman and others.

*Ordered*—That the petitions of John Henderson, and John Shipman and others, inhabitants of the district of Johnstown, complaining of the conduct of His Majesty's Attorney General, be referred to a committee, to be composed of Messrs. Perry, Chisholm, David Duncombe, and McIntosh; with power to send for persons and papers, and leave to report thereon.

On motion of Mr. Gibson, seconded by Mr. Waters,

Of John Finch and others W B Crew and others, of M White and others, William Williamson & others J Hogg and others, Cornelius VanNostrand, and others. J Murphy and others

*Ordered*—That the petitions of John Finch and others; W. B. Crew and others; Moses White and others; William Williamson and others; James Hogg and others; Cornelius VanNostrand and others; and John Murphy and others; be referred to a special committee, consisting of Messrs. Small, Mackenzie, Morrison, McIntosh, Lount, and Robinson; with leave to report thereon; and that the 29th rule of this House be dispensed with so far as relates to the same.

On motion of Mr. Roblin, seconded by Mr. Yager,

Of E Huff and others.

*Ordered*—That the petition of Elisha Hoff and others, be referred to the committee to whom was referred the petition of Thomas Archer and others.



On motion of Mr. Parke, seconded by Mr. Alway,  
*Ordered*, That the petition of the Grand Jury of the London district, praying the renewing the law granting a bounty for the destruction of wolves be referred to the committee on finance.

of J. Bullen & oth's  
 Bill to regulate banks and insurance companies read first time.

Pursuant to notice Mr. Mackenzie, seconded by Mr. Gibson, moves for leave to bring in a bill to regulate banks and insurance companies.

Which was granted, and the bill read.

*Ordered*, That the banking bill be read a second time to-morrow.

2nd reading to-morrow.

On motion of Mr. Mackenzie, seconded by Mr. Wilson,

*Ordered*, That the banking bill be printed, 150 copies for the use of members.

150 copies banking bill to be printed.

Pursuant to the order of the day the statutes printing bill was read the second time.

Statutes printing bill read 2nd time.

The House was put into committee of the whole on the bill.

House in Com. on the bill.

Mr. Alway in the chair.

The House resumed.

Mr. Alway reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

3rd reading to-morrow.

Mr. Boulton, Master-in-Chancery, brought down from the Honorable the Legislative Council a paper, and having delivered the same to the Clerk at the table, retired.

Master in Chancery delivers a paper

Mr. Speaker informed the House that he had received from Mr. Joseph, Secretary to His Excellency, the Lieutenant Governor a note, acquainting him that His Excellency would come down to the Legislative Council Chamber at the hour of three P. M. to-morrow.

Nr. Speaker reports receiving a notice of His Excellency's intention to come down to Leg. Council tomorrow 3 o'clock.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council the bill sent up from this House entitled "An Act to ensure the freedom of election in the county of Leeds," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Leg Council sends down Leeds election bill amended.

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled, "An Act to ensure the freedom of election in the county of Leeds" were read a first time as follows:

Amendments read 1st time.

Amendments made by the Legislative Council in and to the bill sent up from the Commons House of Assembly, entitled, "An Act to ensure the freedom of election in the county of Leeds":

Amendments made by Leg Council to Leeds election bill.

In the title after "to" expunge "ensure the freedom of elections" and insert "regulate the next election."

Press 1—line 1.—After "Whereas" expunge the remainder of the preamble and insert, "it is expedient to make particular provision for regulating the next election for the county of Leeds."

- “ 1 “ 15—Expunge “ hereafter.”  
 “ 5 “ 2—After “ situated” expunge to “ and” in the eighth line.  
 “ 5 “ 3—After “ therein,” expunge “ and” after provided expunge “ also.”  
 “ 6 “ 16—After “ election” insert “ or not being exempted by law.”  
 “ “ “ 20 & 22—Expunge “ unnecessary noise or interruption” after “ tumult” insert “ or” expunge “ or disorder”  
 “ 7 “ 1—Expunge “ or Justices.”  
 “ “ “ 9—After “ misdemeanor” expunge the remainder of the clause.  
 “ 19—After “ shall” expunge to “ by” in line 20 and insert “ wilfully and corruptly swear falsely in any matter, which he is required to state upon oath or affirmation.”  
 “ 8 “ 2—After “ shall” expunge the remainder, and insert “ not extend to any election for the said county except that which shall be holden next after the passing of this act.”

Second reading to day.

Mr. Charles Duncombe, seconded by Mr. Roblin, moves, that the amendmnt be read a second time this day, and that the 38th rule of this House be dispensed with so far as relates to the same.

Which was carried, and the amendments were read a second time.

Com. of whole on bill.

The House was put into a committee of the whole on the bill.

Mr. Shaver in the chair.

The House resumed.

Com. report the amendments agreed to.

Mr. Shaver reported that the committee had gone through the consideration of the amendments, and having agreed to the same, submitted them for the adoption of the House.

The report was received.

3rd reading to-morrow.

*Ordered*—That the amendments made by the honorable the Legislative Council, in and to the bill, entitled, “ *An Act to ensure the freedom of election, in the County of Leeds,*” be read a third time to-morrow.

St Catharines bank bill read 2nd time.

Pursuant to the order of the day, the Saint Catharines’ Bank bill was read a second time.

The House was put into a committee of the whole on the bill.

Mr. McKay in the chair.

The House resumed.

Chairman reported progress

Mr. McKay reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

The report was received and leave was granted accordingly.

Adjourned.

Wednesday, 27th January, 1836.

The House met.

The minutes of yesterday were read.

Mr. Wilson brought up the petition of William Lyons and five others, of the port of Presquise; which was laid on the table.

Mr. Boulton brought up the petition of John Steele, Esq. and thirteen others, magistrates of the Newcastle district; which was laid on the table.

Mr. Boulton brought up the petition of Æneas Bell and sixty-four others, formerly Chelsea pensioners; which was laid on the table.

Mr. Mackenzie brought up the petition of Seneca Ketchum, John Lindsay and Wm. Clark, of the Home District; which was laid on the table.

Pursuant to the order of the day, the statute printing bill was read the third time.

Mr. Richardson, seconded by Mr. Boulton, moves, that the bill do not now pass, but that it be referred to a select committee to be composed of Messrs. Wilkinson, Perry, Strange and Macnab, with leave to send for persons and papers.

On which the yeas and nays were taken as follows:

YEAS—MESSIEURS,

|                                  |                   |                         |                       |         |
|----------------------------------|-------------------|-------------------------|-----------------------|---------|
| Boulton,<br>Cornwall,<br>Dunlop, | Lewis,<br>McCrae, | Merritt,<br>Richardson, | Rykert,<br>Strange—9. | Yeas 9. |
|----------------------------------|-------------------|-------------------------|-----------------------|---------|

NAYS—MESSIEURS,

|   |  |  |  |          |
|---|--|--|--|----------|
| Alway,<br>Bruce,<br>Chesser,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Duncombe, <i>Norfolk</i> ,<br>Gibson,<br>Hopkins,<br>Lount,<br>McIntosh,<br>Mackenzie, | McMicking,<br>Morrison,<br>Parke,<br>Rymal,<br>Shaver, | Sibley,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—22. | Nays 22. |
|---|--|--|--|----------|

The question was decided in the negative by a majority of thirteen.

On the question for passing the bill the yeas and nays were taken as follows:

YEAS—MESSIEURS,

|   |   |  |  |          |
|---|---|--|--|----------|
| Alway,<br>Bruce,<br>Chesser,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Gibson,<br>Hopkins,<br>Lewis,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh, | Mackenzie,<br>McMicking,<br>Morrison,<br>Parke,<br>Rymal,<br>Shaver, | Sibley,<br>Small,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—25. | Yeas 25. |
|---|---|--|--|----------|

NAYS—MESSIEURS.

|                                  |                               |                        |                         |          |
|----------------------------------|-------------------------------|------------------------|-------------------------|----------|
| Boulton,<br>Cornwall,<br>Dunlop, | McCrae,<br>McKay,<br>Merritt, | Richardson,<br>Roblin, | Rykert,<br>Strangs,—10. | Nays 10. |
|----------------------------------|-------------------------------|------------------------|-------------------------|----------|

The question was carried in the affirmative by a majority of fifteen, and the bill was signed.

Mr. Mackenzie, seconded by Mr. McIntosh, moves that the bill be entitled, "An Act to ensure the more regular and economical printing of the Statutes of this Province; and of those statutes of the Imperial Parliament which may particularly concern this Province; to provide that the said statutes be printed by contract; and also to regulate their distribution."

Which was carried, and Messrs. Mackenzie and McIntosh, were ordered by the Speaker, to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.

Amendments to Leeds election Bill read 3rd time.

Pursuant to the order of the day, the amendments made by the honorable the Legislative Council, in and to the bill entitled, "*An Act to ensure the freedom of elections in the county of Leeds*," were read the third time.

Amendments amended.

Mr. Charles Duncombe, seconded by Mr. Perry, moves, that the amendments made by the honorable the Legislative Council, in and to the bill, entitled, "*An Act to ensure the freedom of elections in the county of Leeds*," be amended as follows:

Line 10 of the amendments, expunge "2," and insert "8."

Expunge "situated," and insert "be."

Expunge the words "in the eighth line."

Which was carried, and the amendments as amended, were read twice.

Amended amendments to be read a third time this day.

*Ordered*—That the amendments made by this House, in and to the amendments made by the Honorable the Legislative Council, in and to the bill entitled, "*An Act to ensure the freedom of elections in the county of Leeds*" be engrossed and read a third time this day.

Petitions read.

Pursuant to the order of the day the following petitions were read:

Cath Effner pray'g to be put into possession of certain lands

Of Catharine Effner, late of the township of York, widow—stating, that her father, Frederick Brown, served under the royal standard in the revolutionary war in America, and was one of the earliest settlers in this part of the Province—that her father located lot number fifteen, in the second concession, in said township of York—which became of considerable value at the time of his death which happened in the second year of the late war, 1813—and leaving petitioner the only child capable, as she believes, of inheriting his property;—that her only brother Matthias, a native of the United States, came into this Province with his father's family, but withdrew therefrom during the war in 1812—and after the first of July in that year, without being "seized of lands by inheritance or otherwise, within this Province," at the time he so withdrew—and yet notwithstanding what is declared in the 2d section of the 44th Geo. 3d, ch. 9—was declared forfeited to the crown, as being the estate of the said Matthias Brown—that such a forfeiture petitioner considers unwarrantable; and prays as the only surviving child of the grantee of the crown, that such means may be used as will ensure justice to be done to her.

W. Milne and Alpheus S. St. John praying aid for a bridge at Dunnville

Of William Milne and Alpheus S. St. John, commissioners for erecting a bridge over the Grand river at Dunnville—stating, that the sum of £1,250 as granted in the fourth session of the eleventh parliament for the erecting said bridge, is inadequate for its completion; and praying the House to grant a further sum of £250 for that purpose.

H. Brant and others praying permission to pass the bridges over Grand river free of toll.

Of Henry Brant and fifteen others, Indian Chiefs of the Six Nations Indians, residing on the Grand River, praying, in consideration of their living on both sides of the Grand River and having daily occasion to pass the same—and not being able from their limited means, to pay the toll, that they may be exempted from the payment of the toll exacted at the Brantford bridge as well as the other bridges over the said river.

John Macklem and others praying the construction of a canal to connect Lake Erie with Niagara river

Of John Macklem and forty-six others, of the township of Bertie, Niagara district, stating that petitioners labour under great inconvenience from the natural impediments to a free water communication between Lake Erie and the Niagara river, caused by the Fort Erie Rapids, which renders transport by this route extremely tedious

and expensive—that petitioners suffer much inconvenience from the want of water power for the use of mills and various hydraulic purposes: being obliged to resort to the American side for the work they require by such means, and praying for a charter to enable them to construct a canal for ship navigation and hydraulic purposes to connect lake Erie with the Niagara river by avoiding the Fort Erie rapids.

Of Peter Ayley and six hundred and ten others, freeholders, leaseholders and inhabitants of certain townships of the districts of Bathurst and Ottawa, stating that for several years past, they have felt it a great grievance to be compelled to attend the courts of King's Bench and quarter sessions at Perth, Longueille or Cornwall in consequence of their great distance and serious expense of travelling.—That, from reasons stated at great length, it is considered that Bytown possesses in an eminent degree, essential requisites for a district town; and praying that certain townships in the district of Ottawa and also in the district of Bathurst be formed into a separate district, with Bytown for the district town.

Peter Ayley and others praying for the erection of a new district

Of John Collins of the town of Sandwich, brickmaker, stating that he is the inventor of an improved machine for making bricks, equal to pressed brick by horse or other power—by means of a rotary or revolving horizontal table to receive the metal or material in the mould for forming the brick, out of the cylinder or box in which the material is prepared—acted upon by levers—and praying the passing of an act establishing his claim to said invention.

J. Collins praying that his claim may be established as the inventor of making bricks by a new process

Of Joseph Van Norman and one hundred and eighty one others, of the county of Norfolk, London district, renewing their prayer for the erection of the county of Norfolk into a separate district, with Vittoria for the district town.

Of Joseph Van Norman and others praying that Norfolk may be made a separate District.

Of William Ambridge and forty others, of the Western district, praying the incorporation of a Joint Stock Company, with a capital of £—, under the style and title of "*The Niagara and Detroit Rail Road Company.*"

Wm. Ambridge & others for Railroad company.

Of John Miller and fifty-five others, of the villages of Picton and Hallowell, in the district of Prince Edward, setting forth that it is desirable and necessary for the welfare and prosperity of those villages and the district generally, that they be united into one and be made the district town for Prince Edward, and that the affairs thereof should be managed by a board of police chosen by the inhabitants and praying the passing of an act uniting said villages as aforesaid and establishing a board of police therein.

J Miller & others for union of the villages of Picton and Hallowell.

Of Thomas Sewell and one hundred and ninety others, of the town and township of Niagara, praying that no petition may be entertained, having for its object the removal of the present site of the district town of the said district, as the present site is sufficiently near to the remotest parts of the district for every purpose necessary, and has advantages not to be found in any other part of the district.

T. Sewell & 191 others, against removal of district town of Niagara district.

Of Thomas Creen and two hundred and nine others, inhabitants of the district of Niagara, praying the House to put an end to the question so repeatedly brought under the notice of the Legislature, and provide means for the entire liquidation of the War Loss claims.

Thos Creen and 209 others, for liquidation of war claims.

Of William Powell, Esquire, and forty-two others, of the township of Bertie, setting forth, that from the growing mercantile interest, increase of population and internal resources of this country, it becomes necessary to provide a more expeditious and less expensive

W Powell Esq & 42 others, for Rail road from Sandwich to Fort Erie rapids.

mode of conveyance of transporting merchandize and carrying passengers—that several enterprising individuals in various parts of the Western district have contemplated the erection of a rail way from the town of Sandwich, in the Western district, to the foot of Fort Erie Rapids or village of Waterloo, district of Niagara—that petitioners consider themselves, in an especial manner, interested in the formation of this contemplated rail road, and praying a charter for the construction of said rail road.

E. T. Beach, for authority to inherit certain lands.

Of Ebenezer Talman Beach—stating, that petitioner's brother emigrated to Upper Canada about twelve years ago—who died on the fourth day of July last, intestate, and possessed of real estate in the said Province to a large amount, leaving a widow but no children nor any relative, subjects to His Britannic Majesty, capable of inheriting his estate—that all the relatives of the said Abraham Beach are citizens of the United States of America; therefore incapable of possessing said estate; and praying the passing of an Act enabling him to inherit and dispose of the same.

W. E. Clarke and 9 others, for naturalization.

Of William Eddy Clarke and nine others, of the town of Hamilton, in the district of Gore—aliens, from the United States of America, and for a length of time residents and tradesmen of said town; praying to be naturalized.

Wm. Reid and 41 others, for assistance to rebuild a bridge over the river Welland.

Of William Reid and forty-four others, of the townships of Crowland, Wainfleet, Thorold, &c., stating that the bridge erected in 1822 over the river Welland, in the township of Crowland, is far gone to decay—that the said bridge connects a line of extensive travel, and is of great utility and convenience to this section of the district of Niagara—and praying the sum of one hundred and fifty pounds, currency, towards the completion of a new bridge.

Notice of.

Mr. McKay gives notice, that he will, on to-morrow, move sundry resolutions, with a view of founding an address thereon, praying for the removal of the boundary line between this and Lower Canada, so as to confer the advantages of a seaport town in this Province.

Resolns for address for removal of boundary line

Notice of call for Bank returns.

Mr. McKay gives notice, that he will, on to-morrow, move that the Banks of Upper Canada and of the Midland district, be required to furnish the annual statements of their operations as prescribed in the Bank Acts.

Petitions referred.

On motion of Mr. Richardson, seconded by Mr. Rykert,

T Creen & others

*Ordered*—That the petition of Thomas Creen and two hundred and eighty-nine others, praying for the liquidation of the balance due claimants for war losses, be referred to the committee of the whole House on Monday next.

J D Smith Esq

On motion of Mr. Boulton, seconded by Mr. Wilkinson,

*Ordered*—That the Petition of John David Smith, Esquire, be referred to a select committee, to consist of Messrs. McDonell, *Northumburland*, and Gilchrist, to report thereon by bill or otherwise.

H Cowan & others

On motion of Mr. Morrison, seconded by Mr. Shaver,

*Ordered*—That the petition of Henry Cowan and seven others, be referred to a special committee of Messrs. Small and Charles Duncombe, with power to send for persons and papers, and to report thereon by bill or otherwise.

R Woodruff Esq and others

On motion of Mr. Rykert, seconded by Mr. Caldwell,

*Ordered*—That the Petition of Richard Woodruff, Esq., and others, praying for the payment of the losses sustained during the late war, be referred to the committee of the whole House on Monday next, on that subject.

On motion of Mr. Alway, seconded by Mr. Parke,  
*Ordered*—That the petitions of Simpson McCall and others, and of Joseph Van Norman and others, be referred to the Standing Committee on division of districts.

Of Simpson McCall and others, and Joseph Van Norman and others.

On motion of Mr. Wilkinson, seconded by Mr. Cornwall,  
*Ordered*—That the petition of John Collins, be referred to a Select Committee, composed of Messrs. C. Duncombe and Parke, with power to send for persons and papers, and leave to report thereon, by bill or otherwise.

Of John Collins.

On motion of Mr. Richardson, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Thomas Sewell and others, against the removal of the County Town from Niagara, be referred to the Committee on District divisions.

Of T Sewell and others

On motion of Mr. Small, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Catharine Effner, be referred to a Select Committee, with power to send for persons and papers, and to report thereon, by bill or otherwise, and that Messrs. Morrison, Roblin and Shaver do compose said Committee.

Of Catharine Effner

Pursuant to the order of the day, the amendments made by this House, in and to the amendments made by the Honorable the Legislative Council, in and to the bill, entitled, "*An Act to ensure the freedom of Elections in the County of Leeds*," were read a third time, passed and signed, and are as follows:

Amended amendments to Leeds election bill passed

Line 10 of the amendments, expunge "2," and insert "8."

Expunge "situated" and insert "be."

Expunge the words "in the eighth line."

Messrs. Charles Duncombe and Perry were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, with the amendments as amended, and request their concurrence thereto.

Pursuant to the order of the day, the felons' counsel bill was read a second time.

Felons counsel bill read 2nd time.

The House was put into committee upon the bill.

Com. of whole on bill.

Mr. McIntosh in the chair:

The House resumed.

Mr. McIntosh reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

3rd reading to-morrow.

Pursuant to the order of the day, the bill to regulate the expenditure of district funds was read a second time.

District fund bill read 2nd time

The House was put into committee of the whole on the bill.

Mr. Shibley in the chair.

Com. of whole on the bill.

The House resumed.

Mr. Shibley reported that the committee had made some progress in the bill and asked leave to sit again to-morrow.

Reported progress

On the question for receiving the report,

Mr. Bruce, seconded by Mr. Yager, moves in amendment, that the report be not now received, but that the bill be referred to a select committee composed of Messrs. Charles Duncombe, Perry, Thorburn and Shaver.

Bill referred to Select committee

Which was ordered.

Pursuant to notice, Mr. Richardson, seconded by Mr. Robinson, moves, that the Journals of last Session, relative to the petition of James Fortier, be now read.

Journals on petition of J Fortier, read.

Which was carried, and the Journal was read accordingly.  
(*Printed Journal—page 174.*)

Petition of J Fortier referred. On motion of Mr. Richardson, seconded by Mr. Robinson, *Ordered*—That the petition of James Fortier, be referred to a Select Committee, to be composed of Messrs. Charles Duncombe and Wilkinson, to report thereon, with leave to send for persons and papers.

Motion to appoint reporters. Pursuant to notice, Mr. Richardson, seconded by Mr. Wilson, moves, that a committee be appointed to take into consideration the expediency of appointing Reporters to report the debates of the present Session, and that Messrs. Macnab, McKay, Strange and Wilson do compose said Committee.

Amendment to motion on Reporters. In amendment, Mr. Mackenzie, seconded by Mr. Morrison, moves, that all after the word “moves,” be expunged, and the following inserted :

*Resolved*—That the House, having provided at great expense for the early publication and circulation, through the Province, of all its votes, resolutions and proceedings, and also provided a convenient place below the bar at which the different editors or reporters for newspapers can take down the debates of this House, have afforded every reasonable facility to the public press, so that through its means, the country may become acquainted with the debates and acts of the House.

Division. On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |                           |            |           |            |
|----------|---------------------------|------------|-----------|------------|
| Yeas 28. | Bruce,                    | Hopkins,   | Morrison, | Sibley,    |
|          | Cook,                     | Lewis,     | Parke,    | Small,     |
|          | Cornwall,                 | Lount,     | Perry,    | Strange,   |
|          | Duncombe, <i>Oxford,</i>  | McCrae,    | Robinson, | Thorburn,  |
|          | Duncombe, <i>Norfolk,</i> | McKay,     | Roblin,   | Wilkinson, |
|          | Durand,                   | Mackenzie, | Rymal,    | Wilson,    |
|          | Gibson,                   | McMicking, | Shaver,   | Yager—28.  |

NAYS—MESSIEURS.

|         |           |          |           |           |
|---------|-----------|----------|-----------|-----------|
| Nays 5. | Caldwell, | Merritt, | Robinson, | Rykert—5. |
|         | Malloch,  |          |           |           |

Question carried, majority 23. The question was carried in the affirmative, by a majority of twenty-three.

Judges restriction bill bro't in. The original question, as amended, was then put and carried. Pursuant to notice, Mr. Small, seconded by Mr. Macnab, moves for leave to bring in a bill to restrict the Judges of the Court of King's Bench, and of any other Court of Law or Equity hereafter to be established from retaining or holding seats in the Legislative or Executive Councils.

Which was carried, and the bill read.

2nd reading to-morrow.

*Ordered*—That the Judges Restriction bill be read a second time to-morrow.

Wild land assessment amendment bill bro't in.

Pursuant to notice, Mr. Robinson, seconded by Mr. Wilkinson, moves for leave to bring in a bill to alter and amend the Wild Land Assessment law.

Which was granted, and the bill read.

*Ordered*—That the bill to amend the assessment law be read a second time to-morrow.

Amendment of debtors act.

Pursuant to notice, Mr. Small, seconded by Mr. Richardson, moves for leave to bring in a bill to amend an act entitled, “*An Act to make further regulation respecting the weekly maintenance of insolvent debtors.*”

Which was granted, and the bill read.



*Ordered*—That the Insolvent Debtors Act amendment bill be read a second time to-morrow. 2nd reading to-morrow.

At three o'clock, p. m., the Gentleman Usher of the Black Rod came to the bar of the House and delivered the commands of His Excellency the Lieutenant Governor, for the immediate attendance of the House at the bar of the Legislative Council Chamber. Commands for House to attend at the bar of the Leg. Council.

Mr. Speaker and members present, pursuant to the order of His Excellency, proceeded forthwith to the bar of the Legislative Council. House attend forth with.

And the House having returned.

Mr. Speaker reported that His Excellency had been pleased to address the two Houses with a most gracious Speech from the Throne, of which, to prevent mistakes, he had procured a copy. Mr. Speaker reports His Excellency's Speech from the Throne.

The Speech was then read by the Speaker as follows :

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

As the Lieutenant Governor of this Province, I am commanded by the King, to lay before you the answer His Majesty has been pleased to make to the separate addresses and representations which proceeded from the two branches of the Legislature, during your last session. Speech of His Ex. cency the Lieut. Governor from the Throne.

This communication I shall submit to you in a message which will at once inform you of the difficult and most important duties about to devolve upon me, as well as upon yourselves.

As regards myself, I have nothing either to promise or profess ; but I trust I shall not call in vain upon you to give me that loyal, constitutional, unbiassed, and fearless assistance which your King expects, and which the rising interests of your country require.

Mr. Charles Duncombe, seconded by Mr. Bruce, moves, that there be appointed a committee of privilege, and that Messrs Morrison and Perry do compose the same, and that His Excellency's speech of this day be referred to the said committee, with power to send for persons and papers, and to report thereon. Motion for com. of privilege.

In amendment, Mr. Solicitor General, seconded by Mr. Malloch, moves, that after the word "moves" in the original motion the residue be expunged, and the following inserted:—that the speech of His Excellency, the Lieutenant Governor be referred to a committee of the whole House on to-morrow, and that the same be the first item on the order of the day. Amendment.

On which the yeas and nays were taken as follows :

Division on amendment.

YEAS—MESSIEURS,

|   |   |   |   |          |
|---|---|---|---|----------|
| Boulton,<br>Caldwell,<br>Cornwall,<br>Dunlop,<br>Lewis, | McCrae,<br>McDonell, <i>Stormont</i> ,<br>McKay,<br>Macnab,<br>Malloch, | Merritt,<br>Parke,<br>Richardson,<br>Roblin,<br>Rykert, | Rymal,<br>Sol. General,<br>Strange,<br>Wilkinson,<br>Woolverton—20. | Yeas 20. |
|---|---|---|---|----------|

NAYS—MESSIEURS,

|   |   |  |   |          |
|---|---|--|---|----------|
| Alway,<br>Bruce,<br>Chishelm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Durand,<br>Gibson,<br>Hopkins,<br>Lount,<br><i>McIntosh</i> ,<br>Mackenzie, | McMicking,<br>Moore,<br>Morrison,<br>Perry,<br>Shaver,<br>Shibley, | Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Yager,—23. | Nays 23. |
|---|---|--|---|----------|

The question of amendment was decided in the negative by a majority of three. Amendment lost majority 3.

On original ques. On the original question, the yeas and nays were taken as follows :

YEAS—MESSEIERS.

|          |                            |            |            |           |
|----------|----------------------------|------------|------------|-----------|
| Yeas 24. | Alway,                     | Durand,    | McMicking, | Sibley,   |
|          | Bruce,                     | Gibson,    | Moore,     | Thorburn, |
|          | Chisholm,                  | Hopkins,   | Morrison,  | Waters,   |
|          | Cook,                      | Lount,     | Parke,     | Wells,    |
|          | Duncombe, <i>Oxford</i> ,  | McIntosh,  | Perry,     | Wilson,   |
|          | Duncombe, <i>Norfolk</i> , | Mackenzie, | Shaver,    | Yager—24. |

NAYS—MESSEIERS,

|          |           |                             |             |                    |
|----------|-----------|-----------------------------|-------------|--------------------|
| Nays 20. | Boulton,  | McCrae,                     | Merritt,    | Small,             |
|          | Caldwell, | McDonell, <i>Stormont</i> , | Richardson, | Solicitor General, |
|          | Cornwall, | McKay,                      | Roblin,     | Strange,           |
|          | Dunlop,   | McNab,                      | Rykert,     | Wilkinson,         |
|          | Lewis,    | Malloch,                    | Rymal,      | Woolverton—20,     |

Question carried, majority 4. and The question was carried in the affirmative by a majority of four and ordered accordingly.

Hastings separation bill read second time. was Pursuant to the order of the day, the Hastings separation bill was read the second time.

Com. of whole on the bill. The House was put into a committee of the whole on the bill. Mr. Wilkinson in the chair. The House resumed.

Bill reported amended. Mr. Wilkinson reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Third reading to-morrow. *Ordered*—That the report be received, and that the bill be engrossed and read a third time to-morrow.

Order for new writ for County of Lanark. *Ordered*—That the Speaker do issue his warrant to the Clerk of the Crown in Chancery, directing him to issue a writ for the election of a member for the county of Lanark, in the room of William Morris, Esquire, summoned to the Honorable the Legislative Council. Adjourned.

Thursday, January 28, 1836.

Petitions bro't up. The House met.

The minutes of yesterday were read.

Of Chester Gurney nace Mr. Malloch brought up the petition of Chester Gurney, of Fur Falls, in the district of Johnstown; which was laid on the table.

Of J Montgomery eighteen others; which was laid on the table.

Of M Priestman Mr. Small brought up the petition of Matthew Priestman, late a contractor for erecting the buildings pertaining to the U. C. College; which was laid on the table.

Of Wm Duncan and others. Mr. Gibson brought up the petition of William Duncan and forty-two others, of the townships of York, Markham and Scarborough (York); which was laid on the table.

Felons Counsel bill read 3rd time. Pursuant to the order of the day, the Felon's Counsel bill was read the third time, and passed, nem. con.

PRESENT—Messrs. *Alway, Bruce, Caldwell, Chesscr, Chisholm, Cook, Cornwall, C. Duncombe, D. Duncombe, Durand, Dunlop, Gibson, Hopkins, Lewis, Lount, McCrae, McIntosh, McKay, McMicking, Malloch, Merritt, Moore, Morrison, Roblin, Rykert, Rymal, Shaver, Small, Smith, Waters, Wells, Wilkinson, Wilson, Woolverton, Yager.*

Passed Nem. Con.

Mr. Wells, seconded by Mr. Morrison, moves, that the bill be entitled, "*An Act to allow persons indicted for felony a full defence by counsel, and for other purposes therein mentioned.*" Title, felony's counsel bill.

Which was carried, and Messrs. Wells and Morrison were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Council

Pursuant to the order of the day, the Hastings separation bill was read the third time. Hastings separation bill read 3rd time.

Mr. Roblin, seconded by Mr. Yager, moves, that the bill be amended by expunging the last clause, and inserting the following in its stead: Bill amended.

*And be it further enacted by the authority aforesaid—That nothing in this Act, or in any of the Acts of this Province, shall extend or be construed to extend to authorise the Town of Belleville to elect or return a member to represent said town in Parliament, until such town shall contain a population of at least five thousand souls.* Amendment.

Which was ordered. Mr. Perry, seconded by Mr. Moore, moves that the bill be amended by inserting the words "and present debt" after the word "expenses" in the several places where the said word "expenses" appear in the ——— clause. Further amendm't

On which the yeas and nays were taken, as follows :

| YEAS—MESSIEURS,  |  |   |   | Yeas 4.  |
|--|--|---|---|----------|
| Boulton,   | Moore,   | Perry,  | Small—4.  |          |
| NAYS—MESSIEURS.  |  |   |   |          |
| Alway,<br>Bruce,<br>Caldwell,<br>Chesser,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Norfolk.</i><br>Durand,<br>Gibson, | Hopkins,<br>Lewis,<br>Lount,<br>McCrae,<br>McDonell, <i>Stormont,</i><br>McDonell, <i>Northumb.</i><br>McIntosh,<br>Mackenzie,<br>McMicking, | Merritt,<br>Morrison,<br>Parke,<br>Richardson,<br>Roblin,<br>Rykert,<br>Rymal,<br>Shaver,<br>Shibley, | Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilkinson,<br>Wilson,<br>Woolverton,<br>Yager—35. | Nays 35. |

The question was decided in the negative by a majority of thirty-one. Amendment lost,

Mr. Charles Duncombe, from the committee of privilege, to which was referred the Speech of His Excellency the Lieutenant Governor, from the Throne, on the 27th instant, presented a report; which was received and read, as follows: Com. of privilege report.

To the Honorable the Commons' House of Assembly:

The Committee of Privilege to whom was referred His Excellency's Speech, from the Throne, of yesterday; Report of com. of privilege, to whom was referred the speech of His Excellency the Lieutenant Governor.

**RESPECTFULLY REPORT:**

That Parliament was convened on the fourteenth day of January instant, and the matter of privilege referred to your committee has arisen from the circumstance of a speech having been delivered from the throne at the opening of the present session under the late administration of His Excellency, Sir John Colborne, who was succeeded on the twenty-fifth instant by His present Excellency, Sir Francis Bond Head, who also delivered a speech from the throne. In the absence of any opinion on the subject by the Hon. Speaker, your committee have felt it their duty to look into precedents, particularly as the proceeding is new, and parliamentary law, like the general law of the land, can only be the bulwark and safety of parliament, while it is jealously watched and sustained.

Your Committee meet in Hatsel with only one instance illustrating the practice in England, and can at present trace no case in the history of her colonies.

On the seventeenth of December, 1765, the House was summoned to attend His Majesty in the House of Peers, when His Majesty informed them, "that he had thought

fit at that time to call them together in order that opportunity might thereby be given to issue the necessary writs on the many vacancies that had happened in the House of Commons since the last session, so that the Parliament might be full, so as to proceed immediately, after the usual recess, on the consideration of such weighty matters as would then come before them."

This speech was answered, and on the 14th January following, it appears that His Majesty again summoned the Commons to the House of Peers, and again delivered a speech from the Throne, as before intimated by His Majesty, which speech was also answered.

In the above case it is observable that the second speech is a continuation or renewal of the other, by previous intimation; but, both having been answered, your committee are willing to recognize it as applicable to the case before them, without, however, any prejudice to that freedom of parliamentary inquiry and debate which might be impaired by any unusual declaration from the Throne.

CHARLES DUNCOMBE,  
Chairman.

Commons House of Assembly, }  
28th January, 1836. }

House in com. of  
whole on His Excellency's speech.

Mr. Charles Ducombe, seconded by Mr. Morrison, moves, that this House do resolve itself into committee of the whole, upon His Excellency's Speech from the Throne, of yesterday.

Which was carried, and the House was put into committee of the whole.

Mr. Alexander McDonell in the chair.

The House resumed.

Chairman reports  
resolution.

Mr. Alexander McDonell, reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House

The Report was received, and the resolution was read as follows:

*Resolved*—That this House thanks His Excellency for his Speech from the Throne.

Resolution on  
Speech of His Excellency

That this House congratulates His Excellency on his safe arrival in the Province, and on his assuming the government thereof, and they have sincerely participated the anxious feelings and expectations of the people, upon an event which they have been disposed to regard as happy and auspicious. The just and reasonable wishes of the people have already been deliberately and solemnly repeated in the answer of this House to the Speech delivered from the Throne, at the opening of the present Session; and His Excellency may rely upon their loyal, constitutional, unbiassed and fearless assistance, expected by the King and required by the rising interests of their country, in the pursuit of those measures, necessary for its peace, welfare and good government.

That this House will be most happy to receive, and will ever most respectfully and carefully consider any messages from His Excellency, with whose administration it sincerely desires cordially to co-operate.

Division on Resolution.

On the question for the adoption of the resolution, the yeas and nays were taken, as follows:

YEAS—MESSIEURS,

Yeas 38.

|                    |                     |            |               |
|--------------------|---------------------|------------|---------------|
| Alway,             | Dunlop,             | McKay,     | Shibley,      |
| Boulton,           | Durand,             | Mackenzie, | Small,        |
| Bruce,             | Gibson,             | McMicking, | Smith,        |
| Caldwell,          | Hopkins,            | Moore,     | Thorburn,     |
| Chesser,           | Lewis,              | Parke,     | Waters,       |
| Chisholm,          | Lount,              | Robinson,  | Wells,        |
| Cook,              | McCrae,             | Rykert,    | Wilkinson,    |
| Cornwall,          | McDonell, Stormont, | Rymal,     | Willson,      |
| Duncombe, Oxford,  | McDonell, Northumb. | Shaver,    | Woolverton—38 |
| Duncombe, Norfolk, | McIntosh,           |            |               |

NAYS—MESSIEURS,

Richardson—1

Nays 1.

Ques. carried—majority 37.

The question was carried in the affirmative by a majority of thirty-seven, and the resolution was adopted.

On motion of Mr. Charles Duncombe, seconded by Mr. Wilson, *Ordered*—That Messrs. Morrison and Wells be a committee to draft and report an address in accordance with the foregoing resolution.

Com. to draft address on resolution.

Mr. Morrison, from the select committee, to draft and report an Address to His Excellency the Lieutenant Governor, in answer to His Excellency's speech, founded on the resolution of the House, presented a draft, which was received and read twice, adopted, read the third time, passed and signed, and is as follows:

Com. report draft of an address to His Excellency in answer to speech.

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

WE, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, thank Your Excellency for your Speech from the Throne.

Address to His Excellency on speech addressed to both Houses on the 27th instant.

We congratulate Your Excellency on your safe arrival among us, and on your assuming the government of this Province, and we have sincerely participated the anxious feelings and expectations of the people upon an event which they have been disposed to regard as happy and auspicious. The just and reasonable wishes of the people have already been deliberately and solemnly expressed in the answer of this House to the speech delivered from the Throne at the opening of the present Session; and Your Excellency may rely upon our loyal, constitutional, unbiassed and fearless assistance, expected by our King and required by the rising interests of our country, in the pursuit of those measures necessary for our peace, welfare, and good government.

We shall be most happy to receive, and shall ever most respectfully and carefully consider, any messages from Your Excellency, with whose administration we sincerely desire cordially to co-operate.

MARSHALL S. BIDWELL, *Speaker*.

*Commons House of Assembly, }  
28th day of January, 1836. }*

On motion of Mr. Charles Duncombe, seconded by Mr. Alway, *Ordered*,—That Messrs. Morrison and Wells be a committee to wait on His Excellency to know when he will be pleased to receive this House with its address.

Committee to know when His Excellency will receive the House with address.

Pursuant to the order of the day, the amendments to the Hastings separation bill was read a third time, and the bill was passed.

Amendm't to Hastings separation bill read 3rd time & bill passed Title.

Mr. Yager, seconded by Mr. Roblin, moves that the bill be entitled "*An Act to erect the county of Hastings into a separate district.*"

Which was carried, and Messrs. Yager and Roblin were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Com. to carry up the bill to Leg. C'l.

Pursuant to the order of the day the following petitions were read.

Petitions read.

Of Thomas Splitlog and seven others, the head chiefs and warriors of the Huron or Wyndott nations of Indians, shewing: That from time immemorial that nation has possessed without interruption a tract of land, seven miles square, lying between Sandwich and Amherstburg, and also an island called "Fighting Island" nearly opposite; that they have been unjustly deprived of the same by the Provincial government, which, at the instigation of George Ironside, superintendent and others, conceded to the half-breed indians who had no claim thereon, these lands belonging to the proper Wyndots, and which were reserved to be enjoyed by them after the manners and customs of their forefathers—that they have frequently applied to the Provincial government and were informed that these things were done with its consent and their remonstrances were rejected—that one Thomas Paxton has taken possession of "Fighting Island," from whose encroachments they have not been protected by the King

Of T Splitlog and 7 others, praying to be put in possession of certain lands unjustly taken from them.

whom they were always accustomed to consider their father and protector—that these lands were ceded to them by the Chippewas and others (the lake confederacy of Indians) and reserved at the sale of lands in the Western district, for their use, with a special request that they might not be disturbed in the possession of them—that in the year 1811, being aggrieved by the encroachments of the whites, they petitioned Lieutenant Governor Gore, requesting His Majesty would give them a deed in fee of their lands, who replied that this was impossible, as the Wyandots themselves had the better title, assuring them at the same time, that the King would always protect them in the possession of their lands—that they had peaceable possession ever since, till disturbed by Ironside and others of Amerstburg—and that the government has broken thro' the usages and customs established by treating with the half-breeds, who only live on sufferance among them—that they are sorely grieved that the protecting hand of their great father the King has been withdrawn from them, which must have arisen, they think, from the misrepresentations of some wicked persons, seeking only to destroy them; that memorialists are a remnant of one of the great tribes of the western world, who from fighting from time immemorial against the enemies of their great father, are now reduced to a very small number; that they have long since been converted to the christian religion and wish to reside near their friends the white people; that they have daily examples in the United States of their brethren being driven into the wilderness and hunted like the deer of the forest,—but that until now they always had sufficient confidence in their great father to believe that he would not treat them as the red people were treated by the government of the United States; that they have no desire to desert the christian religion, and return to the customs and habits of the heathens; but that all their wish is, that their great father will leave them in the undisturbed possession of the little handful of land that belongs to them. Memorialists pray the House to represent, by address, their situation, to the King their great father, and to request him to interfere in the proceedings of his provincial government against them, and that he will prevent the said government from wresting their little piece of land away from them.

Memorialists further state that there is a small portion of their tribe have resided in the United States on lands possessed by them before Jay's treaty—that they remained neutral during the war for the sole object of saving their lands; but that from the present disposition of the government and the people, they are anxious to remove once more into the country of their Great Father, whom they always loved; and that their brothers (the memorialists) are desirous of receiving them and giving them cornfields along side of them, on their little piece of ground: memorialists refer to accompanying documents in support of what they say, &c. &c.

Of W. L. Mackenzie, Esq. Executor of the late R. Randal's estate, praying relief to the heirs of deceased.

Of William Lyon Mackenzie, Esquire, acting Executor to the estate of the late Robert Randal, Esquire, M. P. P., Lincoln County, shewing:—That the late Mr. Randal, in the year 1830, petitioned the Legislature for the creation of an equitable jurisdiction to enable him to obtain the adjudication of a claim he had on the Bridgewater property at the Falls of Niagara—that Mr. Randal also claimed the compensation awarded to the owner of the Bridgewater estate, for loss sustained thereon, during the war with the United States—that Mr. Randal also petitioned the House of Assembly, in 1828, for a legal tribunal, to enable him to recover valuable property at the Falls of the

Chaudiere and on the Rideau, wrested from him, as detailed in the report on the Journals of the House for 1828—that a bill passed for his relief, which was lost in the Council—and in 1830 another bill passed for his relief, almost unanimously, but was lost in the Council—that last year, another bill was brought in on the petition of Memorialist, but not having given notice in the Gazette, the bill was not carried through the House;—that notice of this application has been given in the Gazette both with respect to the Bridgwater and Chaudiere Estates; that Mr. Randal in his lifetime performed valuable services for the Province, and a pledge of the House was thrice renewed for a grant of £500 as a recompense, which has not yet been made good to his heirs;—that the particulars of Mr. Randal's claim to remuneration are more particularly set forth on the Journals, and in the bills and resolutions passed for his remuneration, and the particulars of his claim to the interposition of the Legislature for the recovery of his property, for his daughter, grand children, and other heirs, are detailed in the several memorials presented to the House since 1827, to which petitioner refers;—and praying the House to grant such relief to the heirs of the deceased claimant as may appear consistent with the principle of “doing to others as we would they should do unto us”—undersimilar circumstances.

Of Francis Leys and one hundred and three others, of the township of Pickering, in the Home district, representing, that they have opened a road between lots 18 and 19 in said township, by voluntary contribution, for the accommodation of the inhabitants and those of Uxbridge and a part of Brock, and which is the only thoroughfare between Whitby and Markham, Whitechurch and Newmarket; that being only partially settled, the statute labor is totally inadequate to put the same in a proper state to ensure the safety of carriages and teams using it, and praying for the sum of £500, or such other sum as the House may see fit to grant for the accomplishment of that object.

Of Francis Leys and 103 others, praying for £500 to assist in opening a road in Pickering.

Of Stephen Dutton and fifteen others, of the city of Toronto and township of York, praying to be naturalized.

Of S. Dutton and others.

Of Reuben White and 223 others, of the Newcastle, Prince Edward and Midland districts, representing: that a canal uniting the waters of Lake Ontario with the head of the bay of Quinte would be a work of the greatest utility, at all times affording a safe and convenient channel for the transport of merchandize and military stores, and a less dangerous navigation for our vessels than that of the open lake; that it would enhance the wealth and prosperity of the Province; that the advantages derived would much more than compensate for the expense; that the advancement of the Province is mainly attributed to the construction of canals, which will long remain sources of opulence and honor to the Province. Petitioners respectfully direct the attention of the House to the object, and pray for the means of effecting the same.

Of Reuben White and others, praying that a canal be made to unite the waters of Bay of Quinte with Lake Ontario.

And of William Brickman and forty-three others, of the 2d, 3d, and 4th concessions of the township of Ameliasburg—praying that the survey of the said township by Mr. Wilmot, Deputy Surveyor, may be confirmed.

Of Wm Brickman and others, praying the establishment of a certain survey.

Mr. Mackenzie gives notice, that he will on to-morrow, move that addresses be presented to His Excellency, the Lieutenant Governor, requesting His Excellency would communicate to this House the information requested by its several addresses of last session reported from the special committee of Grievances, relative to the Post Office Department, the University and College Revenue, the

Notice of addresses to Lieut. Governor for the information required in several addresses of last session.

Talbot settlement, and the petition of Wm. Forsyth. Also the information requested in its address of the 19th of January. 1835, relative to the dismissal of the late Crown Officers and the appointment of the present; the answer to which was referred to the said committee which reported thereon.

Petitions referred.

Of Wm. Powell, Esquire.

On motion of Mr. McMicking, seconded by Mr. Thorburn, *Ordered*, That the petition of William Powell, Esquire, be referred to the standing committee on canals and other internal improvements.

Of John Miller and others.

On motion of Mr. Charles Duncombe, seconded by Mr. Perry, *Ordered*, That the petition of John Miller and others be referred to the standing committee on the incorporation of towns and villages, and that the name of Roblin be added to the committee, and that the 29th rule of this House be dispensed with so far as relates to the same.

Of Francis Leys and others.

On motion of Mr. Morrison, seconded by Mr. Shibley, *Ordered*—That the petition of Francis Leys, Esquire, and one hundred and one others, be referred to the standing committee on roads, macadamized roads, and bridges, to report thereon.

Of Wm. Reid and others.

On motion of Mr. McMicking, seconded by Mr. Thorburn, *Ordered*—That the petition of William Reid and others, be referred to the standing committee on roads, macadamized roads, and bridges.

Of Tho's Splitlog and others.

On motion of Mr. Mackenzie, seconded by Mr. Gibson, *Ordered*—That the petition of Thomas Splitlog and others, Chiefs of the Wyandot nation; be referred to a select committee, to consist of Messrs. Wilkinson, Lount, McIntosh, and Wilson, with leave to report by address or otherwise.

Of John Macklem and others.

On motion of Mr. McMicking, seconded by Mr. Thorburn, *Ordered*—That the petition of John Macklem and others be referred to the standing committee on Canals and other internal improvements.

Of W. L. Mackenzie, Esquire.

On motion of Mr. Gibson, seconded by Mr. Woolverton, *Ordered*—That the petition of William L. Mackenzie, executor to the estate of the late Mr. Randal, be referred to a select committee, to consist of Messrs. Wilson, Thorburn, McMicking and Small, with power to send for persons, papers, and records, and leave to report by bill or otherwise.

On motion of Mr. Wilson, seconded by Mr. Parke,

*Ordered*—That a select committee of nine members be appointed to inquire into the state of the administration of Justice in this province and into the fees of the courts of law, including the Crown Office and Sheriff's fees, with a view of lessening the burthens of the people, and for taking such measures as may deservedly increase their confidence in the administration of the laws, and the impartiality of the Judges, and that Messrs. McIntosh, Gibson, Chesser, Waters, Wells, Yager, Woolverton, and Mackenzie do compose the same: with power to send for persons and papers, and report from time to time by bill or otherwise, and that the 29th rule of this House be dispensed with for that purpose.

On motion of Mr. Richardson, seconded by Mr. Caldwell,

*Ordered*—That two hundred copies of the petition of Thomas Splitlog and seven others, head chiefs and warriors of the Huron or Wyandot nation, be printed for the use of members.

Sel. Com. appointed on administration of Justice, &c.

Of Tho's Splitlog and others.



On motion of Mr. Small, seconded by Mr. Perry,

*Ordered*—That it be resolved—that an humble address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct to be laid before this House, with as little delay as possible, a detailed statement shewing the number and names of the clergymen of the church of England, as well as of any other denomination of christians, who have been permitted by the Executive government of this Province, to relinquish or surrender their private freehold property for the endowment of parsonages, with the number of acres surrendered and where situated, the estimated value thereof to each individual surrendering, the amount paid therefor in money or lands, the description of lands given in exchange, whether crown or clergy reserves, the number of acres given to each individual, and were situated.

Address to be presented to His Exc'y for statement respecting lands for parsonages, etc.

On motion of Mr. Small, seconded by Mr. Parke,

*Ordered*—That Messrs. Parke and Gibson be a committee to draft an Address to His Excellency upon the foregoing resolution.

Committee to draft address.

Mr. Parke, from the committee to draft and report an Address to His Excellency, the Lieutenant Governor, on the subject of lands surrendered by the Clergy, &c., reported a draft, which was received and read twice, adopted and ordered to be engrossed, and read a third time this day.

Address reported; read twice; 3rd reading this day.

Pursuant to notice, Mr. Small, seconded by Mr. Wilkinson, moves for leave to bring in a bill to remove doubts that have arisen upon certain parts of an Act of the Parliament of Great Britain, passed in the 31st year of the reign of His late Majesty, King George 3d, entitled, "*An Act to repeal certain parts of an act passed in the fourteenth year of his Majesty's reign entitled "An Act for making more effectual provision for the government of the province of Quebec in North America," & to make further provision for the government of the said province.*"

Bill to amend the Act of the 31st Geo. 3, brought in.

Which was granted, and the bill read.

*Ordered*—That the bill to extend the election franchise to cities and towns be read a second time to-morrow.

Elective franchise extension bill—2nd reading tomorrow.

Pursuant to notice Mr. McKay, seconded by Mr. David Duncombe,

*Ordered*—That the Bank of Upper Canada and the Commercial Bank of the Midland district, be required to make the returns authorized by law to be laid before this House.

Banks to make their authorised returns.

Pursuant to notice, Mr. Small, seconded by Mr. Robinson, moves for leave to bring in a bill to continue the improvements of the East or Kingston road leading from the city of Toronto.

Bill to extend the Kingston road bro't in.

Which was granted, and the bill read.

On motion of Mr. Small, seconded by Mr. Gibson,

*Ordered*—That the bill for continuing the improvement of the Kingston road, be referred to the committee to whom was referred the petition of John Finch and others, with power to report thereon.

Kingston road extension bill referred to committee.

Pursuant to the order of the day, the bill for establishing a bank in the town of Niagara, was read the second time.

Niagara bank bill read second time.

The House was put into committee of the whole on the bill.

Com. of whole on the bill.

Mr. Strange in the chair.

The House resumed.

Mr. Strange reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

Progress reported.

*Ordered*—That the report be received, and leave granted accordingly.

Address on clergy  
lands for parsonages  
read third time.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor, for information in relation to lands surrendered by the clergy, &c. &c. was read the third time, passed, and signed, *rem. con.* and is as follows:—

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address passed  
*rem. con.*

We His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in provincial parliament assembled, humbly request, that Your Excellency will be pleased to direct to be laid before this House with as little delay as possible, a detailed statement shewing the number and names of the clergymen of the church of England as well as of any other denomination of christians who have been permitted by the Executive government of this Province, to relinquish or surrender their private freehold property for the endowment of parsonages, with the number of acres surrendered and where situated, the estimated value thereof to each individual surrendering, the amount paid therefor in money or lands, the description of lands given in exchange, whether crown or clergy reserves, the number of acres given to each individual, and where situated.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
28th January, 1835.*

PRESENT—Messrs. Bruce, Chesser, Chisholm, Cook, Cornwall, Charles Duncombe, David Duncombe, Dunlop, Durand, Gibson, Hopkins, Lewis, Lount, McCrae, D. Æ. McDonell, Alexander McDonell, McIntosh, McKay, Mackenzie, McMicking, Malloch, Merritt, Parke, Richardson, Shaver, Shibley, Smith, Strange, Thorburn, Waters, Wells, Wilkinson, Wilson, Woolverton, Yager.

Committee to pre-  
sent the address.

On motion of Mr. Charles Duncombe, seconded by Mr. Wilson, Ordered—That a committee be appointed to wait upon His Excellency with the Address of this House to know when he would be pleased to receive this Address and to present the same, and that the said committee be composed of Messrs. Gibson and Wells.

His Excellency will  
receive the House  
with its address in  
answer to His speech  
tomorrow at ½ past  
12.

Mr. Wells, from the committee, to wait upon His Excellency, the Lieutenant Governor, to know when His Excellency would be pleased to receive the House with its Address in answer to His Excellency's Speech, on the 27th instant, reported that His Excellency had been pleased to name the hour of half past twelve o'clock to-morrow.

Members vacating  
seat bill read second  
time.

Pursuant to the order of the day the bill to allow members to vacate their seats was read a second time.

Com. on the bill.

The House was put into committee of the whole on the bill.  
Mr. Waters in the chair.  
The House resumed.

Progress reported,  
three months.

Mr. Waters reported that the committee had made some progress in the bill and asked leave to sit again this day three months.

Division.

On the question for receiving the report the yeas and nays were taken, as follows :

YEAS—MESSIEURS,

Yeas 31.

|                    |                     |            |                    |
|--------------------|---------------------|------------|--------------------|
| Bruce,             | Hopkins,            | McMicking, | Shaver,            |
| Chesser,           | Lewis,              | Malloch,   | Shibley,           |
| Chisholm,          | Lount,              | Moore,     | Smith,             |
| Cook,              | McDonell, Stormont, | Morrison,  | Solicitor General, |
| Duncombe, Oxford,  | McDonell, Northumb. | Parke,     | Thorburn,          |
| Duncombe, Norfolk, | McIntosh,           | Perry,     | Wells,             |
| Durand,            | McKay,              | Robinson,  | Woolverton,—31.    |
| Gibson,            | Mackenzie,          | Rymal,     |                    |

NAYS—MESSIEURS,

|                                 |                    |                  |                       |         |
|---------------------------------|--------------------|------------------|-----------------------|---------|
| Alway,<br>Boulton,<br>Caldwell, | Dunlop,<br>Rykert, | Small,<br>Walsh, | Waters,<br>Wilson,—9. | Nays 9. |
|---------------------------------|--------------------|------------------|-----------------------|---------|

The question was carried in the affirmative by a majority of twenty-two and ordered accordingly. Question carried, majority 25.

Pursuant to notice, Mr. Perry, seconded by Mr. C. Duncombe, moves for leave to bring in a bill for the sale of the Clergy Reserves in this province for the purposes of education. Clergy Reserve sale bill brought in.

Which was granted, and the bill read.

Ordered, That the Clergy Reserve sale bill be read a second time to-morrow. 2nd reading to-morrow.

Adjourned.

Friday, 29th January, 1836.

The House met.

The minutes of yesterday were read.

Mr. Dunlop brought up the petition of Samuel Carnachan and two others, commissioners; and J. Colquhoun, town-clerk, of the township of Tucker Smith (Huron); which was laid on the table. Petitions bro't up. S Carnachan and others

Mr. Roblin brought up the petition of Andrew Deacon, Esq., collector of customs at the port of Hallowell; which was laid on the table. A Deacon

Mr. Walsh brought up the petition of John Burwell, Esq., of Port Burwell, in the district of London; which was laid on the table. J Burwell Esq

Mr. McKay brought up the petition of George Hamilton, Esq., J. P. and forty others, of the district of Ottawa; which was laid on the table. G Hamilton and others.

Mr. Durand brought up the petition of John Poore of Guelph, in the district of Gore; which was laid on the table. J Poore

Mr. Alexander McDonell brought up the petition of Thomas A. Stewart and six hundred and fifty others, inhabitants of the province of Upper Canada; which was laid on the table. T A Stewart and others

Mr. Wells brought up the petition of Johnson Marsh of Hope, in the county of Durham; which was laid on the table. J Marsh

Mr. Smith brought up the petition of Daniel Crosthwaite, of Barton, in the district of Gore, a road commissioner; which was laid on the table. D Crosthwaite

Mr. Durand brought up the petition of Andrew Geddes and sixty-five others, of the township of Woolwich, in the district of Gore; which was laid on the table. A Geddes & others

Mr. Durand brought up the petition of Charles Kitchen and three others, commissioners for building a bridge over the Grand River, in the fifth concession of Dumfries; which was laid on the table. C Kitchen and others

Mr. Alexander McDonell brought up the petition of Robert Reid and four hundred and forty-four others, inhabitants of the district of Newcastle; which was laid on the table. R Reid & others

Mr. Alexander McDonell brought up the petition of Robert P. Madge, J. P., and sixteen others, of the township of Harvey, in the district of Newcastle; which was laid on the table. R P Madge and others

Mr. McMicking brought up the petition of Richard Graham and sixty-three others, of the township of Bertie, in the district of Niagara; which was laid on the table. R Graham and others

Pursuant to the order of the day, the following petitions were read: Petitions read.

Of Bernard McMahon and five others, of the port of Presquisle, in the Newcastle district, shewing, that petitioners, convinced of the ne- Of Bernard McMahon and 5 others praying for an act of incorporation

cessity of a wharf at that place, during the last summer, commenced the work by private subscription, but being prevented from completing it for want of an Act of incorporation, they now pray to be incorporated under the style and title of the Freeman Point Wharf and Harbor Company, possessing all the powers and privileges usually granted to such companies.

Of J Steel and others praying for authority to sell the old site of court house Newcastle district

Of John Steele, Esq., and thirteen others, magistrates of the Newcastle district, in General Quarter Sessions assembled, shewing that the site of the old jail and court house of that district consists of 2 acres of land, deeded in trust by the late Asa Burnham, Esquire, in the year 1812, for that purpose, to Alexander Fletcher, Esq., and others, Justices of the Peace in and for said district; that the site of the new jail and court house consists of half an acre, deeded by the Hon. Zacheus Burnham; that as it is necessary to acquire more land either by purchase or exchange, for the purpose of enlarging the yard, they request an Act may be passed authorising them to dispose of the old site, which would enable them to purchase more land adjoining the new site in lieu thereof.

Æneas Bell and 64 others, formerly Chelsea pensioners praying relief for loss of pension

Of Æneas Bell, late Sergeant, 49th regiment of foot, and sixty-four others, Corporals and Privates of different regiments in His Majesty's service, stating, that they formerly enjoyed pensions from His Majesty's government as Chelsea pensioners, and were induced to commute their pensions for a small sum, under the impression that they would receive a grant of land in this Province, equivalent to what they should relinquish; that in this they have been greatly disappointed; but indulging the hope that their pensions might still be allowed them if a respectful appeal were made to His Majesty in their behalf, they pray this House to take such measures for their relief as it may deem meet.

S Ketchum, Lindsay and Clarke praying aid for roads.

Of Seneca Ketchum, John Lindsay and William Clark, stating that they were appointed Agents, at a public meeting, for the inhabitants of the townships of Caledon, Mono, Mulmur, Nottawassaga, Amaranth and Garrafraxa, in the Home district, to consider of the best means of opening Hurontario Street, from Lake Huron to the Toll-gate road in Toronto township.

Petitioners, therefore, as such Agents, humbly pray, that the House will authorize them to make such improvement in the manner and on the conditions most approved of by the Legislature.

#### Notices

For reading Journals of last session on pet of Corporation of Toronto

Mr. Small, gives notice, that he will, on to-morrow, move, that so much of the Journals as relates to the petitions of the Mayor, Aldermen and Commonalty of the city of Toronto, be read.

Of bill for better collection of fines,

Mr. Richardson, gives notice, that he will, on Monday, move for leave to bring in a bill for the more convenient collection of fines, issues, amercements, and sums due upon recognizances forfeited.

For appointment of com on conting.

Mr. Mackenzie, gives notice, that he will, on to-morrow, move for the appointment of a committee on contingencies.

Committee on pet of W & J Gardiner report.

Mr. Parke, from the select committee to whom was referred the petition of William and James Gardiner, informed the House, that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same.

Thames mill dam bill read 1st time. 2nd reading to-morrow.

The report was received, and the bill was read the first time.

*Ordered*—That the Thames mill dam bill be read a second time to-morrow.

On motion of Mr. Wilson, seconded by Mr. Mackenzie,  
*Ordered*—That the petition of William Lyons and others, be referred to a select committee, and that Messrs. McIntosh and Alexr. McDonell, do compose the same, with power to send for persons and papers, and to report thereon by bill or otherwise.

Petitions referred  
 W Lyons & others

On motion of Mr. Mackenzie, seconded by Mr. Wilson,  
*Ordered*—That the petition of James Brown and others of Toronto and township of York, be referred to a select committee to consist of Messrs. Small, Gibson, Wilson and Cook, with power to report by bill.

Jas. Brown and others.

Pursuant to the order of the day, the House was put into committee of the whole on the resolution for addressing His Majesty on the subject of Trade and Commerce.

House in Com. upon Resolutions on trade and commerce.

Mr. Hopkins in the chair.

The House resumed.

Mr. Hopkins reported that the committee had made some progress and asked leave to sit again on Tuesday next.

Progress reported.

The report was received and leave was granted accordingly.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

*Ordered*—That it be the first item on the order of the day for Tuesday next;

Item for Tuesday next.

Pursuant to notice Mr. Rykert, seconded by Mr. Wilkinson, moves that this House do now resolve itself into a committee of the whole upon the creation and endowment of provincial seminaries and common schools.

House in Com. upon provincial Seminaries & common schools.

Which was carried and the House was put into committee of the whole.

Mr. Donald Æ. McDonell in the chair.

The House resumed.

Mr. McDonell reported that the committee had risen.

Com. risen.

The report was received.

Pursuant to notice Mr. Rykert, seconded by Mr. Macnab, moves for leave to bring in a bill to declare the rights and powers of common carriers and forwarders, warehouse-men and wharfingers, in certain cases.

Bill to regulate common Carriers brought in.

Which was granted, and the bill read.

*Ordered*—That the bill to declare the rights and powers of common carriers, be read a second time to-morrow.

2nd reading to-morrow.

Pursuant to notice, Mr. Richardson, seconded by Mr. Caldwell, moves, for leave to bring in a bill to abolish imprisonment for debt in this Province, except in cases of fraud.

Bill to abolish imprisonment for debt brought in.

Which was granted, and the bill read.

*Ordered*—That the bill to abolish imprisonment for debt, be read a second time to-morrow.

2nd reading to-morrow.

Pursuant to notice, Mr. Small, seconded by Mr. Wilkinson, moves, that so much of the Journals of last session as relates to the petition of Philip De Grassi, be now read.

Journals of last Session on petition of Philip D. Grassi read.

Which was carried, and the Journal was read accordingly.

(*Printed Journal—pages 178. & 186.*)

On motion of Mr. Small, seconded by Mr. Wilkinson,

*Ordered*,—That the petition of Philip De Grassi, be referred to the committee of supply

Petition referred to Com. of supply.

Pursuant to notice, Mr. Perry, seconded by Mr. Cook, moves, for leave to bring in a bill for the more equal distribution of the property of persons dying intestate.

Intestate Estate Bill brought in.

Which was granted, and the bill read.

2nd reading to-morrow.

House waits upon His Excellency with address in answer to speech.

*Ordered*—That the intestate estate bill be read a second time to-morrow.

At half past twelve o'clock the House waited upon His Excellency, the Lieutenant Governor, with its address in answer to His Excellency's speech from the Throne on the 27th instant.

And being returned—

Mr. Speaker reported that His Excellency had been pleased to make thereto the following reply :

Reply of His Exc'y. to address of the House in answer to speech of the 27th instant.

MR. SPEAKER AND GENTLEMEN OF THE HOUSE OF ASSEMBLY,

I thank you for the address I have just had the pleasure to receive from you. I appreciate the liberality with which you welcome my arrival among you; I am gratified to learn that you sincerely desire cordially to co-operate with me, in the arduous and important duties, which by the command of our revered Sovereign we are about impartially to perform; and I look with confidence towards the future, for the continuance of your loyal support.

Town mem. wages bill read second time.

House in Committee.

Bill reported with amendment.

Third reading to-morrow.

Com. of whole on amendment bill last item Thursday next.

Quaker's relief bill read 2nd time. Com. of whole on bill

Com. report bill without amendment.

Third reading to-morrow.

Off-going tenants bill read 2nd time.

Sit again tomorrow

Motion for refer'g St Cath & Nia bank bills to banking com

Pursuant to the order of the day, the town members' wages bill was read the second time.

The House was put into committee of the whole on the bill.

Mr. Roblin in the chair.

The House resumed.

Mr. Roblin reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

On the order of the day being read for the House to be put in committee of the whole on election amendment bill.

Mr. Mackenzie, seconded by Mr. McIntosh, moves, in amendment, that the committee on the election amendment bill be postponed 'till Thursday next, and that it stand the first item on the order of the day for that day, after referring petitions.

Which was ordered.

Pursuant to the order of the day, the Quakers' relief bill was read the second time.

The House was put into committee of the whole on the bill.

Mr. Wells in the chair.

The House resumed.

Mr. Wells reported that the Committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the Quakers' relief bill be engrossed, and read a third time to-morrow.

Pursuant to the order of the day, the off-going tenants' bill was read a second time.

The House was put into committee of the whole on the bill.

Mr. Lount in the chair.

The House resumed.

Mr. Lount reported that the committee had made some progress in the bill and asked leave to sit again to-morrow.

*Ordered*—That the report be received.

Mr. Roblin, seconded by Mr. Shaver, moves, that the orders for a committee of the whole on the St. Catharines bank bill, and also the Niagara bank bill, be discharged, and that said bills be referred to the committee on banking.

Which was lost.

On motion of Mr. Parke, seconded by Mr. Roblin,

*Ordered*—That two hundred copies of the off-going tenants' relief bill, be printed for the use of members.

Off going tenants relief bill to be print'd

Mr. Wells from the committee to wait on His Excellency, the Lieutenant Governor, with the address of this House, requesting information respecting lands relinquished by the clergy, &c., reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

Answer to Address respecting lands relinquished by clergy.

GENTLEMEN,

I will direct that the information required by this address—as far as it is in my power to obtain it—shall be laid before the House of Assembly with as little delay as possible.

Mr. Solicitor General, seconded by Mr. Woolverton, moves, that when this House adjourns, it stands adjourned until Monday next.

Motion for adjournment.

Lost

Which was lost.

On the order of the day, for the second reading of the banking bill being read,

Mr. Mackenzie, seconded by Mr. McIntosh, moves, that the banking regulation bill be not now read a second time, but that it be read a second time next Friday, and be the first item on the order of the day, for that day, after referring petitions.

Banking regulat'on bill to be read second time on Friday.

*Ordered.*

Pursuant to the order of the day, the House was put into a committee of the whole on the bill for the establishment of a bank at St. Catharines.

Com of whole on St Catharine's bank bill.

Mr. McKay was called to the chair.

The House resumed.

Mr. McKay reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

On question for receiving the report.

On the question for receiving the report,

Mr. Duncombe, seconded by Mr. Alway, moves, in amendment, that the report be not now received, but that the bill incorporating a banking company at Niagara, and the bill incorporating a banking company at Saint Catharines, be referred to the committee upon banking, and that the names of Macnab, Thorburn, Richardson, Wells, Rykert and Dunlop be added to the said committee, and that the 29th rule of this House be dispensed with so far as relates to the same.

Amendment.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|                            |                             |           |                    |
|----------------------------|-----------------------------|-----------|--------------------|
| Alway,                     | Hopkins,                    | Morrison, | Small,             |
| Bruce,                     | Lount,                      | Parke,    | Smith,             |
| Chesser,                   | McDonell, <i>Stormont</i> , | Perry,    | Solicitor General, |
| Chisholm,                  | McDonell, <i>Northumb.</i>  | Robinson, | Strange,           |
| Cook,                      | McIntosh,                   | Roblin,   | Walsh,             |
| Cornwall,                  | McKay,                      | Rykert,   | Wells,             |
| Duncombe, <i>Oxford</i> ,  | McMicking,                  | Rymal,    | Wilkinson,         |
| Duncombe, <i>Norfolk</i> , | Macnab,                     | Shaver,   | Woolverton,        |
| Durand,                    | Moore,                      | Shibley,  | Yager—36.          |

Yeas 36.

NAYS—MESSIEURS,

|         |            |             |             |
|---------|------------|-------------|-------------|
| Gibson, | Mackenzie, | Richardson, | Thorburn—4. |
|---------|------------|-------------|-------------|

Nays 4.

The question of amendment was carried in the affirmative by a majority of thirty-two, and ordered accordingly.

Adjourned.

Saturday, 30th January 1836.

**Petitions bro't up.** The House met.  
 The minutes of yesterday were read.  
**Of Alex. Fletcher and 31 others.** Mr. Boulton brought up the petition of Alexander Fletcher and thirty-one others, inhabitants of the township of Darlington, district of Newcastle; which was laid on the table.  
**Of Adolphus Meyer and 2 others.** Mr. Dunlop brought up the petition of Adolphus Meyer and Archibald Dickson, Commissioners, and John W. Meyer, township Clerk, of the township of McKillop, (Huron); which was laid on the table.  
**Of Joseph Tomlinson and 15 others.** Mr. Morrison brought up the petition of Joseph Tomlinson and fifteen others, of the township of Markham, Home district; which was laid on the table.  
**Of Geo. A. Latham, M. D., Toronto.** Mr. Mackenzie brought up the petition of Geo. A. Latham, M. D., of the city of Toronto; which was laid on the table.  
**Town members' wages bill read 3rd time and passed.** Pursuant to the order of the day, the bill to provide for the payment of wages to members representing cities and incorporated towns within this Province, was read the third time, and passed.  
**Title.** Mr. Wilkinson, seconded by Mr. Cornwall, moves, that the bill be entitled, "*An Act to provide for the payment of wages to members representing cities and incorporated towns within this Province.*"  
**Bill sent to Legislative Council.** Which was carried, and Messrs. Wilkinson and Caldwell were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.  
**Quaker's relief bill read 3rd time.** Pursuant to the order of the day, the Quakers relief bill was read the third time.  
**Division.** On the question for passing the bill the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |  |  |  |   |
|----------|--|--|--|---|
| Yeas 31. | Alway,<br>Boulton,<br>Bruce,<br>Caldwell,<br>Chesser,<br>Chisholm,<br>Cook,<br>Cornwall, | Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson,<br>Hopkins,<br>McCrae,<br>McIntosh,<br>McKay,<br>Mackenzie, | McMicking,<br>Moore,<br>Morrison,<br>Parke,<br>Perry,<br>Richardson,<br>Roblin,<br>Rykert, | Rymal,<br>Small,<br>Smith,<br>Thorburn,<br>Wells,<br>Woolverton,<br>Yager—31. |
|----------|--|--|--|---|

NAYS—MESSIEURS,

Wilkinson—1.

**Question carried, majority 30.** The question was carried in the affirmative by a majority of thirty, and the bill was signed.

**Title. :** Mr. Roblin, seconded by Mr. Thorburn, moves that the bill be entitled, "*An Act to repeal the several laws now in force imposing fines on Quakers, Menonists and Tunkers, for non-performance of militia duty in time of peace.*"

**Quakers relief Bill sent to Legislative Council.** Which was carried, and Messrs. Roblin and Thorburn were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

**Petitions read.** Pursuant to the order of the day, the following petitions were read :

**Of Chester Gurney of Furnace Falls Johnstown district, praying to be naturalized.** Of Chester Gurney, of Furnace Falls, in the Johnstown district, praying to be naturalized.

**Of John Montgomery and 18 others, of the Home district, praying that the benefits of the system of macadamization may be further extended on the principal roads of the district, viz: to the**



Holland Landing on the north, and on the east and west to the limits of the district. praying the extension of the macadamized roads.

Of Matthew Priestman, of Etobicoke, in the Home district, builder, setting forth at great length divers injuries alleged to have been sustained by him from the trustees appointed to superintend the erection of the Upper Canada College, viz: breach of contract, &c. &c. &c; and praying relief in the premises. Of Matthew Priestman, of Etobicoke, Home district, builder, praying relief.

Of William Duncan and forty-two others, of the townships of York, Markham, and Scarboro', in the Home district, shewing, that the east branch of the River Don crosses the township line between York and Scarboro', rendering said road impassible;—that by cutting down the hill and building a bridge 24½ feet long an excellent communication might be opened with Yonge Street, from which they are at present debarred; and praying the sum of £150, to enable them to effect the same. Of Wm. Duncan and 42 others, of York, Markham, &c. praying aid to build bridge.

Mr. Smith gives notice, that he will, on Monday next, move for the reading of so much of the Journals as relates to the petition of William Lottridge and others, praying for an act to protect the fishery within Burlington Bay. Notices. Of reading Journals of last session on petition of W. Lottridge.

Mr. Wilkinson gives notice, that he will, on Monday next, move for leave to bring in a bill for mutual insurance, against loss by fire and otherwise. Of mutual insurance bill.

Mr. McKay gives notice that he will, to-morrow, move that Mr. McNab be added to the standing committee on the division of districts. For Mr. McNab to be added to com on division of districts

Mr. Wells gives notice, that he will, on Monday next, move for leave to bring in a bill to allow voting by ballot at elections. Of ballot bill.

Mr. Charles Duncombe gives notice, that he will, on Monday next, move for leave to bring in a bill repealing the usury laws of this Province, and otherwise providing for insolvencies. Of insurance bill.

Mr. Cornwall, from the select committee to which was referred the petition of Lewis L. Arnold and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Select committee on petition of L. L. Arnold, report by bill.

The report was received, and the bill was read a first time. Chatham and Camden boundary line bill read 1st time.  
*Ordered*—That the bill to establish certain boundary lines in the townships of Chatham and Camden be read a second time to-morrow. 2nd reading to-morrow.

On motion of Mr. Gibson, seconded by Mr. McIntosh.  
*Ordered*—That the petition of John Montgomery and others, be referred to the committee to whom was referred the petition of John Finch and others. Petitions referred. John Montgomery and others.

On motion of Mr. McKay, seconded by Mr. Alexander McDonnell.

*Ordered*—That the petition of George Hamilton and others, be referred to a select committee, to be composed of Messrs Solicitor General and Small, with power to send for persons and papers, and to report by bill or otherwise. Of Geo. Hamilton and others.

On motion of Mr. Boulton, seconded by Mr. Cornwall,  
*Ordered*—That the petition of Æneas Bell and others, be referred to a special committee to consist of Messrs. McNab and McDonnell, *Northumberland*, with power to send for persons and papers, and to report thereon by address or otherwise. Of Æneas Bell & others.

On motion of Mr. Roblin, seconded by Mr. Yager,  
*Ordered*—That the petition of William Brickman and others, be referred to the committee to which was referred the petition of Thomas Archer and others. Of Wm. Brickman and others.

Of President of Port Hope Harbor Company.

On motion of Mr. Roblin, seconded by Mr. Perry,  
*Ordered*—That the petition of the President of the Port Hope Harbour Company be referred to a select committee, to be composed of Messrs. Boulton, Cook, and Yager, with power to send for persons and papers, and leave to report thereon by bill or otherwise.

Bill to amend London and Gore Rail Road Act brought in

Mr. Charles Duncombe, seconded by Mr. Parke, moves for leave to bring in a bill to amend the London and Gore Rail Road Act. Which was granted and the bill read.

Bill referred to committee upon rail roads.

On motion of Mr. Charles Duncombe, seconded by Mr. Parke,  
*Ordered*—That the London and Gore Rail Road Amendment bill be referred to the committee upon rail roads.

Journals of last session on address on duty on Tobacco read.

Pursuant to notice, Mr. Caldwell, seconded by Mr. Rykert, moves, that so much of the Journals of last session as relates to the address on the duty on Tobacco be now read.

Which was carried, and the Journals were read accordingly.—  
Printed Journals, pages 178 and 186.

Address ordered to His Majesty on reduction of duty on Tobacco.

On motion of Mr. Caldwell, seconded by Mr. Cornwall,  
*Ordered*—That an humble address be presented to His Majesty, praying that he will be graciously pleased to recommend to the Imperial Parliament the reduction of the duty on Tobacco, the produce of this Province, imported into the United Kingdom—and that Messrs, Merritt, Wilkinson and Rykert, be a committee to draft and report said address.

Jury bill brought in and read.

Pursuant to notice, Mr. Perry, seconded by McMicking, moves for leave to bring in a bill for the regulation of Grand and Petit Jurors in this Province.

Which was granted and the bill read.

2nd reading Monday next.

*Ordered*—That the bill for the regulation of Grand and Petit Jurors be read a second time on Monday next.

Pursuant to notice, McKay, seconded by Mr. Caldwell, moves that it be

Resolutions respecting the division of the province.

*Resolved* 1st—That the division of the province of Quebec in 1791, while it accomplished the great end in view, viz: to secure to the Western division, then nearly unpeopled the choice of its own laws and institutions, overlooked great and important though then remote considerations.

In amendment—Mr. Mackenzie, seconded by Mr. McIntosh, moves, that after the word “Resolved,” in the original resolution, the whole be expunged, and the following inserted:

Amendment to appoint com'rs to meet com'rs of L. Canada to consider on matters of mutual interest to both Provinces.

“ That it is the desire of this House to cultivate a good understanding with Lower Canada, and that a select committee be appointed to draft and report a bill to this House, for the appointment of Commissioners to meet any Commissioners that may be appointed by the Legislature of Lower Canada, to consider of matters of mutual importance to both Provinces, especially the questions of boundaries, trade, emigration, customs' duties and revenue; that the committee be composed of Messrs. Morrison, Perry, and Chisholm, exclusive of the mover of this resolution.”

On which the yeas and nays were taken, as follows :

Division.

YEAS—MESSIEURS,

Yeas 28.

|                            |            |           |             |
|----------------------------|------------|-----------|-------------|
| Alway,                     | Durand,    | Moore,    | Shibley,    |
| Bruce,                     | Gibson,    | Morrison, | Small,      |
| Chesser,                   | Hopkins,   | Parke,    | Smith,      |
| Chisholm,                  | Lount,     | Perry,    | Thorburn,   |
| Cook,                      | McIntosh,  | Roblin,   | Wells,      |
| Duncombe, <i>Oxford</i> ,  | Mackenzie, | Rymal,    | Woolverton, |
| Duncombe, <i>Norfolk</i> , | McMicking, | Shaver,   | Yager—28.   |

NAYS—MESSIEURS,

|           |           |                   |                |
|-----------|-----------|-------------------|----------------|
| Boulton,  | Lewis,    | McKay,            | Strange,       |
| Caldwell, | McCrae,   | Malloch,          | Walsh,         |
| Cornwall, | McDonell, | Richardson,       | Wilkinson,—15. |
| Dunlop,   | McDonell, | Northumb. Rykert, |                |

Nays 15.

The question of amendment was carried in the affirmative by a majority of thirteen.

The original question as amended, was then put and carried.

Mr. McMahan brought down from His Excellency, the Lieutenant Governor, a Message, with copy of Despatch, containing instructions from His Majesty's government to His Excellency Sir Francis Bond Head, upon his assumption of the government of this Province.

Message from His Excellency the Lieutenant Governor, with despatch containing instructions to His Excellency from His Majesty's Government.

The message and instructions were read.

The message is as follows:

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, the communication alluded to in his speech to the two Houses of the Legislature, on the 27th instant.

The Lieutenant Governor was commanded by His Majesty, to communicate "the substance" of his instructions, to both Houses of the Provincial Parliament; but considering it would be more satisfactory to them to receive the whole, he accordingly transmits it herewith.

Message.

Government House,  
30th January, 1836. }

Despatch—(See Appendix.)

Mr. Mackenzie, seconded by Mr. Wells, moves, that 1,000 copies of the message, despatch, and appended documents, just read, be printed for the use of members, in the form in which the Journals are daily printed, and in addition to the usual quantity ordered to be printed for the Journals.

Motion for printing 1000 copies of message & despatch

In amendment—Mr. Macnab, seconded by Mr. Richardson, moves, that after the word "moves" in the original motion, the rest be expunged, and the following inserted—"that two thousand copies of the message of His Excellency, with the despatch and documents annexed, transmitted to this House, be printed for the use of members, in pamphlet form, with marginal notes."

Amendment for printing 2000 copies

Which was carried.

Amendment carried.

The original question as amended, was then put and carried—and it was

Ordered—That two thousand copies of the message of His Excellency, with the despatch and documents annexed, transmitted to this House, be printed for the use of members, in pamphlet form, with marginal notes.

Mr. Speaker reported having received a letter from the Clerk of the Crown in Chancery.

The letter was read by the clerk as follows :

Clerk Crown in Chancery's Office, }  
Toronto, 30th January, 1836. }

Mr. Speaker reports letter from C. C. Chy announcing the issuing the writ for a member for Lanark, in room of hon. William Morris.

The Clerk of the Crown in Chancery has the honor to report to the honorable the Speaker of the Commons House of Assembly, that in obedience to his Warrant, a Writ of Election for the return of one member to represent the County of Lanark, in the present Parliament, in the room of the honorable William Morris, summoned to the Legislative Council, has been sued out. And that His Excellency, the Lieutenant Governor, has been pleased to appoint John A. H. Powell, Esquire, to be the Returning Officer, and has appointed the election to be held at the town of Perth, on Monday the twenty-second day of February now next ensuing.

S. P. JARVIS,  
Clerk Crown Chancery.

The Honorable MARSHALL S. BIDWELL,  
Speaker of the Commons House of Assembly.

Address ordered thanking His Exc'y for his message of this day and documents transmitted.

On motion of Mr. Mackenzie, seconded by Mr. Alway, *Ordered*—That an address be presented to the Lieutenant Governor, thanking His Excellency for his message of this day, transmitting to this House a despatch from His Majesty's Secretary of State for the Colonies, upon various topics, and assuring His Excellency, that the House of Assembly will not fail to give the several matters therein contained, their most serious consideration; and that Messrs. Charles Duncombe and Gibson, be a committee to draft and report said address.

On motion of Mr. Charles Duncombe, seconded by Mr. Alway, *Ordered*—That when this House adjourns this day, it shall stand adjourned until Wednesday next, at ten o'clock.

House adjourns till Wednesday ten o'clock.

Pursuant to the order of the day, the House adjourned until Wednesday next.

Wednesday, February 3rd, 1836.

The House met.

The minutes of yesterday were read.

Petitions bro't up.

Of Chris. J. Bell.

Mr. Malloch brought up the petition of Christopher J. Bell, of Castleford, district of Bathurst; which was laid on the table.

Of A. Hooker and 348 others.

Mr. Wells brought up the petition of Alfred Hooker and three hundred and forty-eight others, inhabitants of the district of Johnstown; which was laid on the table.

Of Tho's Carr and 243 others.

Mr. Perry brought up the petition of Thomas Carr and two hundred and thirteen others, of the district of Newcastle; which was laid on the table.

Of D. Perry and 175 others.

Mr. Perry brought up the petition of Daniel Perry and one hundred and seventy-five others, inhabitants of the Midland district; which was laid on the table.

Of J. P. Bower & 5 others.

Mr. Perry brought up the petition of J. P. Bower and five others, tanners and manufacturers in leather (Midland district;) which was laid on the table.

Of Ab. Shade and 336 others.

Mr. Macnab brought up the petition of Absalom Shade and three hundred and thirty-six others, of the counties of Halton and Huron; which was laid on the table.

Of R. C. Wilkins and 591 others.

Mr. Alexander Macdonell brought up the petition of Robt. C. Wilkins and five hundred and ninety-one others, of the Midland and Newcastle districts; which was laid on the table.

Of E'd Dickinson and 102 others.

Mr. Walsh brought up the petition of Edward Dickinson and one hundred and two others, of the township of Walsingham, London district; which was laid on the table.

Of Alex'r Vance and 37 others.

Mr. Walsh brought up the petition of Alexander Vance and thirty-seven others, of the township of Houghton, London district; which was laid on the table.

Of John J. Taylor and 202 others.

Mr. Brown brought up the petition of John J. Taylor and two hundred and two others, of the township of Hope, district of Newcastle; which was laid on the table.

Of Abr'm Lazier and 137 others.

Mr. Roblin brought up the petition of Abraham Lazier and one hundred and thirty-seven others, inhabitants of the district of Prince Edward; which was laid on the table.

Of D. Smart and 25 others.

Mr. Roblin brought up the petition of David Smart and twenty-five others, of Port Hope, in the district of Newcastle; which was laid on the table.

Of John Platt and others.

Mr. Roblin brought up the petition of John Platt and six others, of the township of Ameliasburgh (Prince Edward); which was laid on the table.

Mr. Gilchrist brought up the petition of William Ouston, J. P., Of Wm. Ouston and 54 others. and fifty-four others, inhabitants of the township of Hamilton, district of Newcastle; which was laid on the table.

Mr. Gilchrist brought up the petition of Robert Henry and five Of Robert Henry and 5 others. others, directors of the Cobourg rail road company; which was laid on the table.

Mr. Gilchrist brought up the petition of Ebenezer Perry and Of Ebenezer Perry and 40 others. forty others, of Cobourg; which was laid on the table.

Mr. Boulton brought up the petition of Walter C. Crofton, teacher of the district school of Newcastle, and forty-eight others; which Of W. C. Crofton and 48 others. was laid on the table.

Mr. Caldwell brought up the petition of Charles Hairsine and Of Chas. Hairsine and 68 others. sixty-eight others, of the townships of Mersea, Romney and Gosfield; which was laid on the table.

Mr. Small brought up the petition of Thomas Elliott and eighty- Of Tho's Elliott and 86 others. six others, innkeepers, &c. of the city of Toronto; which was laid on the table.

Mr. Mackenzie brought up the petition of Robert S. Whitesides Of Robert Whitesides and 137 others. and one hundred and thirty-seven others, "Christians"; which was laid on the table.

Mr. Mackenzie brought up the petition of John B. Bagwell and Of J B Bagwell & 19 others. nineteen others, inhabitants of Chinguacousy; which was laid on the table.

Mr. Small brought up the petition of Reuben Parkinson, of the Of R. Parkinson. city of Toronto; which was laid on the table.

Mr. Morrison brought up the petition of William Devenish and Of Wm. Devenish and 35 others. thirty-five others, of Scarborough, (York); which was laid on the table.

Mr. Morrison brought up the petition of A. M. Farewell, of the Of A. M. Farewell. township of Whitby (York); which was laid on the table.

Mr. Morrison brought up the petition of L. Hillard and forty-two Of L. Hillard and 42 others. others, masters of British Vessels on Lake Ontario; which was laid on the table.

Mr. Morrison brought up the petition of Abner Nash and four Of Ab. Nash and 496 others. hundred and ninety-six others, of the township of Whitby (York); which was laid on the table.

Pursuant to the order of the day, the following petitions were read :

Of Samuel Carnachan and two others, Commissioners, and J. Of L. Carnachan and 2 others. Colquhoun, town clerk of the township of Tucker-smith, in the London district; praying the House to confirm their appointments as such township officers—there being some dispute as to the legality of their appointment.

Of Andrew Deacon—praying that he may be allowed his per Of And'w Deacon. centage for several years, viz: 1822, '23, '24, '29, '30, '32 and '33, which has been disallowed by the Inspector General under a strict interpretation of the law.

Of John Burwell, of Port Burwell, in the district of London— Of John Burwell. praying that a competent Engineer may be employed to survey Big Otter Creek, and report on the best method of improving the same, before any charter is granted for that purpose.

Of George Hamilton, J. P. and forty others, of the Ottawa Of Geo. Hamilton, J. P. 40 others. district—praying for an alteration in the Act granting monies for the support of common schools.

Of John Poore and two hundred and forty-one others, of Guelph, Of John Poore & 241 others. in the district of Gore—praying that certain townships may be created into a new district, with Guelph for the district town.

Of T. A. Stewart  
and 650 others.

Of Thomas A. Stewart and six hundred and fifty others—praying that this House will not fail to grant a sufficient sum for the commencement of the contemplated improvements between Lake Simcoe and Bay of Quinte’.

Of Johnson Marsh:

Of Johnson Marsh, of Hope, in the Newcastle district—praying to be naturalized.

Of D. Crosthwaite.

Of Daniel Crosthwaite of Barton, a commissioner for expending the sum of one hundred pounds on the highways; stating that he has been obliged to pay the money out of his private funds, and praying relief.

Of And'w Geddes  
& 65 others.

Of Andrew Geddes and sixty-five others, of the township of Woolwich, in the district of Gore; praying that the district may not be at present divided.

Of C Kitchen and  
3 others.

Of Charles Kitchen and three others, a committee for building a bridge over the Grand River, in the fifth concession of the township of Dumfries; praying the sum of fifty pounds to relieve them from their present liabilities, and fifty pounds to complete the said bridge.

Of Robert Reid &  
444 others.

Of Robert Reid and four hundred and forty-four others, of the Newcastle district—praying for either a division of that district or a division of the Province into new districts.

Of Rob't P Madge  
J P and 16 others.

Of Robert P. Madge, J. P. and sixteen others, of the township of Harvey, in the Newcastle district—praying the sum of fifty pounds to improve the stream which unites Sandy lake and Buckhorn lake, in that district.

Of Rich'd Graham  
& 63 others.

Of Richard Graham and sixty-three others, of Bertie, in the Niagara district—stating, that the original monuments are nearly all destroyed—and praying the House to devise some means of ascertaining and finally establishing the same, and thus put an end to the continuance of strife and litigation.

Of Alex'r Fletcher  
and 31 others.

Of Alexander Fletcher and thirty-one others, inhabitants of the township of Darlington, district of Newcastle—praying that either the survey of the said township made by Mr. Wilmot be confirmed or a new survey authorised.

Of A Meyer and  
others

Of Adolphus Meyer and Archibald Dickson, commissioners, and John W. Meyer, town clerk, of the township of McKillop (Huron)—praying the interference of the House in respect to the illegal means used in getting up a township meeting.

Of Jos. Tomlinson  
and 15 others.

Of Joseph Tomlinson and fifteen others, of the township of Markham, Home district—praying for the sum of fifty pounds towards building a bridge over the River Rouge in said township.

Of G. A. Latham  
M. D.

Of George A. Latham, M. D., of the city of Toronto—praying the House to take into consideration the state and condition of the Toronto Hospital.

Notices.

Of reading Journals on petition of David Ballentine & others.

Mr. Wells gives notice, that he will, on to-morrow, move for the reading of so much of the Journals of the last session as relates to the petition of David Ballentine and others, inhabitants of the town of Prescott.

For select com'tee on geological survey of the province.

Mr. Mackenzie gives notice, that on to-morrow, he intends to move for the appointment of a select committee, to prepare and submit to the House, a plan for the Geological survey or examination of this Province.

For address on management and discipline of prisons.

Mr. Dunlop gives notice, that he will, on to-morrow, move for the appointment of a committee to draft an address to His Excellency, praying His Excellency to lay before this House such communications as he may have received since last session, on the interior management and on the moral discipline observed in our prisons.

Mr. Small gives notice, that he will, on to-morrow, move, that so much of the Journals of last session be read as relates to the petition of W. W. Baldwin and others, of the city of Toronto—praying to be incorporated for the purpose of supplying the city of Toronto with water. Notices.  
Of reading Journals on petition of W W Baldwin and others.

Mr. Macnab gives notice, that he will, on to-morrow, move for leave to bring in a bill to alter and amend an Act passed in the fourth year of the reign of William the Fourth—entitled, “*An Act to incorporate certain persons under the style and title of the London and Gore Rail-road Company.*” Of bill to amend Hamilton and Port Dover rail road act.

Mr. Wilson gives notice, that he will, on to-morrow, move for the reading of the Journals of last session relating to the erecting of a light house on Presquisle Point, in the Newcastle district. Of reading Journals on light house on Presquisle Point.

Mr. Roblin from the select committee to which was referred the petition of Thomas Archer and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Select com. on pet. of Tho's Archer and others report.  
Ameliasburg survey bill.

The report was received, and the bill was read the first time. Bill read 1st time.  
*Ordered*—That the Ameliasburgh survey bill be read a second time to-morrow. 2d reading to-mor-row.

Mr. Thorburn from the select committee on canals and internal improvements, to which was referred the petition of John McLean and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Sel. com. on canals and internal improvement report. 30 mile creek harbour bill.

The report was received, and the bill was read the first time. Bill read 1st time.  
*Ordered*—That the bill to incorporate a company to construct a harbour at the mouth of the thirty mile creek, in the township of Grimsby, be read a second time to-morrow. 2d reading to-mor-row.

Mr. Small from the select committee to which was referred the petition of James Brown and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Sel. com. on pet. of Ja's Brown report naturalization bill.

The report was received, and the bill was read the first time. Bill read 1st time.  
*Ordered*—That the bill to naturalize certain persons, be read a second time to-morrow. 2d reading to-mor-row.

Mr. Shibley from the select committee to which was referred the petition of William Simpkins, Esquire, and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Sel. com. on pet. of W'm Simpkins report Loughboro' survey bill.

The report was received, and the bill was read the first time. Bill read 1st time.  
*Ordered*—That the Loughborough Survey bill be read a second time to-morrow. 2d reading to-mor-row.

On motion of Mr. Boulton, seconded by Mr. Dunlop, Petitions referred.  
*Ordered*—That the petition of Robert Ried and others, be referred to the committee on the division of districts. Of Rob't Reid and others.

On motion of Mr. McKay, seconded by Mr. David Duncombe, Mr. Macnab added to com. on division of districts.  
*Ordered*—That the name of Macnab be added to the committee for general division of districts.

On motion of Mr. Wells, seconded by Mr. Cook, Of J Marsh.  
*Ordered*—That the petition of Johnson Marsh be referred to the committee on the petitions of aliens.

On motion of Mr. Boulton, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of the magistrates of the district of Newcastle be referred to a special committee, to consist of Messrs.

Of magistrates of Newcastle district. Gilchrist, McDonell, *Northumberland*, Brown, and Roblin, with power to send for persons and papers, and to report thereon by bill or otherwise.

Of Alex'r Fletcher and others. On motion of Mr. Boulton, seconded by Mr. McNab. *Ordered*—That the petition of Alexander Fletcher, Esquire, and others, be referred to a special committee, to consist of Messrs. Rykert, Gibson, Roblin, and Shaver, to report thereon by bill or otherwise, with power to send for persons and papers.

Of Rich'd Graham and others. On motion of Mr. McMicking, seconded by Mr. Thorburn. *Ordered*—That the petition of Richard Graham and others, be referred to a select committee, composed of Messrs. Perry, Gibson, Walsh, and Rykert, with power to send for persons, papers, and records, and report by bill or otherwise.

Of W E Clark and others. On motion of Mr. Macnab, seconded by Mr. Boulton. *Ordered*—That the petition of William Eddy Clark and others, be referred to a select committee, consisting of Messrs. Wilkinson and Richardson, with leave to report by bill or otherwise.

Of E. T. Beach. On motion of Mr. Macnab, seconded by Mr. Boulton. *Ordered*—That the petition of Ebenezer T. Beach, be referred to the committee to whom was referred the petition of William Eddy Clark and others, with leave to report by bill or otherwise.

Of T A Stewart and others. On motion of Mr. Boulton, seconded by Mr. Caldwell. *Ordered*—That the petition of Thomas A. Stewart and others, be referred to the committee on canals and internal improvement.

Of J. Burwell, Esq. On motion of Mr. Walsh, seconded by Mr. Rymal. *Ordered*—That the petition of John Burwell, Esquire, be referred to a select committee with leave to report thereon by address or otherwise, and that Messrs. Rykert and Caldwell do compose the said committee, with power to send for persons and papers.

Of S Ketchum and others. On motion of Mr. Mackenzie, seconded by Mr. McIntosh. *Ordered*—That the petition of Seneca Ketchum and others, be referred to the select committee to which was referred the petition of John Finch and others.

Committees on Education and on Common Schools and School Lands to be united into one com. On motion of Mr. Chisholm, seconded by Mr. Bruce. *Ordered*—That the select committee on the subject of education, and the standing committee on the subject of common schools, and school lands, be blended into one committee, and that Messrs. Gilchrist and Rykert be added to the said committee, and that the 31st rule of this House be dispensed with so far as relates to this motion.

Journals on pet. of City Council read. Pursuant to notice, Mr. Small, seconded by Mr. Morrison, moves that so much of the Journals of last session as relates to the petition of the Mayor, Aldermen, and Commonalty of the city of Toronto be now read.

Which was carried, and the Journals were read accordingly.

(See printed Journals, page 207.)

Petition of City Council referred. On motion of Mr. Small, seconded by Mr. Morrison. *Ordered*—That the petition of the Mayor, Aldermen, and Commonalty of the city of Toronto be referred to the committee on the incorporation of towns and villages.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Wilson, moves that it be—

Resolution for address to His Exc'y for information on Post Office depart't. *Resolved*—That an humble address be presented to His Excellency the Lieutenant Governor, requesting that he would communicate to this House for its information, the several detailed statements concerning the revenue and expenditure of the Post Office Department in these Colonies, which is required by an address of the House to the Lieutenant Governor reported from the Committee on Grievances, dated the 24th of February last; with every other information concerning the income, expenditure, and manage-



ment of that department, during the year 1835, which might be likely to assist the House in forming a correct opinion as to the mode in which a provision can be made by law so as to prevent the proceeds of the Post Office tax from being sent to Europe, and to organize an efficient Post Office within the Colony; and that Messrs. Shaver and Cook be a committee to draft and report said address.

*Ordered.*

Mr. Shaver from the committee to draft and report an address to His Excellency the Lieutenant Governor, requesting His Excellency to communicate to this House certain information relating to the Post Office department, reported a draft which was received, read twice, adopted, and ordered for a third reading to day.

Address to His Excellency on P. Office department reported.  
Read twice.  
Address read third time, passed and signed.

Pursuant to the order of the day, the address to His Excellency, the Lieutenant Governor, was read the third time, passed and signed, and is as follows:

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in provincial Parliament assembled, humbly request Your Excellency to communicate to this House for its information, the several detailed accounts concerning the revenue and expenditure of the Post Office Department in these Colonies, which is required by an address of the House to the Lieutenant Governor, reported from the Committee on Grievances, dated the 24th of February last, with every other information concerning the income, expenditure, and management of that department, during the year 1835, which might be likely to assist the House in forming a correct opinion as to the mode in which a provision can be made by law so as to prevent the proceeds of the Post Office tax from being sent to Europe, and to organize an efficient Post Office within the Colony.

Address to the Lt. Governor on the subject of the Post Office department.

MARSHALL S. BIDWELL,

*Speaker.*

*Commons House of Assembly, }  
3rd February, 1835. }*

On motion of Mr. Mackenzie, seconded by Mr. Wells,

*Ordered*—That Messrs. Thorburn and McMicking be a committee to wait upon His Excellency the Lieutenant Governor with the address of this House, to ascertain when he will be pleased to receive it, and to present the same.

Com. to wait on His Exc'y with the address.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. McIntosh, moves that it be

*Resolved*—That an humble Address be presented to His Excellency, the Lieutenant Governor, setting forth, that on the 3rd day of March last, this House addressed the late Lieutenant Governor, requesting certain detailed information relative to Upper Canada College, and King's College, of which, up to this date, the first, second, fourth, fifth and sixth items, have been withheld without any good or sufficient reason, being alleged on the part of the Executive Government or the officers entrusted with the funds of these institutions, and humbly praying His Excellency, that the information prayed for in the said Address may be communicated to the House at the earliest possible period; and that as soon as they can be prepared, returns may be made to the House, containing the information relative to revenue and expenditure of these institutions and of the number of scholars and course of education in Upper Canada College; and that Messrs. Lount and Waters be a committee to draft and report said Address.

Resolution for an address to His Exc'y for information relative to U. Canada College and King's College.

Mr. Waters from the Select Committee to draft and report an address to His Excellency, the Lieutenant-Governor requesting His Excellency to communicate to this House certain information respecting U. C. College reported a draft, which was received and read twice, adopted and ordered to be engrossed and read a third time this day.

Address to His Excellency on Upper Canada College and King's College,—reported.

Read twice.

Pursuant to the order of the day the Address to His Excellency

Read third time, passed and signed.  
 the Lieutenant-Governor was read the third time, passed and signed  
 and is as follows :

To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to inform Your Excellency that on the 3rd day of March last, this House addressed the late Lieutenant Governor requesting certain detailed information relative to Upper Canada College and King's College, of which, up to this date, the following items prayed for in that address, viz :

"*First*—The whole expense which has attended the building of Upper Canada College, with the houses, out-houses, and gardens, thereto belonging, and all the improvements and alterations made in the said premises from the commencement up to this time; with the authority under which such buildings were erected, and such alterations and improvements made, and from what funds the payments have been severally taken."

"*Second*—The expenditure which has been made on the grounds purchased for King's College from the time the grounds were purchased; with all the salaries, incomes, allowances, fees, perquisites, and emoluments of every description, paid or ordered to be paid to any persons as officers, servants, or workmen, or in any other way connected with the institution up to this date; shewing what each person has received, and describing the services he has rendered therefor, and the sums alleged to be due to any persons, as officers of the said institution."

"*Fourth*—The receipts, arising from whatever source, of the Upper Canada College, since the 30th June, 1831; the debts due the College; the income arising from fees of tuition, and the rates of tuition,—also the expenditure of the College since the said 30th June, 1831, detailing the fixed salaries and the contingencies, and mentioning to whom they were severally paid, and at what times, and for what services, and stating all debts or obligations against the institution, and the whole income, wages, emoluments, and allowances paid to its officers and servants, severally."

"*Fifth*—Full and detailed statements of particulars of the receipts and payments of which a general abstract only is given in the documents respecting King's College, Upper Canada College, and the General Board of Education, which accompanied Your Excellency's Message to this House of the 12th January, 1832; and pointing out what the services are for which certain officers not named, had received £200 up to that period, and claimed £400 more as arrearages from the funds of King's College."

"*Sixth*—A statement going into particulars and shewing what monies have been paid into the Treasury of King's College since the 30th June, 1831, and mentioning the reasons, if any, why the funds of King's and Upper Canada College might not be paid to and by the Receiver General, and the burthen of a plurality of officers and offices removed, have been withheld without any good or sufficient reason being alledged on the part of the Executive Government, or the officers entrusted with the funds of these institutions; and we humbly pray Your Excellency, that the information prayed for in the said Address may be communicated to us at the earliest possible period; and that as soon as they can be prepared, returns may be made to the House, containing the information, relative to the revenue and expenditure of these institutions, and of the number of scholars and course of education in Upper Canada College.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
 February 3rd, 1836. }

On motion of Mr. Mackenzie, seconded by Mr. Cook,

Com'tee to wait on His Excellency with address.

*Ordered*—That Messrs. Roblin and Shaver be a committee to wait upon His Excellency the Lieutenant Governor with the address of this House, to learn when he will be pleased to receive it, and to present the same.

Pursuant to notice Mr. Mackenzie, seconded by Mr. Parke, moves that it be

Resolution for information concern'g the Talbot settlement.

*Resolved*,—That an humble address be presented to His Excellency the Lieutenant Governor, setting forth, that the Committee on Grievances reported an address to the late Lieutenant Governor, which passed this House on the 28th March last, requesting information concerning the location and settlement of upwards of three hundred thousand acres in the London and Western Districts by Colonel Thomas Talbot, and

an account of the uses to which the fees and the proceeds of lots sold have been appropriated, with other information more particularly set forth in the said address.

As also, that another address passed the House on the 1st April last requesting information as to Colonel Talbot's instructions, and other particulars relative to the said lands, as is therein set forth—and that the information thus sought for is up to this period withheld from the House.

And praying that His Excellency would cause the proper officer to lay the statements required by these addresses before the House for its information, and that Messrs. Wells and Moore be a committee to draft and report said address.

*Ordered.*

Mr. Wells from the select committee to draft and report an address to His Excellency the Lieutenant Governor, requesting His Excellency to communicate certain information in relation to lands in the hands of the Honorable Thomas Talbot, presented a draft, which was received and read twice, adopted, and ordered to be read a third time this day.

Address to His Ex. for information on Talbot settlement reported.  
Address read twice.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor, was read the third time, passed, and signed, and is as follows:

Read third time, passed and signed.

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to inform Your Excellency that the committee on grievances reported an address to the late Lieutenant Governor, which passed this House on the 28th day of March last, requesting information concerning the location and settlement of upwards of three hundred thousand acres in the London and Western districts, by Colonel Thomas Talbot, and an account of the uses to which the fees and the proceeds of lots sold have been appropriated, with other information more particularly set forth in the said address.

Address to His Ex. the Lieut. Governor for information concerning the location &c. of the Talbot settlement.

As also, that another address passed this House on the 1st of April last, requesting information as to Colonel Talbot's instructions and other particulars relative to the said lands, as is therein set forth—and that the information thus sought for is, up to this period, withheld from the House.

We therefore pray that Your Excellency would cause the proper officer to lay the statements required by these addresses before us for our information.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
3d Feb'y. 1836. }

On motion of Mr. Mackenzie, seconded by M. Bruce,

*Ordered*—That Messrs. Perry and Parke be a committee to wait upon His Excellency to learn when he will be pleased to receive the Address of this House, and to present the same.

Com: to wait on His Exc'y with the address.

Mr. Gibson, from the committee to draft an Address to His Excellency, the Lieutenant Governor, thanking His Excellency for his message of Saturday last, reported a draft, which was received, and read twice, adopted, and ordered to be read a third time this day.

Address of thanks for message and despatch of Saturday last, reported—read twice.

Pursuant to the order of the day, the Address to His Excellency, the Lieutenant Governor, was read a third time, passed and signed, and is as follows:

Address read third time, passed and signed.

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address of thanks to His Exc'y for his message and the despatch sent down on Saturday last.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled—thank Your Excellency for your message of Saturday last, transmitting to this House a despatch from His Majesty's

Secretary of State for the Colonies, upon various topics, and assure Your Excellency, that the House of Assembly will not fail to give the several matters therein contained, their most serious consideration.

*Commons House of Assembly,* }  
31 day of February, 1836. }

MARSHALL S. BIDWELL,  
*Speaker.*

On motion of Mr. Mackenzie, seconded by Mr. Morrison,  
*Ordered*—That Messrs. Gibson and McIntosh be a committee to wait upon His Excellency, to learn when he will be pleased to receive the address of this House, and to present the same.

Com. to wait on His Exc'y with address of thanks.

Motion for an address to His Exc'y the Lt. Gov. requesting certain correspondence prayed for last session relative to removal of crown officers.

Mr. Mackenzie, seconded by Mr. Morrison, moves, that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency to transmit to this House copy of the correspondence desired to be obtained by its address to His Excellency Sir John Colborne, dated the 19th of January, 1835, relative to the removal of the late Attorney and Solicitor General; the appointment of the present Attorney General, and the reappointment of the Solicitor General, and concerning the several expulsions of a member of this House in the last Parliament.

Also, any despatches relative to the continuance in office of Mr. Hagerman, Solicitor General, altho' he opposed many beneficial measures recommended by the Earl of Ripon in his despatch.

Also, any despatches that would serve to explain to this House the apparent contradiction between the royal instructions relative to the dismissal or resignation of public officers when they cease to give a conscientious support to the measures of the government and the continuance in office of Mr. Hagerman, notwithstanding his unqualified opposition to many beneficial measures recommended by the Earl of Ripon, as it is set forth in the seventh report of the committee on grievances. His Excellency will also perceive, on reference to our Journals of the 9th day of February, 1833, that the Solicitor General opposed an address to His Majesty, "thanking him for the prompt attention that he had been most graciously pleased to pay to the representations and petitions, not only of his faithful commons, but also of His Majesty's faithful and loyal people in this Province; and to express to His Majesty our sincere gratitude for the many valuable measures that His Majesty had been most graciously pleased to suggest and recommend to the government of this Province, which are eminently calculated, if acted upon, to render His Majesty's subjects in this Province more happy and contented," and which are contained in the despatch sent down by message on the 19th January, 1833, which despatch His Excellency is called upon to carry into effect. Mr. Hagerman proposed a measure of a very different character; the form of an address to His Excellency Sir John Colborne, to prevent a vote of thanks to His Majesty, and his amendment was never carried through the usual stages. We do not doubt but that Mr. Hagerman's opposition to the measures proposed by his Sovereign was conscientious, but we cannot persuade ourselves that he would very sincerely cooperate in effecting the reforms he so much deprecates.

Requesting His Excellency's attention to the third report of the committee of finance of last session, on the defalcation of Mr. Hagerman, and the proceedings of Mr. Inspector General Markland thereon; and that information may be laid before the House what steps have been taken by the government on that report (copy of which is transmitted herewith).

Also, copies of despatches of Sir John Colborne dated 12th and 16th September.

Also, copy of the despatches of His Excellency Sir John Colborne to the Secretary for the colonies, dated the 12th and 16th of September last, the latter containing His Excellency's observations on some of the topics embraced in the aforesaid report on grievances, and which have happily engaged the paternal attention of our most gracious sovereign.

Also, copy of communication from Colonial Office on Forsyth's case.

Also, copy of any communications from the colonial office relative to the address of this House accompanying a report and evidence from the committee on grievances, on the complaint of William Forsyth, late proprietor of the Niagara Falls Hotels.

And copy of all communications from Colonial office of a general interest sent since the period of general election—referred to in despatch sent down on Saturday last.

And, copy of all those communications from the colonial office, on matters of public or general interest to the inhabitants of this Province, addressed to His Excellency's predecessor in the administration of the government since the period of the general election of members to serve in the present House of Assembly, and referred to in the despatch of the Secretary of State, sent down to this House on Saturday last, as being for His Excellency's guidance and instruction.

For names of the Executive Council.

By the statute of the United Kingdom Parliament, commonly called the constitutional Act, the Executive Council is appointed expressly to advise the Lieutenant Governor upon the affairs of the Province, and a permanent provision was made by law, on the request of the government, for the payment of annual salaries to five Executive Councillors. The House is desirous to learn the names of the persons who compose His Excellency's Executive Council, with the date at which they were sworn into office, and

whether they are considered by His Excellency as appointed in conformity with the spirit of the royal instructions, from among that class of His Majesty's subjects who have given a conscientious support to those measures of the government which are enumerated in the despatch of the Earl of Ripon, of the 8th November, 1832.

Although fully convinced that His Excellency sincerely desires to co-operate with this House in the arduous and important duties which, by the command of our revered Sovereign, we are called to perform, we feel assured that unless His Excellency takes into his councils, men in whose loyalty, patriotism and discretion, His Excellency and this House can place mutual confidence, the reforms, sought for by the people, and which it is the anxious wish of His Majesty to accomplish, will not be likely to be brought to an early and happy termination.

In reply to the representations of this House to His Majesty against the constitution and composition of the Legislative Council, the despatch of Lord Glenelg refers with approbation to the report of the committee of the House of Commons in 1828. We cannot easily reconcile the principles adopted in that report and despatch with the recent appointment of William Morris, Esquire, to a seat in the Legislative Council.— Mr. Morris was generally to be found in the minority referred to by His Lordship, when he was a member of this House during the last session; and our Journals of 24th of January, 1833, shew that so far from being attached to those reforms, to the progress of which the Legislative Council are so great an obstacle, he moved in this House the resolutions to insult our most gracious Sovereign, and Lord Ripon his minister, by sending back to the Colonial Office the despatch of the 8th of Nov. 1832, to the instructions contained in which the King continues to adhere.

We are anxious to obtain copies of any communications between the Colonial office and the Lieutenant Governor, relating to this addition to the numbers of the Legislative Council, a measure not likely to lessen the unhappy differences which exist between the two Houses, one result of which in the present session we greatly deplore, because it involves the continued disfranchisement of the electors of a large and populous county, the interests of which and of the Province as therewith connected are neglected and injured, because the Council neglects or declines to sanction a law which would afford those safeguards to the electors, which in times of unusual excitement they stand in need, as is shewn by the resolutions of special committees of this House, acting upon oath in a judicial capacity. We are also desirous to obtain copies of any other correspondence between the Colonial office and the Colonial government concerning the nomination or appointment of any other persons to the Legislative Council, and of the answers made by them, if any, to notifications that such appointments had been made.

On the 15th of April last, a resolution was reported to the House from the committee on Finance, which the House adopted, as containing their views on the important question of the appropriation of the proceeds of the natural revenues of the country by the Legislature, and especially remonstrating against the charter and improvident grants to the Canada Company which have proved and are likely to continue to prove very injurious to the country. This resolution was opposed by Mr. Morris, whose elevation to the Council we have already adverted to, but agreed to by a large majority, and sent up to His Excellency Sir John Colborne to be by him transmitted to His Majesty. As there are several important topics contained in that resolution, on which the despatch sent down on Saturday last is silent or not very explicit, we would gladly receive any communications of the royal pleasure, with respect to those matters which Your Excellency may think fit to transmit to the House.

The office of Speaker of the Legislative Council is held during the pleasure of the Executive, by the present Chief Justice of the Province, who not only sanctioned the extraordinary and unusual address and proceedings of the Legislative Council in the matter of Lord Ripon's despatch recommending measures of reform, but is generally understood to have been the author of that address, to which the 7th report of the committee on grievances has a special reference. Entertaining the political sentiments he has avowed, in opposition to the beneficial declarations of the government, it appears to us at variance with the principles avowed by His Majesty, that Mr. Robinson should continue to hold this office; and this House would consider the administration of justice as less liable to injurious suspicions, if the Judges were to cease to interfere in the political disputes of the day and confine themselves to their appropriate sphere, which is the early and equal administration of the laws.

His Majesty was very graciously pleased, in conformity with the petitions of the people, to intimate to the Bishop of Regiopolis and the Archdeacon of York, several years ago, his royal desire, that they would resign their seats in the Councils, and devote their time to their high spiritual functions as ministers of religion; notwithstanding which they have since continued to mix themselves up with the secular concerns of the colony by attending in the Legislative Council as members of that House.— We trust that your Excellency, in fulfilment of the benevolent wishes of the King will take such steps to carry into effect the royal instructions, as may enable the Bishop and the Archdeacon to make their election, either of abandoning their political labors in the Legis-

Men composing the councils of His Excellency should have mutual confidence of His Exc'y and the House.

Lord Glenelg refers to report of the com. of the H. of Com'ns in 1828 with approbation.

Mr. Morris's appointment to Leg. Council irreconcilable with the principles contained in said report.

Desire to obtain copy of communications between colonial office and Lieut. Governor relating to the addition to Legislative Council.

That Speaker of Leg. Council would better serve the country by attending wholly to his judicial functions.

And that His Exc'y will take steps to carry into effect the benevolent wishes of the King in respect to the Bishop of Regiopolis & the Archdeacon of York.

ture or of quitting all claim to any salaries, pensions, or other emoluments they now hold or enjoy during the pleasure of the government.

And that the 31st rule of this House be suspended so far as it would affect this motion.

Amendment.

In amendment Mr. Macnab, seconded by Mr. Boulton, moves that the question be not now put, but that the resolution be referred to a committee of the whole House on Wednesday next, and that it be the first item on the order of the day for that day.

Division.

On which the yeas and nays being taken were as follows :

YEAS—MESSIEURS.

|          |           |                            |             |                |
|----------|-----------|----------------------------|-------------|----------------|
| Yeas 18. | Boulton,  | McCrae,                    | Malloch,    | Small,         |
|          | Brown,    | McDonell, <i>Northumb.</i> | Richardson, | Strange,       |
|          | Caldwell, | McKay,                     | Roblin,     | Walsh,         |
|          | Dunlop,   | McLean,                    | Rykert,     | Wilkinson,—18. |
|          | Lewis,    | McNab,                     |             |                |

NAYS—MESSIEURS,

|          |                           |                            |            |             |
|----------|---------------------------|----------------------------|------------|-------------|
| Nays 25. | Alway,                    | Gibson,                    | McMicking, | Shaver,     |
|          | Bruce,                    | Gilchrist,                 | Moore,     | Shibley,    |
|          | Chesser,                  | Hopkins,                   | Morrison,  | Thorburn,   |
|          | Chisholm,                 | Lount,                     | Parke,     | Waters,     |
|          | Cook,                     | McDonell, <i>Stormont.</i> | Perry,     | Wells,      |
|          | Duncombe, <i>Norfolk,</i> | Mackenzie,                 | Rymal,     | Wilson,—25. |
|          | Durand,                   |                            |            |             |

Amendment lost. majority 7.

The question of amendment was decided in the negative by a majority of seven

Master in Chancery brings down papers from leg. council

Mr. Boulton, Master-in-Chancery, brought down from the Honorable the Legislative Council, several papers, and having presented the same at the clerk's table, retired.

Debates on motion ensued,

On the original motion of Mr. Mackenzie debates ensued.

Amendment to adjourn the debate.

Mr. Perry, seconded by Mr. Bruce, moves that the debate be adjourned until to-morrow, and that it be the first thing on the order of the day.

Carried.

Which was carried, and the debate was adjourned accordingly.

Mr Speaker reports three bills from Leg. council for concur of this House.

Mr. Speaker reported that the Master-in-Chancery had brought down from the Honorable the Legislative Council a message and a bill entitled *An Act to amend the law respecting bills of exchange and promissory notes*, and a bill entitled *An Act for the further amendment of the law and the better advancement of justice*, and also a bill entitled *An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace in each of the several districts of this province and to repeal the several laws now in force for that purpose*, all of which that Honorable House had passed and requested the concurrence of this House thereto.

The message was read as follows :

MR. SPEAKER :

Message from Leg council.

The Legislative Council request that the Commons House of Assembly will be pleased to communicate the proofs and documents (if any there be) upon which the bill entitled *An Act to regulate the prices to be charged for printing official advertisements*, and also the bill entitled *An Act to ensure the more regular and economical printing of the Statutes of this Province, and of those Statutes of the Imperial Parliament which may particularly concern this Province to provide that the said Statutes be printed by contract, and also to regulate their distribution*, were severally founded.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
2nd day of February. }

The bill sent down from the honorable the Legislative Council, entitled, *An Act to amend the law respecting bills of exchange and promissory notes*, was read the first time. Exchange and promissory note bill read 1st time.

*Ordered*—That the bill be read a second time to-morrow.

The bill sent down from the honorable the Legislative Council, entitled, *An Act for the further amendment of the law and the better advancement of justice*, was read the first time. 2nd reading to-morrow. Law and Justice amendment bill read 1st time.

*Ordered*—That the bill be read a second time to-morrow.

The bill sent down from the honorable the Legislative Council, entitled, *An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace in each of the several districts of this Province, and to repeal the several laws now in force for that purpose*, was read a first time. 2nd reading to-morrow. Gen'l Q'r Sessions bill read 1st time.

*Ordered*—That the bill be read a second time to-morrow.

Adjourned.

**Thursday, 4th February, 1836.**

The House met.

Petitions bro't up.

The minutes of yesterday were read.

Mr. Robinson brought up the petition of Daniel McLeod and seventy-four others, inhabitants of the Home district; which was laid on the table. D McLeod & others

Mr. Robinson brought up the petition of Jacob Laing and one hundred and three others, inhabitants of the Home district; which was laid on the table. J Laing and others.

Mr. Morrison brought up the petition of Peter Taylor and one hundred others, of the eastern parts of the Home and western parts of the Newcastle districts; which was laid on the table. P Taylor and others

Mr. Strange brought up the petition of John Macaulay, Esquire, and ten others, magistrates of the Midland district; which was laid on the table. J Macaulay & others

Mr. Durand brought up the petition of John O. Hatt and two hundred and thirty-five others, inhabitants of the Gore district; which was laid on the table. J O Hatt & others.

Mr. Durand brought up the petition of John Miller and ninety-six others, of the village of Dundas; which was laid on the table. J Miller & others

Mr. Durand brought up the petition of R. H. Edgar and ninety-two others, inhabitant householders and freeholders in the village of Dundas; which was laid on the table. R H Edgar and 92 others.

Mr. Solicitor General brought up the petition of Thomas Markland and two hundred and nine others, freeholders and householders of the town of Kingston; which was laid on the table. T Markland and others.

Mr. Solicitor General brought up the petition of James Nickalls, Junr. and nineteen others, committee of management of the Kingston Mechanics' Institute; which was laid on the table. J Nickalls & others

Mr. Solicitor General brought up the petition of Thomas Markland and sixty-six others, inhabitants of the Newcastle and Midland districts; which was laid on the table. T Markland and others.

Mr. Durand brought up the petition of John Keagey, Junr. and eight others, inhabitants of the district of Gore; which was laid on the table. J Keagey jun and others.

Mr. Solicitor General brought up the petition of the honorable C. W. Grant and thirty-seven others, inhabitants of the town of Kingston; which was laid on the table. Hon C W Grant & others.

Notices  
Of address to His Majesty on duty on Baltic timber.

Mr McKay gives notice, that he will, on to-morrow, move for a committee to be appointed to draw up an address to His Majesty, praying that the duty on Baltic timber may not be taken off, as it must greatly injure the timber trade and shipping in the British North American Colonies.

Reading Journals on petition of A. M'Faul.

Mr. Wilson gives notice, that he will, on to-morrow, move for the reading of the Journals of last session, on the petition of Archibald McFaul, Esq. of Hallowell, relating to monies expended by him the said Archibald McFaul, in opening a public road in the district of Prince Edward, leading from Wellington to Belleville.

Committee on petition of Edmonds Chandler report Belleville police bill.

Mr. Roblin from the select committee to which was referred the petition of Edmonds Chandler and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read 1st time.

The report was received, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Belleville police bill be read a second time to-morrow.

Committee on petition of E.T. Beach report Beach relief bill.

Mr. Richardson from the select committee to which was referred the petition of Ebenezer Talman Beach, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read 1st time.

The report was received, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill to relieve the heirs of the late Abraham Beach be read a second time to-morrow.

Committee on petition of J. Steele, Esq., and others, report by bill.

Mr. Boulton from the select committee to which was referred the petition of John Steele, Esq. and others, magistrates of the district of Newcastle, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read 1st time.

The report was received, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill to enable the Clerk of the Peace of the district of Newcastle to sell and transfer the site on which the old Court House stood, be read a second time to-morrow.

Committee on petition of W. E. Clark, report bill to naturalize certain persons.

Mr. Richardson, from the select committee, to which was referred the petition of William Eddy Clark and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read 1st time.

The report was received, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill to naturalize certain persons, be read a second time to-morrow.

Petitions referred. Of J. Poore and others.

On motion of Mr. Durand, seconded by Mr. Hopkins,  
*Ordered*—That the petition of John Poore and others, of the township of Guelph in the district of Gore, praying for a new district, to be erected out of certain townships, be referred to the committee on the division of districts.

On motion of Mr. Durand, seconded by Mr. Rymal,

Of Andrew Goddes and others.

*Ordered*—That the petition of Andrew Geddes and others, of the township of Woolwich, in the district of Gore, praying against the division of part of said district, be referred to the committee on the division of districts.

On motion of Mr. Durand, seconded by Mr. Rymal,

Of Charles Kitchen and others.

*Ordered*—That the petition of Charles Kitchen and others, of the township of Dumfries, be referred to the committee on roads and bridges.



On motion of Mr. Mackenzie, seconded by Mr. Alway,  
*Ordered*—That the petition of Geo. A. Latham, M. D. of the city of Toronto, concerning the misappropriation of the funds of the town and county hospital in this city, be referred to a select committee, to be composed of the members for this city and county.

Of G. A. Latham.

Mr. Thorburn from the select committee to wait upon His Excellency, the Lieutenant Governor, to know when he would receive the address of this House on the subject of information on the post office department—reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer:

Com'tee to wait on His Excellency, report answer.

GENTLEMEN :

I shall transmit to the House of Assembly, in compliance with this address, the documents which have been received from the Deputy Post Master General, with as little delay as possible.

Answer of His Excellency to address on post office.

Pursuant to the order of the day, the debate on Mr. Mackenzie's motion for address to His Excellency of yesterday, was resumed.

Mr. Mackenzie's motion of yesterday resumed.

In amendment, Mr. Perry, seconded by Mr. Roblin. moves, that after the word "office" in the original motion, on the first page, the whole be expunged and the following inserted—

"Of persons composing the Executive Council and legal advisers of the government, notwithstanding their opposition to many urgent and beneficial measures of reform so often and loudly called for by a large majority of the people of the colony, and recommended by the Earl of Ripon as set forth in his despatch of the 5th November, 1832; which opposition, and utter contempt of the wishes of the people and the recommendation of His Majesty's government as aforesaid, will more strikingly appear by reference to the Journals in regard to proceedings had on the said despatch, which was sent down to both Houses by His Excellency Sir John Colborne, in compliance with the instruction of the Earl of Ripon, to make it public in Canada, by which reference it will most distinctly appear, that the above description of persons have not only opposed the carrying into effect the said recommendations, but offered the greatest indignity to His Majesty and his minister, by voting to send the said despatch back to His Excellency, in opposition to a motion for printing and publishing it—and on another occasion opposed and prevented the passage of an address of thanks to His Majesty for his prompt attention, displayed in said despatch, to the wishes and interests of the people of the colony, by moving another address in amendment, of a censurable character upon His Majesty's minister for writing and transmitting the said despatch, which address was afterwards presented to His Excellency as the Address of the House, although never carried through its several stages. This House disclaim any wish to prevent any member of either branch of the Legislature from fully and fairly expressing his candid opinion and giving his vote according to the dictates of his conscience and conceptions of right and wrong; yet, we cannot reconcile with the principles of our constitution, the appointment and continuance in office, of persons as councillors and advisers of the government, who are known to stand opposed to the wishes of the people, and recommendation of His Majesty, on great leading measures of reform, and who do not possess the confidence of the people and acquiesce in their general political views and policy, as expressed through their representatives—That, by the statute of the United Kingdom parliament, commonly called the constitutional act, the Executive Council is appointed expressly to advise the Lieutenant Governor upon the affairs of the province, and a permanent provision was made by law, out of the revenues of the country, at the request of the government, for the payment of annual salaries to five executive councillors and two legal advisers, and feeling assured that unless those who are called upon from time to time, to counsel and advise the Lieutenant Governor on matters of deep interest and concern to the welfare and peace of this colony, are men, in whose principles, policy and integrity, this House, as well as His Excellency, can place full confidence, the reforms and improvements, sought for by the people, and which appear, from His Majesty's several dispatches, to be his most anxious desire to see accomplished, will not be brought to an early and happy termination—Therefore, we most earnestly solicit His Excellency, as speedily as possible, to lay before this House, a statement of the several persons who compose His Excellency's Executive Council, and of his legal advisers, with the dates of their appointments, and at which they were severally sworn into office, and that His Excellency will please to inform this House, whether it is considered that their appointments and continuance in office are in strict conformity with the spirit of the Royal instructions, and that they are taken from among that class of His Majesty's subjects, who have given a conscientious

Amendment to the original motion.

Amendment to the original motion.

support to those measures of the government which are enumerated in the despatch of the Earl of Ripon, as aforesaid.

That in reply to the representations of this House to His Majesty against the composition of the Legislative Council, the despatch of Lord Glenelg refers with approbation to the report of the committee of the House of Commons on Canada affairs in the year 1828, and we cannot by any possible ingenuity reconcile the principles laid down in that report, and that despatch, with those acted upon in the recent appointment to seats in the Legislative Council, (if we may believe general report) inasmuch as all those said to be lately appointed to the said Council, who were members of the last parliament, (including the gentleman who has, during the present session, already taken his seat) took a most conspicuous and prominent part in the contemptuous proceedings on the Earl of Ripon's despatch; which a reference to the journals of this House will most amply shew; and all said to be so appointed have always been understood to be violently opposed to the principal measures of improvement and policy so long required by a large majority of the people, thereby increasing, if possible, instead of diminishing the great obstacle to the reform necessary to be accomplished, in order to secure to the people of this colony, peace, happiness and prosperity, and the full enjoyment of their civil and religious rights and privileges. We, therefore desire to obtain copies of any communications between the Colonial office and the government of this colony relating to the late appointments to the Legislative Council or those of any other persons whose appointments have not been acceded to or confirmed by the King—and to be informed who, among those lately appointed have taken the oath as Legislative Councillors, and who, if any, among them have declined accepting of the appointment, and requesting His Excellency as early as may be to call upon any such as have been so appointed either to accept the said appointment, and take the necessary oath, &c. or to decline the same—Also, setting forth that this House and the country have long felt much aggrieved, not only by observing the appointment of the Chief Justice to a seat and the Speakership in the Legislative Council, which we consider highly improper and incompatible with the office of Chief Justice, thereby affording just grounds of suspicion, and complaint, of the partial and impure administration of justice; but have also had the mortification to see the Bishop of Regiopolis and the Archdeacon of York, neglecting their high and spiritual functions and care of souls, and clinging to their seats in the Legislative Council and devoting their time and talents to political strife and secular concerns, in direct opposition and contrary to the express desire and pleasure of His Majesty as set forth in the said despatch of the Earl of Ripon, and at the same time permitted to hold and enjoy office of emolument and profit. We therefore trust that Your Excellency will take immediate steps in fulfilment of the gracious wishes of the King to carry into effect his benevolent intentions, and as desired by the great body of the people of this colony, by calling upon the said Bishop and Archdeacon either to withdraw from the Legislative Council altogether or resign their other offices, and forever quit all claim to any other salary, pension or other emolument, they now hold or enjoy during the pleasure of the Government—That His Excellency will lay before this House any other information or instruction that he may have received (if any) from His Majesty's Government beyond what has already been sent to this House relative to the administration of the Government, or in answer to a resolution transmitted to His Majesty through His Excellency Sir John Colborne, which resolution was reported to this House by the finance committee, and adopted by the House as containing the views of the House on the important question of the appropriation of the proceeds of the natural resources of the country by the Legislature, and strongly remonstrating against the charter and improvident sale to the Canada Company, which has proved, and is likely to continue to prove, exceedingly injurious to the province—And also copies of answers to any other resolutions or addresses of this House transmitted to His Majesty by its order; or correspondence between His Majesty's Government and the Government of this Province on the same; especially relative to the address reported by the committee on grievances and adopted by this House on the complaint of an outrage on William Forsyth, late proprietor of the Niagara Falls Hotels—Also a copy of the despatch of His Excellency Sir John Colborne to the Secretary for the Colonies, dated the 12th and 16th of Sept. last—the latter containing His Excellency's observations on some of the topics embraced in the seventh report of the committee on grievances—Also, copies of all other communications between the Colonial officer and the Executive government of this Province, on matters of public or general interest to the inhabitants of this Province since the period of the general election of members to serve in the present House of Assembly, and referred to in the despatch of the Secretary of State sent down to this House on Saturday last, as being for His Excellency's guidance and instructions—Also requesting His Excellency to lay before this House a statement of the proceedings and steps taken by the government relative to a special matter contained in the third report of the committee on finance of last session, in reference to a defalcation of monies by the late collector of the town of Kingston, which defalcation had for several years been reported and appeared in the public accounts, but which was omitted to be stated by the Inspector General, in the last accounts sent down to this House, without any authority to do so from the Legislature—and that the 31st rule of this House be dispensed with so far as relates to this motion—and that Messrs. Robin and Shaver, be a committee to draft & report said address."

Mr. Boulton, Master-in-Chancery, brought down from the Honorable the Legislative Council a paper, and having presented the same at the Clerk's table retired. Master in Chancery brings down a paper.

Mr. Perry's amendment was then put,  
On which the yeas and nays being taken, were as follows :

Ques of amend't put  
Division.

YEAS—MESSIEURS.

|                            |            |          |             |          |
|----------------------------|------------|----------|-------------|----------|
| Alway,                     | Gibson,    | Parke,   | Small,      |          |
| Bruce,                     | Hopkins,   | Perry,   | Thorburn,   |          |
| Chesser,                   | Lount,     | Roblin,  | Waters,     |          |
| Chisholm,                  | McIntosh,  | Rymal,   | Wells,      |          |
| Cook,                      | McMicking, | Shaver,  | Woolverton, |          |
| Duncombe, <i>Norfolk</i> , | Moore,     | Shibley, | Yager—26.   | Yeas 26. |
| Duraud,                    | Morrison,  |          |             |          |

NAYS—MESSIEURS,

|           |                            |             |                |          |
|-----------|----------------------------|-------------|----------------|----------|
| Boulton,  | Lewis,                     | McLean,     | Rykert,        |          |
| Caldwell, | McCrae,                    | Malloch,    | Strange,       |          |
| Cornwall, | McDonell, <i>Northumb.</i> | Richardson, | Walsh,         | Nays 16. |
| Dunlop,   | McKay,                     | Robinson,   | Wilkinson,—16. |          |

The question of amendment was carried in the affirmative by a majority of ten. Amendment carried majority 10.

On the original question as amended being put the yeas and nays were taken as follows : On orig question as amended

YEAS—MESSIEURS,

|                            |            |           |             |         |
|----------------------------|------------|-----------|-------------|---------|
| Alway,                     | Gilchrist, | Morrison, | Small,      |         |
| Bruce,                     | Hopkins,   | Parke,    | Thorburn,   |         |
| Chesser,                   | Lount,     | Perry,    | Waters,     |         |
| Chisholm,                  | McIntosh,  | Roblin,   | Wells,      |         |
| Cook,                      | Mackenzie, | Rymal,    | Wilson,     |         |
| Duncombe, <i>Norfolk</i> , | McMicking, | Shaver,   | Woolverton, | Yeas 29 |
| Durand,                    | Moore,     | Shibley,  | Yager—29.   |         |
| Gibson,                    |            |           |             |         |

NAYS—MESSIEURS,

|           |                            |             |                |         |
|-----------|----------------------------|-------------|----------------|---------|
| Boulton,  | Lewis,                     | McLean,     | Rykert,        |         |
| Caldwell, | McCrae,                    | Malloch,    | Strange,       |         |
| Cornwall, | McDonell, <i>Northumb.</i> | Richardson, | Walsh,         | Nays 16 |
| Dunlop,   | McKay,                     | Robinson,   | Wilkinson,—16. |         |

The original question was carried by a majority of thirteen and it was Original question carried, majority 13.

*Resolved*—That an humble address be presented to His Excellency, the Lieutenant Governor, praying His Excellency to transmit to this House copy of the correspondence desired to be obtained by its address to His Excellency Sir John Colborne, dated the 19th of January, 1835, relative to the removal of the late Attorney and Solicitor General, and concerning the several expulsions of a member of this House in the last Parliament.

Also, any despatches that would serve to explain to this House the apparent contradiction between the Royal instructions relative to the dismissal or resignation of public officers when they cease to give a conscientious support to the measures of the Government, and the continuance in office of persons composing the Executive Council and legal advisers of the government, notwithstanding their opposition to many urgent and beneficial measures of reform so often and loudly called for by a large majority of the people of the colony, and recommended by the Earl of Ripon as set forth in his despatch of the 8th November, 1832; which opposition, and utter contempt of the wishes of the people and the recommendation of His Majesty's government as aforesaid, will more strikingly appear by reference to the Journals in regard to proceedings had on the said despatch, which was sent down to both Houses by His Excellency Sir John Colborne, in compliance with the instruction of the Earl of Ripon, to make it public in Canada, by which reference it will most distinctly appear, that the above description of persons have not only opposed the carrying into effect the said recommendations, but offered the greatest indignity to His Majesty and his minister, by voting to send the said despatch back to His Excellency, in opposition to a motion for printing and publishing it—and on another occasion opposed and preven-

Original question as amended.

Original motion as amended.

ted the passage of an address of thanks to His Majesty for his prompt attention, displayed in said despatch, to the wishes and interests of the people of the colony, by moving another address in amendment, of a censurable character upon His Majesty's minister for writing and transmitting the said despatch, which address was afterwards presented to His Excellency as the Address of the House, although never carried through its several stages. This House disclaim any wish to prevent any member of either branch of the Legislature from fully and fairly expressing his candid opinion and giving his vote according to the dictates of his conscience and conceptions of right and wrong; yet, we cannot reconcile with the principles of our constitution, the appointment and continuance in office, of persons as councillors and advisers of the government, who are known to stand opposed to the wishes of the people, and recommendation of His Majesty, on great leading measures of reform, and who do not possess the confidence of the people and acquiesce in their general political views and policy, as expressed through their representatives—That, by the statute of the United Kingdom parliament, commonly called the constitutional act, the Executive Council is appointed expressly to advise the Lieutenant Governor upon the affairs of the province, and a permanent provision was made by law, out of the revenues of the country, at the request of the government, for the payment of annual salaries to five executive councillors and two legal advisers, and feeling assured that unless those who are called upon from time to time, to counsel and advise the Lieutenant Governor on matters of deep interest and concern to the welfare and peace of this colony, are men, in whose principles, policy and integrity, this House, as well as His Excellency, can place full confidence, the reforms and improvements, sought for by the people, and which appear, from His Majesty's several dispatches, to be his most anxious desire to see accomplished, will not be brought to an early and happy termination—Therefore, we most earnestly solicit His Excellency, as speedily as possible, to lay before this House, a statement of the several persons who compose His Excellency's Executive Council, and of his legal advisers, with the dates of their appointments, and at which they were severally sworn into office, and that His Excellency will please to inform this House, whether it is considered that their appointments and continuance in office are in strict conformity with the spirit of the Royal instructions, and that they are taken from among that class of His Majesty's subjects, who have given a conscientious support to those measures of the government which are enumerated in the despatch of the Earl of Ripon, as aforesaid.

That in reply to the representations of this House to His Majesty against the composition of the Legislative Council, the despatch of Lord Glenelg refers with approbation to the report of the committee of the House of Commons on Canada affairs in the year 1828, and we cannot by any possible ingenuity reconcile the principles laid down in that report, and that despatch, with those acted upon in the recent appointment to seats in the Legislative Council, (if we may believe general report) inasmuch as all those said to be lately appointed to the said Council, who were members of the last parliament, (including the gentleman who has, during the present session, already taken his seat) took a most conspicuous and prominent part in the contemptuous proceedings on the Earl of Ripon's despatch; which a reference to the journals of this House will most amply shew; and all said to be so appointed have always been understood to be violently opposed to the principal measures of improvement and policy so long required by a large majority of the people, thereby increasing, if possible, instead of diminishing the great obstacle to the reform necessary to be accomplished, in order to secure to the people of this colony, peace, happiness and prosperity, and the full enjoyment of their civil and religious rights and privileges. We, therefore desire to obtain copies of any communications between the Colonial office and the government of this colony relating to the late appointments to the Legislative Council or those of any other persons whose appointments have not been acceded to or confirmed by the King—and to be informed who, among those lately appointed have taken the oath as Legislative Councillors, and who, if any, among them have declined accepting of the appointment, and requesting His Excellency as early as may be to call upon any such as have been so appointed either to accept the said appointment, and take the necessary oath, &c. or to decline the same—Also, setting forth that this House and the country have long felt much aggrieved, not only by observing the appointment of the Chief Justice to a seat and the Speakership in the Legislative Council, which we consider highly improper and incompatible with the office of Chief Justice, thereby affording just grounds of suspicion, and complaint, of the partial and impure administration of justice; but have also had the mortification to see the Bishop of Regiopolis and the Archdeacon of York, neglecting their high and spiritual functions and care of souls, and clinging to their seats in the Legislative Council and devoting their time and talents to political strife and secular concerns, in direct opposition and contrary to the express desire and pleasure of His Majesty as set forth in the said despatch of the Earl of Ripon, and at the same time permitted to hold and enjoy office of emolument and profit. We therefore trust that Your Excellency will take immediate steps in fulfilment of the gracious wishes of the King to carry into effect his benevolent intentions, and as desired by the great body of the people of this colony, by calling upon the said Bishop and Archdeacon either to withdraw from the Legislative Council altogether or resign their other offices, and forever quit all claim to any other salary, pension or other emolument, they

now hold or enjoy during the pleasure of the Government—That His Excellency will lay before this House any other information or instruction that he may have received (if any) from His Majesty's Government beyond what has already been sent to this House relative to the administration of the Government, or in answer to a resolution transmitted to His Majesty through His Excellency Sir John Colborne, which resolution was reported to this House by the finance committee, and adopted by the House as containing the views of the House on the important question of the appropriation of the proceeds of the natural resources of the country by the Legislature, and strongly remonstrating against the charter and improvident sale to the Canada Company, which has proved, and is likely to continue to prove, exceedingly injurious to the province—And also copies of answers to any other resolutions or addresses of this House transmitted to His Majesty by its order; or correspondence between His Majesty's Government and the Government of this Province on the same; especially relative to the address reported by the committee on grievances and adopted by this House on the complaint of an outrage on William Forsyth, late proprietor of the Niagara Falls Hotels—Also a copy of the despatch of His Excellency Sir John Colborne to the Secretary for the Colonies, dated the 12th and 16th of Sept. last—the latter containing His Excellency's observations on some of the topics embraced in the seventh report of the committee on grievances—Also, copies of all other communications between the Colonial officer and the Executive government of this Province, on matters of public or general interest to the inhabitants of this Province since the period of the general election of members to serve in the present House of Assembly, and referred to in the despatch of the Secretary of State sent down to this House on Saturday last, as being for His Excellency's guidance and instructions—Also requesting His Excellency to lay before this House a statement of the proceedings and steps taken by the government relative to a special matter contained in the third report of the committee on finance of last session, in reference to a defalcation of monies by the late collector of the town of Kingston, which defalcation had for several years been reported and appeared in the public accounts, but which was omitted to be stated by the Inspector General, in the last accounts sent down to this House, without any authority to do so from the Legislature—and that the 31st rule of this House be dispensed with so far as relates to this motion—& that Messrs. Roblin and Shaver, be a committee to draft & report said address.'

Mr. Speaker reported that the Master in Chancery had brought down from the honorable the Legislative Council, a bill entitled, "*An Act to abolish the distinction between grand and petty larceny, and to enable Courts of Quarter Sessions of the Peace, and any Court having the like powers to try all cases of simple larceny under certain restrictions, and to amend the laws respecting the punishment of larceny,*" which that honorable House had passed, and requested the concurrence of this House thereto.

The bill sent down from the honorable the Legislative Council, entitled, "*An Act to abolish the distinction between grand and petty larceny, and to enable Courts of General Quarter Sessions of the Peace and any Court having the like powers, to try all cases of simple larceny under certain restrictions, and to amend the law respecting the punishment of larceny,*" was read a first time.

*Ordered*—That the bill be read a second time to-morrow.

Pursuant to notice, Mr. Mackenzie, seconded by Mr. Alway, moves, for the appointment of a select committee to examine and report upon the contingencies, expenses of the present session, and of the recess; and to report to the House what practical reductions can be made in the expenses of this House; that the committee have power to summon witnesses, and leave to report by address or otherwise—and that it be composed of Messrs. Walsh, Waters, Parke, and Chisholm.

*Ordered.*

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

*Ordered*—That the message of the Legislative Council of yesterday, requesting proofs and documents, be referred to a select committee, to be composed of the same members who were of the committee which last year reported to this House, the statute printing bill, and official advertisement bill, with power to report evidence in support of these bills.

Adjourned.

Mr. Speaker reports grand and petit larceny bill from legislative council.

Bill to abolish the distinction between grand and petit larceny, brought down from legislative council—read 1st time.

2nd reading to-morrow.

Committee appointed on contingencies.

Message from legislative council of yesterday, referred to a committee.

Friday, 5th February, 1836.

- Petitions bro't up. The House met.  
The minutes of yesterday were read.
- Of D. B. Way and others. Mr. Wilson brought up the petition of Daniel B. Way and thirty eight others, inhabitants of the district of Prince Edward; which was laid on the table.
- Of J. S. Cartwright and others. Mr. Strange brought up the petition of John S. Cartwright, Esq. and sixteen others, inhabitants of the Midland district; which was laid on the table.
- Of C. Robinson & others. Mr. Lount brought up the petition of Charles Robinson, Artemus Thomson and John Bruce, commissioners, and John McKay, town clerk, of the township of Thorah, (Simcoe); which was laid on the table.
- Of M. McLaughlin. Mr. Robinson brought up the petition of Michael McLaughlin and sixty-one others, of the townships of Mara, Amaranth and Garrafraxa (Simcoe); which was laid on the table.
- Of J. O. Bouchier. Mr. McIntosh brought up the petition of James O. Bouchier and sixty-two others, of the township of Georgina (York); which was laid on the table.
- Of Geo. Ham and others. Mr. Small brought up the petition of George Ham and one hundred and eighty-eight others, freeholders and householders of the village of Cobourg, in the district of Newcastle; which was laid on table.
- Of Charles Hill & others. Mr. McMicking brought up the petition of Charles Hill and thirty-three others, inhabitants of the townships of Bertie and Humberstone (Lincoln); which was laid on the table.
- Of Thomas Moore and others. Mr. Roblin brought up the petition of Thomas Moore, and one hundred and fourteen others, of the district of Prince Edward; which was laid on the table.
- Of B. Ketcheson. Mr. Roblin brought up the petition of Benjamin Ketcheson, of the town of Belleville, carpenter; which was laid on the table.
- Of C. Williams & others. Mr. Small brought up the petition of Christopher Williams and forty others, living on the town line between York and Scarboro' (York); which was laid on the table.
- Of Rich. Lanning. Mr. Walsh brought up the petition of Richard Lanning and forty others, of the townships of Yarmouth and Malahide (Middlesex); which was laid on the table.
- Of W. N. Bottum, J. P., and others. Mr. Wells brought up the petition of W. N. Bottum, J. P. and forty-six others, inhabitants of the township of Oxford (Grenville): which was laid on the table.
- Petitions read. Pursuant to the order of the day, the following petitions were read :
- Of J. Bell, Castleford. Of Christopher J. Bell, of Castleford, district of Bathurst, praying authority to collect tolls on inclined planes he has constructed at the first and second falls of the river Bonne Chere.
- Of Alfred Hooker and others. Of Alfred Hooker and 348 others, inhabitants of the district of Johnstown, praying for the establishment of a bank at the town of Prescott.
- Of Thomas Carr and others. Of Thomas Carr and two hundred and thirteen others, of the district of Newcastle, praying for a sum of money to open the navigation from Heeley's Falls to Peterboro'.
- Of Daniel Perry & others. Of Daniel Perry and one hundred and seventy-five others, inhabitants of the Midland district, praying the immediate commencement and speedy completion of the navigation of the river Trent.
- Of John P. Bower and others. Of John P. Bower and 5 others, tanners and manufacturers in leather, Midland district, praying that their petition of last session may be further considered.

Of Absalom Shade and three hundred and thirty-six others, of the counties of Halton and Huron, and others, praying an Act of incorporation with a capital of £350,000, to construct a rail-road from Goderich to Wellington Square on Lake Ontario. Of Absalom Shade and others.

Of Robert C. Wilkins and five hundred and ninety-one others, of the Midland and Newcastle districts, praying that a sufficient sum of money may be appropriated for the immediate improvement of the river Trent. Of R. C. Wilkins and others.

Of Edward Dickinson and one hundred and two others, inhabitants of the township of Walsingham (London district,) praying assistance in improving Big Creek, in said township. Of Edward Dickinson and others.

Of Alexander Vance and thirty-seven others, of the township of Houghton, praying assistance in improving the lake road. Of Alex'r. Vance and others.

Of John J. Taylor and two hundred and two others, of Hope, district of Newcastle, praying relief from the illegal manner in which the township meeting was held. Of John J. Taylor and others.

Of Abraham Lazier and one hundred and thirty-seven others, inhabitants of Prince Edward district, praying for the incorporation of a bank in said district. Of Abraham Lazier and others.

Of David Smart and twenty-five others, of Port Hope, in the district of Newcastle, praying that no further grant may be made to the Port Hope Harbour—but that the Province would assume the works. Of David Smart & others.

Of John Platt and six others, of the township of Ameliasburgh, praying that Mr. Wilmot's survey of said township, may not be confirmed. Of John Platt and others.

Of William Ouston, J. P. and fifty-four others, inhabitants of the township of Hamilton, district of Newcastle, praying the prohibition of beer and other liquors not spiritous being sold without license. Of Wm. Ouston, J. P., and others.

Of Robert Henry and five others, directors of the Cobourg rail-road Company, praying that their Act of incorporation may be amended. Of Robert Henry and others.

Of Ebenezer Perry and forty others, of Cobourg, district of Newcastle, praying for an Act of incorporation establishing an elective police in the said town of Cobourg. Of Ebenezer Perry and others.

Of Walter C. Crofton, teacher of the district school of the Newcastle district and forty-eight others, praying assistance in furnishing the said school with necessary apparatus, &c. Of W. C. Crofton

Of Charles Hairsine and sixty-eight others, of the townships of Mersea, Romney, and Gosfield, Western district, praying for the establishment of Fairs in the township of Mersea. Of Charles Hairsine and others.

Of Thomas Elliott and eighty-six others, Inn-keepers, &c. of the city of Toronto, praying that the fine imposed for selling liquors without license be reduced to five pounds, and that brewers be not allowed to sell a less quantity than five gallons. Of Thomas Elliott and others.

Of Robert S. Whitesides and one hundred and thirty-seven others, "christians," praying for certain privileges. Of Robt. S. Whitesides and others.

Of John B. Bagwell and nineteen others, inhabitants of Chinguacoucy, (York), praying aid to improve a certain road. Of John B. Bagwell and others.

Of Reuben Parkinson, of the city of Toronto, praying for a divorce. Of R. Parkinson.

Of William Devenish and thirty-five others, of the township of Scarborough, Home district, praying that the road commonly called the town line, between York and Scarborough, be confirmed by statute. Of Wm. Devenish and others.

Of A. M. Farewell, of the township of Whitby, Home district, praying remuneration for building a bridge in said township. Of A. M. Farewell

Of Abner Nash & others.

Of Abner Nash and four hundred and ninety-six others, of the township of Whitby, (York), praying for an appropriation for the improvement of Windsor harbor.

Of L. Hilliard and others.

Of L. Hilliard and forty-two others, masters of British vessels, on Lake Ontario, praying for the improvement of Windsor Harbor.

Notices.  
Of reading Journals on Windsor Harbor.

Mr. Morrison gives notice, that he will, on to-morrow, move for the reading of that part of the Journals of last session relating to the report of the special committee on the harbor of Windsor, in the township of Whitby, in this district.

Of reading Journals on petition of Arch. McDonell.

Mr. Gilchrist gives notice, that he will, on to-morrow, move for the reading of that part of the Journals of last session, which relates to the petition of Archibald McDonell and others.

Of the bill to authorise Board of Ordnance to hold real estate.

Mr. Solicitor General gives notice, that he will, on to-morrow, move for leave to bring in a bill to authorise His Majesty's Board of Ordnance to hold real estate in this Province.

Reading Journals on Grafton Harbor bill.

M. Boulton gives notice, that he will, on to-morrow, move for leave to read that part of the Journals of last session, which relates to the bill for the Grafton Harbor Company.

Petition of Nelson Cozens referred.

On motion of Mr. Perry, seconded by Mr. Shaver, *Ordered*—That the petition of Nelson Cozens be referred to a select committee, with power to send for persons and papers, and leave to report thereon—and that Messrs. Chisholm, Bruce, Yager and Cook, do compose said committee.

Committee report address on resolution of yesterday.

Mr. Roblin from the Committee to draft an address to His Excellency, the Lieutenant-Governor, founded upon the resolution of the House, passed yesterday, presented a draft, which was received and read twice.

Received and read twice.

On the question for adopting the address,

Mr. Solicitor General, seconded by Mr. McKay, moves in amendment, that the address be not now adopted, but that it be

Amendment.

*Resolved*—That this House receives with gratitude and cordiality the renewed proof of His Majesty's paternal solicitude for the welfare of his loyal subjects in this Province, evinced in the despatch of the Right Honorable the Secretary of State for the Colonies, of the 5th December last;—and that this House actuated by an earnest wish to co-operate with His Majesty in his gracious desire to increase the prosperity of this interesting and valuable portion of his dominions, will exert itself to advance and maintain the principles of government set forth in the despatch referred to, as also in that of the right honorable the Earl of Ripon of the 8th November, 1832, addressed to His Excellency, Sir John Colborne;—and that fully impressed with the conviction, that an undeviating adherence to the spirit and principles of those despatches, in the administration of the public affairs of this Province, will be viewed with satisfaction by all classes of His Majesty's subjects in the Colony, and have the effect of strengthening the attachment now universally felt by them for his royal person and government, this House earnestly hopes that His Majesty will forthwith banish from his counsels all such persons as shall attempt by any means whatever, to counteract the beneficent and gracious instructions laid down for the guidance of his public servants in this Province.

Division.

On which the yeas and nays were taken, as follows :

YEAS—MESSIEURS,

|          |   |                               |                                   |   |
|----------|---|-------------------------------|-----------------------------------|---|
| Yeas 13. | Boulton,<br>Caldwell,<br>Cornwall,<br>Dunlop, | Lewis,<br>McDonell,<br>McKay, | Northumb.<br>Robinson,<br>Rykert, | McLean,<br>Solicitor General,<br>Strange,<br>Wilkinson,—13. |
|----------|---|-------------------------------|-----------------------------------|---|

NAYS—MESSIEURS,

|          |  |  |  |  |
|----------|--|--|--|--|
| Nays 30. | Alway,<br>Bruce,<br>Chesser,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Moore, | Morrison,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal,<br>Shaver,<br>Small,<br>Thorburn, | Walsh,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—30. |
|----------|--|--|--|--|



The question of amendment was decided in the negative by a majority of seventeen. 'Amendment lost, majority 17.

On the original question, the yeas and nays, being taken, were as follows : Division on original question.

YEAS—MESSIEURS.

|                            |                             |           |             |          |
|----------------------------|-----------------------------|-----------|-------------|----------|
| Alway,                     | Gilchrist,                  | Morrison, | Thorburn,   |          |
| Bruce,                     | Hopkins,                    | Parke,    | Waters,     |          |
| Chesser,                   | Lount,                      | Perry,    | Wells,      |          |
| Chisholm,                  | McDonell, <i>Stormont</i> , | Roblin,   | Wilson,     |          |
| Cook,                      | McIntosh,                   | Rymal,    | Woolverton, |          |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Shaver,   | Yager,—30.  | Yeas 30. |
| Durand,                    | McMicking,                  | Shibley,  |             |          |
| Gibson,                    | Moore,                      | Small,    |             |          |

NAYS—MESSIEURS,

|           |                            |             |                |          |
|-----------|----------------------------|-------------|----------------|----------|
| Boulton,  | Lewis,                     | Malloch,    | Strange,       |          |
| Caldwell, | McDonell, <i>Northumb.</i> | Richardson, | Walsh,         |          |
| Cornwall, | McKay,                     | Robinson,   | Wilkinson,—15. | Nays 15. |
| Dunlop,   | McLean,                    | Rykert,     |                |          |

The question of amendment was carried in the affirmative by a majority of fifteen, and the address was read a third time. Question carried majority 15.

On the question for passing the address the yeas and nays being taken were as follows : Division on passing address.

YEAS—MESSIEURS,

|                            |            |           |             |          |
|----------------------------|------------|-----------|-------------|----------|
| Alway,                     | Gilchrist, | Morrison, | Small,      |          |
| Bruce,                     | Hopkins,   | Parke,    | Thorburn,   |          |
| Chesser,                   | Lount,     | Perry,    | Waters,     |          |
| Chisholm,                  | McIntosh,  | Roblin,   | Wells,      |          |
| Duncombe, <i>Norfolk</i> , | Mackenzie, | Rymal,    | Wilson,     |          |
| Durand,                    | McMicking, | Shaver,   | Woolverton, |          |
| Gibson,                    | Moore,     | Shibley,  | Yager—28.   | Yeas 28. |

NAYS—MESSIEURS,

|                           |          |             |               |          |
|---------------------------|----------|-------------|---------------|----------|
| Boulton,                  | McKay,   | Richardson, | Strange,      |          |
| Caldwell,                 | McLean,  | Robinson,   | Walsh,        |          |
| Cornwall,                 | Malloch, | Rykert,     | Wilkinson—13. | Nays 13. |
| McDonell, <i>Northum.</i> |          |             |               |          |

The question was carried in the affirmative by a majority of thirteen, and the address was signed by the Speaker, and is as follows : Question carried majority 13.

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled—humbly pray Your Excellency to transmit to us copy of the correspondence desired to be obtained by our address to His Excellency Sir John Colborne, dated the 19th of January, 1835, relative to the removal of the late Attorney and Solicitor General, the appointment of the present Attorney General, and the re-appointment of the Solicitor General, and concerning the several expulsions of a member of this House in the last Parliament. Address to His Excellency the Lieutenant Governor founded on the resolution of yesterday

Also, any despatches that would serve to explain to this House the apparent contradiction between the Royal instructions relative to the dismissal or resignation of public officers when they cease to give a conscientious support to the measures of the Government, and the continuance in office of persons composing the Executive Council and legal advisers of the government, notwithstanding their opposition to many urgent and beneficial measures of reform so often and loudly called for by a large majority of the people of the colony, and recommended by the Earl of Ripon, as set forth in his despatch of the 8th November, 1832; which opposition, and utter contempt of the wishes of the people and the recommendation of His Majesty's government as aforesaid, will more strikingly appear by reference to the Journals in regard to proceedings had on the said despatch, which was sent down

Address to His Excellency

to both Houses by His Excellency Sir John Colborne, in compliance with the instruction of the Earl of Ripon, to make it public in Canada; by which reference it will most distinctly appear, that the above description of persons have not only opposed the carrying into effect the said recommendations, but offered the greatest indignity to His Majesty and his minister, by voting to send the said despatch back to His Excellency, in opposition to a motion for printing and publishing it—and on another occasion opposed and prevented the passage of an address of thanks to His Majesty for his prompt attention, displayed in said despatch, to the wishes and interests of the people of the colony, by moving another address in amendment, of a censurable character upon His Majesty's minister for writing and transmitting the said despatch, which address was afterwards presented to His Excellency as the Address of the House, although never carried through its several stages. This House disclaim any wish to prevent any member of either branch of the Legislature from fully and fairly expressing his candid opinion and giving his vote according to the dictates of his conscience and conceptions of right and wrong; yet, we cannot reconcile with the principles of our constitution, the appointment and continuance in office, of persons as councillors and advisers of the government, who are known to stand opposed to the wishes of the people, and recommendation of His Majesty, on great leading measures of reform, and who do not possess the confidence of the people and acquiesce in their general political views and policy, as expressed through their representatives—That, by the statute of the United Kingdom parliament, commonly called the constitutional act, the Executive Council is appointed expressly to advise the Lieutenant Governor upon the affairs of the province, and a permanent provision was made by law, out of the revenues of the country, at the request of the government, for the payment of annual salaries to five executive councillors and two legal advisers, and as we feel assured that unless those who are called upon from time to time, to counsel and advise the Lieutenant Governor on matters of deep interest and concern to the welfare and peace of this colony, are men, in whose principles, policy and integrity, this House, as well as your Excellency, can place full confidence, the reforms and improvements, sought for by the people, and which appear, from His Majesty's several despatches, to be his most anxious desire to see accomplished, will not be brought to an early and happy termination—Therefore, we most earnestly solicit your Excellency, as speedily as possible, to lay before this House, a statement of the several persons who compose your Excellency's Executive Council, and of your legal advisers, with the dates of their appointments, and at which they were severally sworn into office, and that your Excellency will please to inform this House, whether it is considered that their appointments and continuance in office are in strict conformity with the spirit of the Royal instructions, and that they are taken from among that class of His Majesty's subjects who have given a conscientious support to those measures of the government which are enumerated in the despatch of the Earl of Ripon, as aforesaid.

That in reply to the representations of this House to His Majesty against the composition of the Legislative Council, the despatch of Lord Glenelg refers with approbation to the report of the committee of the House of Commons on Canada affairs in the year 1828, and we cannot by any possible ingenuity reconcile the principles laid down in that report, and that despatch, with those acted upon in the recent appointment to seats in the Legislative Council, (if we may believe general report) inasmuch as all those said to be lately appointed to the said Council, who were members of the last parliament, (including the gentleman who has, during the present session, already taken his seat) took a most conspicuous and prominent part in the contemptuous proceedings on the Earl of Ripon's despatch; which a reference to the journals of this House will most amply shew; and all said to be so appointed have always been understood to be violently opposed to the principal measures of improvement and policy so long required by a large majority of the people, thereby increasing, if possible, instead of diminishing the great obstacle to the reform necessary to be accomplished, in order to secure to the people of this colony, peace, happiness and prosperity, and the full enjoyment of their civil and religious rights and privileges. We, therefore desire to obtain copies of any communications between the Colonial office and the government of this colony relating to the late appointments to the Legislative Council or those of any other persons whose appointments have not been acceded to or confirmed by the King—and to be informed who, among those lately appointed, have taken the oath as Legislative Councillors, and who, if any, among them have declined accepting of the appointment, and we request your Excellency as early as may be to call upon any such as have been so appointed either to accept the said appointment, and take the necessary oath, &c. or to decline the same—we assure your Excellency that this House and the country have long felt much aggrieved, not only by observing the appointment of the Chief Justice to a seat and the Speakership in the Legislative Council, which we consider highly improper and incompatible with the office of Chief Justice, thereby affording just grounds of suspicion, and complaint, of the partial and impure administration of justice; but have also had the mortification to see the Bishop of Regiopolis and the Archdeacon of York, neglecting their high and spiritual functions and care of souls, and clinging to their seats in the Legislative Council and devoting their time and talents to political strife and secular measures, in direct opposition and contrary to the express desire and pleasure of His Majesty as set forth in the said despatch of Earl

Ripon, and at the same time permitted to hold and enjoy offices of emolument and profit. We therefore trust that Your Excellency will take immediate steps in fulfilment of the gracious wishes of the King to carry into effect his benevolent intentions, and as desired by the great body of the people of this colony, by calling upon the said Bishop and Archdeacon either to withdraw from the Legislative Council altogether or resign their other offices, and forever quit all claim to any other salary, pension or other emolument, they now hold or enjoy during the pleasure of the Government—That your Excellency will lay before this House any other information or instruction that you may have received (if any) from His Majesty's Government beyond what has already been sent to us relative to the administration of the Government, or in answer to a resolution transmitted to His Majesty through His Excellency Sir John Colborne, which resolution was reported to this House by the finance committee, and adopted by the House as containing our views on the important question of the appropriation of the proceeds of the natural resources of the country by the Legislature, and strongly remonstrating against the charter and improvident sale to the Canada Company, which has proved, and is likely to continue to prove, exceedingly injurious to the province—And also copies of answers to any other resolutions or addresses of this House transmitted to His Majesty by its order; or correspondence between His Majesty's Government and the Government of this Province on the same; especially relative to the address reported by the committee on grievances and adopted by this House on the complaint of an outrage on William Forsyth, late proprietor of the Niagara Falls Hotels—Also a copy of the despatch of His Excellency Sir John Colborne to the Secretary for the Colonies, dated the 12th and 16th of Sept. last—the latter containing your Excellency's observations on some of the topics embraced in the seventh report of the committee on grievances—Also, copies of all other communications between the Colonial office and the Executive government of this Province, on matters of public or general interest to the inhabitants of this Province since the period of the general election of members to serve in the present House of Assembly, and referred to in the despatch of the Secretary of State sent down to this House on Saturday last, as being for your Excellency's guidance and instructions—We also request your Excellency to lay before us a statement of the proceedings and steps taken by the government relative to a special matter contained in the third report of the committee on finance of last session, in reference to a defalcation of monies by the late collector of the town of Kingston, which defalcation had for several years been reported and appeared in the public accounts, but which was omitted to be stated by the Inspector General, in the last accounts sent down to this House, without any authority to do so from the Legislature.

Address to His Excellency on the affairs of the province

Commons House of Assembly, }  
5th Feb'y. 1836.

MARSHALL S. BIDWELL,  
Speaker.

On motion of Mr. Perry, seconded by Mr. Roblin,  
*Ordered*—That Messrs. McMicking and Chisholm, be a committee to wait on His Excellency, to know when he will be pleased to receive the address, and present the same.

On motion of Mr. Perry, seconded by Mr. Solicitor General,  
*Ordered*—That besides the Journals, two thousand copies of the address, together with the amendments proposed, with the yeas and nays, on the several questions, be printed in pamphlet form for the use of members.

2000 copies of address etc. to be printed.

Mr. Roblin from the committee to wait on His Excellency, the Lieutenant Governor, with the address of this House, requesting information in relation to King's College, reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

Com. to wait on His Exc'y with the address on colleges, report answer.

GENTLEMEN,

The information required in the address of the House of Assembly relative to Upper Canada College and King's College, presented to my predecessor during the last session, shall be transmitted to the House on Monday next, and the further information required in this address, shall be forwarded as soon as it can be obtained.

Answer of His Excellency to address on colleges.

Mr. Perry from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House, requesting information in relation to the Talbot Settlement, reported delivering

Com'tee to wait on His Exc'y with the address on Talbot settlement rep't answer.

the same, and that His Excellency had been pleased to make there-  
to, the following answer.

GENTLEMEN:

Answer on Talbot  
address.

The information required in your address, shall be transmitted to the  
House of Assembly on Monday next.

Adjourned.

Saturday, 6th February, 1836.

Petitions bro't up.

The House met.

The minutes of yesterday were read.

Of E. Gilbert and  
176 others.

Mr. Parke brought up the petition of Erastus Gilbert and one  
hundred and seventy-six others, inhabitants of the London district;  
which was laid on the table.

Of James Bell &  
38 others.

Mr. Cornwall brought up the petition of James Bell and thirty-  
eight others, of the township of Zone, in the Western district; which  
was laid on the table.

Of John Bolton  
and 32 others.

Mr. Cornwall brought up the petition of John Bolton and thirty-  
two others, of the Western district; which was laid on the table.

Of Freeman Bray.

Mr. Durand brought up the petition of Freeman Bray; which  
was laid on the table.

Of A. McDougall.

Mr. McLean brought up the petition of Angus McDougall, late  
a Sergeant in the incorporated militia; which was laid on the table.

Of F. Sinclair &  
91 others.

Mr. McLean brought up the petition of Finlay Sinclair and  
ninety-one others, of the county of Stormont; which was laid on  
the table.

Of A. Cockburn &  
51 others.

Mr. McLean brought up the petition of Adam Cockburn and  
fifty-one others, of the township of Finch, in the county of Stormont;  
which was laid on the table.

Of Wm. Wiseman  
and 41 others.

Mr. McLean brought up the petition of William Wiseman and  
forty-one others, inhabitants of the township of Finch, aforesaid;  
which was laid on the table.

Notice for reading  
Journals on pet. of  
E. Gilbert.

Mr. Parke gives notice that he will on Monday next, move for  
the reading of that part of the Journals of last session, relating to  
the proceedings on the petition of Erastus Gilbert and others.

For select com. to  
enquire into grants  
to religious denom.  
the last year.

Mr. Thorburn gives notice that he will on Monday next, move  
for the appointment of a select committee to inquire whether any  
money has been paid by the Government to any religious denomina-  
tion during the last year, and if so, what the purposes are to which  
such grants (if any) have been applied, and that such committee have  
power to summon witnesses, and call for the production of papers  
and records.

Com. on expiring  
laws report.

Mr. Shaver from the select committee on expiring laws, presen-  
ted a first report, which was received and read as follows:

*To the Honorable the Commons' House of Assembly, in Provincial Parliament  
Assembled:*

Report of com. on  
expiring laws.

The committee appointed to examine and report to your Hon-  
orable House, what laws have expired and are about to expire, re-  
spectfully report, that

*"An Act to repeal An Act passed in the forty-ninth year of His late  
Majesty's reign, entitled 'An Act to encourage the destroying of Wolves in  
this Province, and to make further provision for exterminating those des-  
tructive animals.'"*

passed the 6th of March, 1830,  
expired on the 6th of March, 1834.

*“An Act to provide a salary for the Clerk of the Crown in Chancery, and to remunerate him for past services*

passed the 16th March, 1831,

will expire at the close of this Session.

And *“An Act to facilitate legal remedies against Corporations,”* passed February 13, 1833, will expire at the close of this session.

All which is respectfully submitted

PETER SHAVER.

Chairman.

Commons House of Assembly, }  
February 6th, 1836. }

Pursuant to the order of the day, the following petitions were read :

Of Daniel McLeod and seventy-four others, inhabitants of the Home district, praying that an act may be passed authorising the macadamization of Yonge Street, from Toronto to Lake Simcoe.

Petitions read.  
Of D. McLeod & others.  
Of J Laing & others.

Of Jacob Laing and one hundred and three others, of the Home district—praying the same.

Of P. Taylor and others.

Of Peter Taylor and one hundred others, of the eastern part of the Home and the western part of the Newcastle district—praying that certain townships in said districts may be formed into a separate district.

Of John Macaulay, Esq., and ten others, Magistrates of the Midland district, in general Quarter Sessions assembled, praying that an additional rate may be levied on the inhabitants, to defray certain expenses incurred by the Act for the appointment of Township Officers.

Of J. Macaulay & others.

Of John O. Hatt and two hundred and thirty-five others, of the Gore district, praying that the petition for a Rail Road from Goderich to Wellington Square may not be entertained, but that the road may terminate at Dundas.

Of J. O. Hatt and others.

Of John Miller and 96 others of the village of Dundas, praying that a Police may be established in the said village, by an Act of Incorporation.

Of J. Miller and others.

Of Thomas Markland and two hundred and nine others, Freeholders and Householdors of the Town of Niagara, praying against the Incorporation of that Town.

Of T Markland & others.

Of James Nickalls Jr. and nineteen others, committee of management of the Kingston Mechanic's Institute, praying for a continuance of support to said Institution.

Of J. Nickalls and others.

Of R. H. Edgar and ninety-two others, Householdors and Freeholders in the village of Dundas, praying against the incorporation of said village, and that the Fire Company organized there may be exempted from certain duties.

Of R. H. Edgar & others.

Of Thomas Markland and sixty-six others, inhabitants of the Newcastle and Midland Districts, praying for a sum of money sufficient to make the river Trent navigable from its mouth to Rice Lake.

Of T Markland & others.

Of John Keagey Junr. and eight others, of the District of Gore, praying to be incorporated as a company to construct a macadamized road up the mountain at the village of Dundas.

Of J. Keagey, Jr and others.

Of C. M. Grant and thirty-seven others, inhabitants of the Town of Kingston, praying for an act of incorporation, under the title of the Wolf Island Canal Company.

Of C W Grant and others.

On motion of Mr. Small, seconded by Mr. Cornwall,

Petitions referred.

*Ordered*—That the petition of Reuben Parkinson, be referred to a select committee to report thereon by bill or otherwise, with power to send for persons and papers, and that Messrs. Boulton, Wells and C. Duncombe do compose said committee.

Of R. Parkinson and others.

Of Alfred Hooker  
and others.

On motion of Mr. Wells, seconded by Mr. Shaver,  
*Ordered*—That the petition of Alfred Hooker and others, praying for a charter for a Bank at Prescott be referred to the committee on the Banks and Insurance companies.

Of Tho's Elliott  
and others.

On motion of Mr. Small, seconded by Mr. Cornwall.  
*Ordered*—That the petition of Thomas Elliott and others, be referred to a select committee to report thereon by bill or otherwise, and that Messrs. Wilkinson, Morrison and McIntosh do compose said committee

Of M. Priestman.

On motion of Mr. Small, seconded by Mr. Cornwall,  
*Ordered*—That the petition of Matthew Priestman be referred to the committee on Finance.

Of E. Dickinson  
and others.

On motion of Mr. Walsh, seconded by Mr. Rykert.  
*Ordered*—That the petition of Edward Dickinson and other inhabitants of the township of Walsingham, praying for a grant of monies to aid the Petitioners in opening the river Rhone in said township be referred to the committee of supply.

Of Alex'r Vance  
and others.

On motion of Mr. Walsh, seconded by Mr. Rymal.  
*Ordered*—That the petition of Alexander Vance and others, praying for a grant of monies to be expended on the Lake road in the township of Houghton, be referred to the committee on roads and bridges.

Com. appointed to  
provide house etc.  
for fire engine.

On motion of Mr. Small, seconded by Mr. Dunlop.  
*Ordered*—That a select committee be appointed to enquire into the expediency of providing a house and forming a Fire Company to take charge of and keep in order the fire Engine attached to the public buildings, and that Messrs. Morrison, McIntosh and Gibson do form said committee.

Of Rob't Henry.

On motion of Mr. Gilchrist, seconded by Mr. McIntosh,  
*Ordered*—That the petition of Robert Henry, Esquire, be referred to the committee on expiring laws.

Of Eben'r Perry  
and others.

On motion of Mr Gilchrist, seconded by Mr. Yager,  
*Ordered*—That the petition of Ebenezer Perry and others, be referred to a select committee consisting of Mr. Boulton and Mr. Alexander McDonell, with power to send for persons and papers, and report thereon by bill or otherwise.

Of W. Ouston.

On motion of Mr. Gilchrist, seconded by Mr. Alway,  
*Ordered*—That the petition of Wm. Ouston, Esq., be referred to a select committee, consisting of Messrs. McIntosh and Yager, with power to send for persons and papers, and report by bill or otherwise.

Of J. Miller and  
others,

On motion of Mr. Durand, seconded by Mr. Rymal,  
*Ordered*—That the petition of John Miller and others, praying to have the village of Dundas incorporated, be referred to the committee on the incorporation of towns and village.

Of John J Taylor  
and others.

On motion of Mr. Brown, seconded by Mr. Chesser,  
*Ordered*—That the Petition of John J. Taylor and others, be referred to a select committee to consist of Messrs. Thorburn, Wells Walsh, and McMicking, with power to send for persons and papers to report thereon by bill or otherwise.

Of John O. Hatt  
and others.

On motion of Mr. Durand, seconded by Mr. Hopkins,  
*Ordered*—That the petition of John O. Hatt and others, praying for the erection of a rail-road from Dundas to Goderich on Lake Huron, be referred to the committee on rail-roads, canals, &c.

Of R. H. Edgar  
and others.

On motion of Mr. Durand, seconded by Mr. Hopkins,  
*Ordered*—That the petition of Robert H. Edgar and others, against the incorporation of the village of Dundas, be referred to the committee on the incorporation of towns and villages.

On motion of Mr. Roblin, seconded by Mr. Perry,  
*Ordered*—That the petition of John Platt and others, be referred to the committee to which was referred the petition of Thomas Archer and others.

Of John Platt and others.

On motion of Mr. Roblin, seconded by Mr. Perry,  
*Ordered*—That the petition of Abraham Lazier and others, be referred to the committee on banking,

Ab'm Lazier and others.

On motion of Mr. Roblin, seconded by Mr. Perry,  
*Ordered*—That the petition of D. Smart and others, be referred to the committee to which was referred the petition of the President of the Port Hope harbor Company.

Of D. Smart and others.

Pursuant to the order of the day, the banking bill was read a second time.

Banking bill read 2nd time.

On the question for going into committee on the bill, Mr. Mackenzie, seconded by Mr. Wells, moves in amendment, that the House do go into committee of the whole on the banking bill on Thursday next, and that it be the first item on the order of the day for that day.

Referred to com. of whole, on Thursday next.

*Ordered.*

On motion of Mr. Mackenzie, seconded by Mr. Waters,  
*Ordered*—That that the names of Thorburn and McMicking be added to the committee on contingencies.

Thorburn & McMicking added to com. on cont.

Pursuant to the order of the day, the House was again put into a committee of the whole on the election law amendment bill.

Committee of whole on Elect. law amendment bill.

Mr. Woolverton in the chair.

The House resumed.

Mr. Woolverton reported, that the committee had made some progress in the bill and asked leave to sit again on Monday next.

Com. report progress.

On the question for receiving the report,

Mr. Mackenzie, seconded by Mr. Cook, moves in amendment, that the bill be referred to a select committee, to be composed of Messrs. Perry, Parke, Walsh and Shaver, with power to report thereon.

Amendment to receiving report, bill referred to sel. com

*Ordered.*

Mr. Gibson, seconded by Mr. Woolverton, moves, that it be

*Resolved*—That the seventh Report of the special committee on Grievances, of last session, to which was referred Lord Ripon's despatch to Sir John Colborne of the 8th November, 1832, (with the accompanying documents) has been widely circulated among the people of Upper Canada, during the past year, by order of the House of Assembly, for general information;—that the facts and opinions embodied in that report continue to receive the full and deliberate sanction and confirmation of this House, and the people whom it represents; and that the 31st rule of this House be dispensed with so far as it would affect this motion.

Resolution expressive of the sense of the House on the 7th Report on griev'n's., of last session.

In amendment, Mr. Mackenzie, seconded by Mr. Cook, moves, that the following be added to the resolution:—"And that it is our earnest desire that the many important measures of reform recommended in that report may be speedily carried into effect, by an administration deservedly possessing the public confidence, and that a copy of this resolution be transmitted to the Secretary of State for the Colonies, through His Excellency the Lieutenant Governor."

Amendment to the Resolution.

On which the yeas and nays being taken, were as follows :

Division on amendt.

YEAS—MESSIEURS.

|                            |            |            |             |
|----------------------------|------------|------------|-------------|
| Alway,                     | Gibson,    | McMicking, | Shibley.    |
| Bruce,                     | Gilchrist, | Moore,     | Thorburn,   |
| Chisholm,                  | Hopkins,   | Morrison,  | Waters,     |
| Cook,                      | Lount,     | Parke,     | Wells,      |
| Duncombe, <i>Norfolk</i> , | McIntosh,  | Rymal,     | Woolverton, |
| Duraad,                    | Mackenzie, | Shaver,    | Yager.—24.  |
|                            | D2         |            |             |

Yeas 24.

YEAS—MESSIEURS,

Nays 15. Boulton, Lewis, Perry, Solicitor General,  
Caldwell, McDonell, Northumb. Robinson, Walsh,  
Cornwall, McLean, Roblin, Wilkinson—15.  
Dunlop, Malloch, Rykert

Amendment carried majority 9. The question of amendment was carried in the affirmative by a majority of nine.

Division on original question. On the original question as amended being put, the yeas and nays were taken, as follows:

YEAS—MESSIEURS,

Yeas 24. Alway, Gibson, McMicking, Shibley,  
Bruce, Gilchrist, Moore, Thorburn  
Chisholm, Hopkins, Morrison, Waters,  
Cook, Lount, Parke, Wells,  
Duncombe, Norfolk, McIntosh, Rymal, Woolverton,  
Durand, Mackenzie, Shaver, Yager—24.

NAYS—MESSIEURS.

Nays 15. Boulton, Lewis, Perry, Solicitor General,  
Caldwell, McDonell, Northumb. Robinson, Walsh,  
Cornwall, McLean, Roblin, Wilkinson—15.  
Dunlop, Malloch, Rykert

The question was carried in the affirmative by a majority of nine, and it was

*Resolved*—That the seventh report of the special committee on grievances of last session, to which was referred Lord Ripon's despatch to Sir John Colborne, of the 8th of November, 1832, (with the accompanying documents), has been widely circulated among the people of Upper Canada during the past year, by order of the House of Assembly for general information; that the facts and opinions embodied in that report, continue to receive the full and deliberate sanction and confirmation of this House and the people whom it represents; and that it is our earnest desire that the many important measures of reform recommended in that report may be speedily carried into effect by an administration deservedly possessing the public confidence—and that a copy of this resolution be transmitted to the Secretary of State for the Colonies through His Excellency, the Lieutenant Governor—and that the 31st rule of this House be dispensed with so far as it would affect this motion.

Mr. Speaker reported having received from the President and Cashier of the Bank of Upper Canada, a return, in conformity to the resolution of this House; which was read as follows:

Amended resolution.

Mr Speaker reports Upper Canada Bank return.

GENERAL STATEMENT of the Affairs of the Bank of Upper Canada on Wednesday the 3rd day of February, 1836—furnished by order of the Honorable the Commons House of Assembly.

|   | £         | s. | d. | RESOURCES OF THE BANK.  | £         | s. | d. |
|---|-----------|----|----|---|-----------|----|----|
| Capital Stock paid in.....  | 200,000   | 0  | 0  | Gold, Silver and other coined metals in the vaults of the Bank, viz:  |           |    |    |
| Amount of Notes in circulation not bearing interest of the value of five dollars and upwards, ....  | £170,481  | 5  | 0  | In Vault at Toronto,.....   | £98,730   | 13 | 5  |
| Do. under five dollars,....   | 49,542    | 10 | 0  | Amount at the Agencies,....   | 4,129     | 2  | 1  |
| Total amount in circulation, ..   | 220,023   | 15 | 0  | Total Specie,.....  | 102,859   | 15 | 6  |
| Bills and Notes in circulation, bearing interest } none   |           |    |    | Real Estate and Bank Furniture,.....  | 8,858     | 10 | 10 |
| Balances due to other Banks, ..   | 29,768    | 18 | 8  | Bills of other Banks,.....  | 16,092    | 0  | 0  |
| Cash deposited, including all sums whatsoever due from the Bank, not bearing interest (its bills in circulation and balances due to other Banks excepted,)..... | 157,755   | 13 | 7  | Balances due from other Banks, Balances due by the Agencies at this date, being money in transitu,.....   | 7,408     | 13 | 8  |
| Cash deposited bearing interest,.....   | 8,736     | 19 | 8  | Amount of all debts due, including Notes, Bills of Exchange, and all Stock and funded debts of every description, excepting the balances due from other Banks | 1,745     | 4  | 4  |
|   | £ 626,285 | 6  | 11 |   | 479,321   | 2  | 7  |
|   |           |    |    |   | £ 626,285 | 6  | 11 |



We the undersigned make oath and swear, that the forgoing statements are correct, to the best of our knowledge and belief.

Wm. PROUDFOOT, *President.*  
THO'S G. RIDOUT, *Cashier.*

Sworn before me at Toronto,  
this 6th day of February, 1836. }

JAMES FITZGIBBON,  
*J. P. Home District.*

MISCELLANEOUS.

Rate and amount of the last dividend, being for the six months ending the 31st day of December, 1835 :

|   |        |    |    |
|---|--------|----|----|
| Rate of dividend four per cent. on £200,000 the amount of capital | £      | s. | d. |
| stock paid in.....  | 8000   | 0  | 0  |
| Amount of reserved profits after declaring the last dividend..... | 59,59  | 0  | 8  |
| Amount of debts due to the Bank and not paid being over due.....  | 41,169 | 10 | 2  |
| Of which £3955 may be considered bad or doubtful.                 |        |    |    |

Wm. PROUDFOOT, *President,*  
THO'S G. RIDOUT, *Cashier.*

Bank of Upper Canada, Toronto, }  
3rd February, 1836. }

Mr. Mackenzie, seconded by Mr. Shaver, moves, that an humble address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would transmit the resolution of this day, expressive of the sense of the House on the seventh report of the committee on grievances of last session, to His Majesty's principal Secretary of State for the Colonies, and that Messrs. Parke and Rymal be a committee to draft and report said address.

Motion for address to His Excellency to transmit resolution to Secretary of State

On which the yeas and nays were taken as follows :

YEAS—MESSIEURS.

|                           |            |            |             |
|---------------------------|------------|------------|-------------|
| Always,                   | Gibson,    | McMicking, | Sibley,     |
| Bruce,                    | Gilchrist, | Moore,     | Thorburn,   |
| Chisholm,                 | Hopkins,   | Morrison,  | Waters,     |
| Cook,                     | Lount,     | Parke,     | Wells,      |
| Duncombe, <i>Norfolk,</i> | McIntosh,  | Rymal,     | Woolverton, |
| Durand,                   | Mackenzie, | Shaver,    | Yager—24.   |

Division.

Yeas 24.

NAYS—MESSIEURS.

|          |        |         |          |
|----------|--------|---------|----------|
| Boulton, | Perry, | Roblin, | Walsh—5. |
| Malloch, |        |         |          |

Question carried, majority 19.

The question was carried in the affirmative by a majority of nineteen, and ordered accordingly.

Address to His Excellency reported & read twice.

Mr. Parke, from the committee to draft an Address to His Excellency, the Lieutenant Governor, requesting His Excellency to transmit a certain resolution of this House to the Secretary of State for the Colonies, presented a draft, which was received, and read twice, adopted, and ordered to be read a third time this day.

Read 3rd time.

Pursuant to the order of the day, the Address was read a third time.

Division on passing.

On the question for passing the same, the yeas and nays were taken as follows :

YEAS—MESSIEURS.

|                           |            |            |             |
|---------------------------|------------|------------|-------------|
| Always,                   | Gibson,    | McMicking, | Sibley,     |
| Bruce,                    | Gilchrist, | Moore,     | Thorburn,   |
| Chisholm,                 | Hopkins,   | Morrison,  | Waters,     |
| Cook,                     | Lount,     | Parke,     | Wells,      |
| Duncombe, <i>Norfolk,</i> | McIntosh,  | Rymal,     | Woolverton, |
| Durand,                   | Mackenzie, | Shaver,    | Yager—24.   |

Yeas 24

NAYS—MESSIEURS.

|          |        |         |          |
|----------|--------|---------|----------|
| Malloch, | Perry, | Roblin, | Walsh—4. |
|----------|--------|---------|----------|

Nays 4

Question carried, majority 20, and the address signed.

The question was carried in the affirmative by a majority of twenty, and the address was passed, signed, and is as follows :

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

Address.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency would be pleased to transmit to the Secretary of State for the Colonies, the resolution herewith presented.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
February 6th, 1836.*

Committee to wait on His Excellency with address.

Mr. Mackenzie, seconded by Mr. Hopkins, moves, that Messrs. Durand and McIntosh, be a committee to wait upon His Excellency with the address of this House, and the accompanying resolution, to learn when he will be pleased to receive them, and to present them.

*Ordered.*

Adjourned 'till 10 o'clock, A. M., on Monday next.

**Monday, 8th February, 1836.**

The House met, pursuant to adjournment.

Petitions bro't up.

The minutes of Saturday were read.

Of Robert Bowman and 48 others.

Mr. Mackenzie brought up the petition of Robert Bowman and forty-eight others, of the Gore of Toronto, Vaughan, Etobicoke, Chinguacoucy, &c.; which was laid on the table.

Of John Steele & 113 others.

Mr. Boulton brought up the petition of John Steele and one hundred and thirteen others, of the Newcastle and Midland districts; which was laid on the table.

Of Geo. Adams & 63 others.

Mr. Merritt brought up the petition of George Adams and thirty-six others, inhabitants of the district of Niagara; which was laid on the table.

Of Eliakim Malcolm and 969 others.

Mr. Charles Duncombe brought up the petition of Eliakim Malcolm and nine hundred and sixty-nine others, of the eastern townships of the district of London—western part of the district of Niagara, and south-western part of the district of Gore; which was laid on the table.

Of Lewis Burwell and 395 others;

Mr. Rymal brought up the petition of Lewis Burwell and three hundred and ninety-five others, of the town and township of Brantford, (Wentworth); which was laid on the table.

Of W. Allan and 42 others.

Mr. Small brought up the petition of William Allan and forty-two others, stockholders in the British America Fire and Life Assurance Company; which was laid on the table.

Of President, Directors & Co. U. C. Bank.

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

Of Nathan Gage.

Mr. Charles Duncombe brought up the petition of Nathan Gage of Brantford, district of Gore, late treasurer of the Board of Health of that place; which was laid on the table.

Of W. F. Wallace

Mr. Charles Duncombe brought up the petition of William F. Wallace, late a member of the Board of Health at Brantford (G. D.); which was laid on the table.

Mr. Durand brought up the petition of George Rolph and seven others of Dundas and its vicinity; which was laid on the table. Of Geo Rolph and others.

Pursuant to the order of the day, the following petitions were read:

Of Daniel B. Way and thirty-eight others, inhabitants of the district of Prince Edward—stating that an illegal amount of taxes has been levied and collected in that district for the year 1835, and praying relief. Petitions read.  
Of D. B. Way and others.

Of John S. Cartwright and sixteen others, inhabitants of the Midland district—praying to be incorporated as an Insurance Company. Of J. S. Cartwright and others.

Of Charles Robinson and three others, commissioners and town clerk of the township of Therah—praying for the sum of £200 to enable them to repair their roads. Of C. Robinson & others.

Of Michael McLaughlin and sixty-one others, of the townships of Mono, Amaranth and Garrafraxa—praying for aid to repair their roads. Of M. McLaughlin.

Of James O. Bouchier and sixty-two others, of the township of Georgina, Home district—praying for aid to rebuild two bridges in said township. Of J. O. Bouchier

Of George Ham and one hundred and eighty-eight others, freeholders and house-holders of the village of Cobourg—praying that the House will not entertain any petition for the incorporation of that village. Of Geo. Ham and others.

Of Charles Hill and thirty-three others, inhabitants of the townships of Bertie and Humberstone, in the district of Niagara—praying that the boundaries of said townships may be finally established. Of Charles Hill & others.

Of Thomas Moore and one hundred and fourteen others, of the district of Prince Edward—praying for the establishment of a Fire Insurance Company in that district. Of Thomas Moore and others

Of Benjamin Ketcheson, of the town of Belleville, carpenter—complaining that the commissioners of the Trent bridge, have withheld a balance of £24 10s. due to him, and praying for relief. Of B. Ketcheson.

Of Christopher Williams and forty others, living on the town line between York and Scarborough—praying that the said line may be established according to the original survey. Of C. Williams & others.

Of Richard Lanning and forty others, of the townships of Yarmouth and Malahide, in the county of Middlesex, praying that the will of the late William P. Shaff may be confirmed. Of Rich. Lanning and others.

Of W. N. Bottom, J. P. and forty-six others, inhabitants of the township of Oxford, in the district of Johnstown—praying that the eastern boundary line may be the governing line of the township. Of W. N. Bottom and others.

Mr. Rykert gives notice, that he will, on Thursday next, move for leave to bring in a bill to authorise original allowances and other old roads to be granted and conveyed in lieu of new roads in certain cases. Notices.  
Of bill to dispose of old sites of roads.

Mr. Shaver gives notice, that he will, on to-morrow, move for leave to bring in a bill to facilitate legal remedies against Corporations. Of bill to facilitate remedies against corporations.

Mr. Shaver gives notice that he will on to-morrow, move for leave to bring in a bill to repeal an act passed in the forty-ninth year of His late Majesty's reign, entitled *An Act to encourage the destroying of Wolves in this province*, and to make further provision for exterminating these destructive animals. Of bill to make provision for the destruction of wolves

On motion of Mr. Robinson, seconded by Mr. Wilkinson. Petitions referred.  
Of Daniel McLeod and Jacob Laing.

*Ordered*—That the petition of Daniel McLeod and Jacob Laing be referred to the same committee to whom was referred the petition of John Finch and others.

- Of R C Wilkins. On motion of Mr. Boulton, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of R. C. Wilkins and others, be referred to the committee on canals and improvements.
- Of W Crofton and others. On motion of Mr. Boulton, seconded by Mr. Small,  
*Ordered*—That the petition of Walter Crofton and others, be referred to the committee on education.
- Of John Keagy, and others. On motion of Mr. Durand, seconded by Mr. Hopkins,  
*Ordered*—That the petition of John Keagey, junior, and others, praying to be incorporated as a company to construct a macadamized road up the mountain at the village of Dundas, be referred to the committee on roads, macadamized roads and bridges.
- Of A M Farewell. On motion of Mr. Morrison, seconded by Mr. Wells,  
*Ordered*—That the petition of A. M. Farewell be referred to the committee on finance, to report thereon.
- Of Freeman Bray. On motion of Mr. Durand, seconded by Mr. Hopkins,  
*Ordered*—That the petition of Freeman Bray, praying for remuneration for the loss of his schooner Sir John Colborne, be referred to the standing committee on claims.
- Of W H Bottom and others. On motion of Mr. Wells, seconded by Mr. Morrison,  
*Ordered*—That the petition of William H. Bottom and others, be referred to a committee to be composed of Messrs. Shaver, Cook, and Clessner, with power to send for persons and papers, and leave to report thereon by bill or otherwise.
- Of Geo Ham and others. On motion of Mr. Small, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of George Ham and others, be referred to the committee upon the incorporation of towns and villages.
- Of S Whitesides and others. On motion of Mr. Mackenzie, seconded by Mr. Louat,  
*Ordered*—That the Petition of S. Whitesides and one hundred and thirty-seven others, of the "Christian" denomination, praying for certain privileges, be referred to a select committee, to be composed of Messrs. Gilchrist, Thorburn, Durand, and McIntosh, with power to report by bill or otherwise.
- Of J B Bagwell & others. On motion of Mr. Mackenzie, seconded by Mr. McIntosh,  
*Ordered*—That the petition of John B. Bagwell and others, of Chinguacoucy, praying aid to the roads, be referred to the committee on finance.
- Of J Bouchier and others. On motion of Mr. McIntosh, seconded by Mr. Gibson,  
*Ordered*—That the petition of James Bouchier and other inhabitants of Georgina, be referred to the committee on roads and bridges, and report thereon.
- Of H Brant & others (Indian chiefs) On motion of Mr. Merritt, seconded by Mr. Small,  
*Ordered*—That the petition of sundry Indian Chiefs on the Grand River, in the county of Haldimand, be referred to the committee on roads and bridges.
- Of M McLaughlin and others. On motion of Mr. Robinson, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Michael McLaughlin and others, be referred to the committee of Finance.
- Of Chris. Williams and others. On motion of Mr. Small, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Christopher Williams and others, be referred to a select committee with power to send for persons and papers, and to report thereon by bill or otherwise,—and that Messrs. Morrison, Roblin, and McIntosh, do compose said committee.
- Of C Hairsine and others. On motion of Mr. Caldwell, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Charles Hairsine and others, be referred to the select committee on agriculture.

On motion of Mr. Merritt, seconded by Mr. Rykert,  
*Ordered*—That the petition of William Mylne and others, be referred to the committee of finance.

Of Wm. Milne and others.

Pursuant to the order of the day, the House was put again into committee of the whole, on resolution for address to His Majesty on trade and commerce.

Com. of whole on resolution for address to His Majesty on trade and commerce.

Mr. Caldwell in the chair.

Mr. Speaker resumed the chair to receive a message.

Mr Speaker resumes (message).

The House went again into committee of the whole, on resolution for address to His Majesty on trade and commerce.

House again in committee on resolution.

Mr. Hopkins was called to the chair.

The House resumed.

Mr. Hopkins reported, that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

Committee report resolution.

On the question for receiving the report.

On receiving the report.

In amendment—Mr. Hagerman, seconded by Mr. Boulton, moves, that the report be not now received, but that the resolution on trade, and the petition of William Allan and others, be referred to a select committee, to be composed of Messrs. Charles Duncombe, Thorburn, McMicking, and Mackenzie, to report thereon by address or otherwise, with power to send for persons and papers.

Amendment to refer report to select committee.

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

|                           |                            |           |               |
|---------------------------|----------------------------|-----------|---------------|
| Brown,                    | Duncombe, <i>Norfolk</i> , | Malloch,  | Rykert,       |
| Caldwell,                 | McIntosh,                  | Merritt,  | Small,        |
| Cook,                     | McKay,                     | Perry,    | Sol. General, |
| Cornwall,                 | McLean,                    | Robinson, | Walsh—19.     |
| Duncombe, <i>Oxford</i> , | McMicking,                 | Roblin,   |               |

Yeas 19.

NAYS—MESSIEURS.

|            |            |          |                |
|------------|------------|----------|----------------|
| Alway,     | Hopkins,   | Parke,   | Thorburn,      |
| Bruce,     | Lount,     | Rymal,   | Waters,        |
| Chisholm,  | Mackenzie, | Shaver,  | Wells,         |
| Durand,    | Moore,     | Shibley, | Woolverton—17. |
| Gilchrist, |            |          |                |

Nays 17.

The question was carried in the affirmative by a majority of two, and ordered accordingly.

Amendment carried majority 2.

Mr. Speaker reported that Mr. Secretary Joseph, had brought down from His Excellency, several messages and documents.

Messages reported from Lieut Governor

Mr. Speaker read the messages as follows :

F. B. HEAD.

The Lieutenant Governor transmits for the information of the House of Assembly, a communication from the Receiver General of the Province, with the accompanying papers, on the subject of the loans negotiated by him in England, the past year, for the public service of Upper Canada.

Message from His Excellency with communication from Receiver General on loan

*Government House, 8th February, 1836.*

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, a statement by the Receiver General of Government Debentures, redeemed and outstanding, issued under the authority of several Acts of the Provincial Legislature.

Message from His Excellency, with schedule of debentures.

*Government House, 8th February, 1836.*

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly a Report of the Commissioners appointed under authority of an Act of the Provincial Parliament, to superintend the erection of a Bridge across the Grand River at Dunnville.

Message from His Excellency with report of commissioners of Dunnville bridge.

*Government House, 8th February, 1836.*

Message from His Excellency, with report of B B Canal Commissioners

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly a Report of the Commissioners of the Burlington Bay Canal, for the year 1835, with an account of the expenditure for repairs during the last summer.  
*Government House, 8th February, 1836.*

Message from His Excellency with report of commissioners of St Lawrence improvement

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly, the Report and accompanying documents received from the Commissioners for the improvement of the Navigation of the River St. Lawrence.  
*Government House, 8th February, 1836.*

Message from His Excellency with report of Engineer on Canal Route from Lake Simcoe to Rice Lake

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly, with reference to an Address of the House presented to his Predecessor at the last Session, the Report and accompanying documents of the Engineer employed to examine the most eligible route for a Canal between Lake Simcoe and Rice Lake.  
*Government House, 8th February, 1836.*

Message from His Excellency with return of St Lawrence Insurance Company

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly the accompanying return of the St. Lawrence Inland Marine Assurance Company for the year.  
*Government House, 8th February, 1836.*

Message from His Excellency, with documents relating to lands surrendered by clergy

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly the accompanying documents containing the information required by the Address of the House, dated the 28th January last.  
*Government House, 8th February, 1836.*

Message from His Excellency with documents from Deputy Postmaster General

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly, in compliance with its address dated the 3rd instant, and with reference to an address of the House, presented to his predecessor during the last session, the accompanying documents received from the Deputy Post Master General at Quebec, relative to the Post Office Department in the British Provinces in North America.  
*Government House, 8th February, 1836.*

Message from His Excellency with report of Bois Blanc, Light House Commissioners.

F. B. HEAD.  
The Lieutenant Governor transmits for the consideration of the House of Assembly the accompanying report and schedule received from the Commissioners for superintending the erection of a Light House on the South end of the Island of Bois Blanc, on Lake Erie.  
*Government House, 8th February, 1836.*

Message from His Excellency with documents relating to King's College.

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly, with reference to its Address of the 3d of April last, presented to his predecessor, two communications from the Bursar of King's College, and the accompanying documents, relative to Upper Canada College, and King's College.  
*Government House, 8th February, 1836.*

Message from His Excellency with communication from Bishop of Regiopolis

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly, with reference to an Address of the House presented to his Predecessor during the last Session, a statement received from The Right Reverend Alexander Macdonell, Roman Catholic Bishop of Upper Canada, of the monies received from Government and disbursed by him for the use of the Roman Catholic Clergy, and Teachers, under his superintendence in the Province.  
*Government House, 8th February, 1836.*

Message from His Excellency with reports of Inspectors of Provincial Penitentiary, and memorial from Warden of do.

F. B. HEAD.  
The Lieutenant Governor transmits to the House of Assembly, the annual Report of the Inspectors of the Provincial Penitentiary, for the year 1835, with the accompanying documents.  
The Lieutenant Governor also transmits for the consideration of the House a Memorial from the Warden of that Establishment, praying for an increase of remuneration for his services.  
*Government House, 8th February, 1836.*

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, the accompanying report of the Commissioners for superintending the erection of a Light House on Gull Island, or Green Point, on Lake Ontario.

Message from His Excellency, with report of Commissioners of Gull Island Light House.

Government House, 8th February, 1836.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, in compliance with its address, dated the 3rd instant, and with reference to two addresses of the House presented to his predecessor during the last Session, copies of several documents, containing, he hopes, all the information required on the subject of the Talbot settlement; and acquaints the House of Assembly that patents to the settlers located under the superintendence of Colonel Talbot are issued to them individually under the regulation of the year 1804, and the fee chargeable thereon, paid into the hands of the Receiver General, to the credit of the Territorial Revenue of the Crown, subject to the disposition of His Majesty's Government for uses within the Province.

Message from His Excellency with information in relation to the Talbot settlement.

Government House, 8th February, 1836.

Documents—(See Appendix.)

On motion of Mr. Small, seconded by Mr. Boulton,  
*Ordered*—That when this House adjourns, during the remainder of the week, it do adjourn to three o'clock P. M. each day.

House adjourns to 3 P. M. each day this week.

On motion of Mr. Solicitor General, seconded by Mr. Malloch,  
*Ordered*—That an humble address be presented to His Excellency, the Lieutenant Governor, thanking him for his several messages of this day, and assuring him that this House will take the same into their careful consideration, and that Messrs. McLean and Perry, be a committee to draft the same.

Address of thanks to His Excellency for His messages of this day.

On motion of Mr. Roblin, seconded by Mr. Shaver,  
*Ordered*—That the message of His Excellency relative to the loan obtained in England by the Receiver General, together with the documents relative thereto, be referred to the finance committee.

Message and documents on loan referred to select committee.

On motion of Mr. McLean, seconded by Mr. Cornwall,  
*Ordered*—That five hundred copies of the report of the commissioners and accompanying documents, for the improvement of the Saint Lawrence, be printed for the use of members.

500 copies of St. Lawrence papers sent down this day to be printed.

Mr. Perry from the select Committee to draft and report an address thanking His Excellency, for his several messages of this day, reported the draft of an address, which was received, read twice, adopted, and ordered to be engrossed and read a third time this day.

Committee report address of thanks.

Address read twice 3rd reading today.

On motion of Mr. Durand, seconded by Mr. Hopkins,  
*Ordered*—That the message just received, from His Excellency, the Lieutenant-Governor, on the subject of the expenditure during the last season on the Burlington Bay Canal, be referred to the committee on finance.

Message on Burlington Bay Canal refer'd to committee on finance.

Adjourned.

Tuesday, 9th February, 1836.

The House met at 3 o'clock P. M. pursuant to adjournment.

The minutes of yesterday were read.

Petitions bro't up.

Mr. Rykert brought up the petition of the trustees of the Grantham Academy; which was laid on the table.

Trustees Grantham Academy.

Mr. Merritt brought up the petition of A. S. St. John and one hundred and fifty-eight others, of the townships of Moulton, Dunn, Cayuga, &c. on the banks of the Grand River; which was laid on the table.

Of A. S. St. John and 158 others.

Mr. Durand brought up the petition of John Paterson, President, and eighteen others, stockholders of the Desjardins' canal company; which was laid on the table.

Of Jno. Paterson and others (Desjardins' Canal.)

Of J B Askin Mr. Parke brought up the petition of John B. Askin, of the district of London; which was laid on the table.

Of G. Middagh, & 69 others. Mr. Mackenzie brought up the petition of George Middagh and sixty-nine others, of the township of Caledon, Home district; which was laid on the table.

Of J Armstrong and others. Mr. Mackenzie brought up the petition of John Armstrong and thirty-four others, of the township of Caledon, Home district; which was laid on the table.

Of J Wilson and others. Mr. Cornwall brought up the petition of John Wilson and one hundred and three others, of the township of Howard, in the Western district; which was laid on the table.

Of R Dwyer and others. Mr. Mackenzie brought up the petition of Robert Dwyer, junr. and nine hundred and seventeen others; which was laid on the table.

Address of thanks for messages of yesterday, read 3rd time passed. Pursuant to the order of the day, the address to His Excellency, the Lieutenant-Governor, thanking him for his several messages of yesterday, was read a third time, and passed, and is as follows:

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament Assembled, beg leave to thank your Excellency for your several messages of yesterday, and at the same time assure your Excellency that we shall take the same into our most attentive consideration.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
9th Feb'y. 1836.*

Com. to carry up the address. On motion of Mr. Small, seconded by Mr. Wilkinson,  
*Ordered*—That Messrs. Shaver and Wells, be a committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House, and to present the same.

Petitions read. Pursuant to the order of the day, the following petitions were read:

Of Erastus Gilbert and others. Of Erastus Gilbert and one hundred and seventy-six others, of the London district—praying to be incorporated for the purpose of improving the navigation of Big Otter Creek.

Of James Bell and others. Of James Bell and thirty-eight others, of the township of Zone, in the Western district—praying for aid to erect a bridge across Bear creek.

Of John Bolton and others. Of John Bolton and thirty-two others, of the Western district—praying for aid to build a bridge across Bear creek, in the township of Dawn.

Of Freeman Bray Of Freeman Bray, of Trafalgar, district of Gore—praying relief for the loss of a schooner, owing to there being no light in the light-house on Gibraltar Point.

Of Angus McDougall. Of Angus McDougall, late a Sergeant in the incorporated militia; praying to be restored to the pension list.

Of Finlay Sinclair and others. Of Finlay Sinclair and ninety-one others, of the county of Stormont, praying aid for roads.

Of Adam Cockburn and others. Of Adam Cockburn and fifty-one others, of the township of Finch, Eastern district—praying aid for roads.

Of W Wiseman & others. Of William Wiseman and forty-one others, inhabitants of Finch, praying for money on road between 1st and second concessions.



Mr. Durand from the select committee to wait upon His Excellency with the address of this House, requesting His Excellency to transmit a certain resolution to the Secretary of State for the Colonies, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Committee to wait on His Excellency with address and resolution to send to Secretary of State reported answer

GENTLEMEN :

The resolution presented with your address shall be transmitted to the Secretary of State for the Colonies, without delay.

Answer.

Petitions referred.

On motion of Mr. Parke, seconded by Mr. McIntosh,  
*Ordered*—That the petition of Erastus Gilbert and others, be referred to a select committee consisting of Messrs. Mackenzie and Moore, to report by bill or otherwise.

Of Erastus Gilbert and others.

On motion of Mr. Strange, seconded by Mr. McKay,  
*Ordered*—That the petition of John Macaulay, Esq. and others be referred to a select committee composed of Messrs. Perry and Roblin with power to send for persons and papers, and report thereon by bill or otherwise.

Of John Macaulay and others.

On motion of Mr. McLean, seconded by Mr. Robinson,  
*Ordered*—That the petition of Angus McDougall, be referred to a select committee, and that Messrs. Chisholm and Bruce do compose the said committee.

Of A McDougall and others.

On motion of Mr. McLean, seconded by Mr. Robinson.  
*Ordered*—That the petitions of Finlay Sinclair and others, of Adam Cockburn and others, and of William Wiseman and others, praying for monies to be expended on roads, be referred to the committee on roads and bridges.

Of F Sinclair and others

Of A. Cockburn and others.

Of W Wiseman and others.

Mr. Chisholm, seconded by Mr. Rymal, moves, that Messrs. McDonell, of *Stormont*, Shaver and Bruce, be a committee to inquire into the state of the funds of the Eastern district, and that they have power to send for persons and papers, and to report by address or otherwise, and that the 31st rule of this House be dispensed with, so far as relates to this motion.

Select committee appointed to enquire into the state of the funds of the Eastern district.

In amendment—Mr. McLean, seconded by Mr. Wilkinson, moves, that in the original motion, the words “and that they have power to send for persons and papers,” be expunged.

Amendment.

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS,

|           |          |                    |               |         |
|-----------|----------|--------------------|---------------|---------|
| Boulton,  | McLean,  | Solicitor General, | Wilkinson,—7. | Yeas 7. |
| Caldwell, | Malloch, | Strange,           |               |         |

NAYS—MESSIEURS,

|                            |                             |           |             |          |
|----------------------------|-----------------------------|-----------|-------------|----------|
| Alway,                     | Gilchrist,                  | Morrison, | Shibley,    |          |
| Brown,                     | Hopkins,                    | Parke,    | Small,      |          |
| Bruce,                     | Lewis,                      | Perry,    | Thorburn,   |          |
| Chisholm,                  | Lount,                      | Robinson, | Walsh,      |          |
| Cook,                      | McDonell, <i>Stormont</i> , | Roblin,   | Waters,     |          |
| Cornwall,                  | McIntosh,                   | Rykert,   | Wells,      |          |
| Duncombe, <i>Oxford</i> ,  | Mackenzie,                  | Rymal,    | Woolverton, | Nays 34. |
| Duncombe, <i>Norfolk</i> , | McMicking,                  | Shaver,   | Yager—34.   |          |
| Durand,                    | Merritt,                    |           |             |          |

The question of amendment was decided in the negative by a majority of twenty-seven. Amendment lost majority 27.

In amendment to the original question Mr. Boulton, seconded by Mr. Robinson, moves that the names of McDonell, of *Stormont*, and Amendment to original motion.

Bruce be expunged in the original motion, and that the names of Rykert, Strange and Roblin be inserted.

Carried.

Original question as amended.

The original question as amended was then put and carried, and it was

*Ordered*—That Messrs. Chisholm, Rykert, Strange, Shaver and Roblin be a committee to inquire into the state of the funds of the Eastern district, and that they have power to send for persons and papers and to report by address or otherwise, and that the 31st rule of this House be dispensed with so far as relates to this motion.

Com. on division of districts make 1st report with a resolution.

Mr. Perry from the select committee on the division of districts, informed the House, that the committee had agreed to a first report and a resolution, both of which he was ready to submit whenever the House would be pleased to receive the same.

The report was received and read as follows :

*To the Honorable the House of Assembly.*

1st report of Sel. Com. on division of districts.

The select committee appointed to take into consideration the division of districts in this province, beg leave to report :—

Your committee have agreed that the first step necessary to be taken is to procure a map, or plan, of the Province, and that the population and assessments of the several townships, as also the amounts of taxes paid on absentee lands should be entered on the several townships thereof, and that the said map should be so coloured as to shew the present divisions and counties, and also the divisions that may be recommended by your committee—that the expense of the same should be borne by the clerk and charged in the contingent account; and to that end your committee recommend the adoption of the following resolution :

*Resolved*—That the Clerk of this House be directed to procure the latest and most approved plan of the province, and cause the same to be colored in such a way as to shew the several divisions of Districts and Counties as now situated, and also shewing the divisions which may be recommended by the committee appointed to take into consideration the general division of the province, and that the expense thereof be charged in the contingent account of this House.

PETER PERRY,  
*Chairman.*

*Committee Room,*  
*9th February, 1835.* }

The resolution reported from the select committee on the division of districts was put and carried, and it was

Resolution for clerk of the House to procure maps of the province with colored divisions of the districts and counties.

*Resolved*—That the Clerk of this House be directed to procure the latest and most approved plan of the province, and cause the same to be coloured in such a way as to shew the several divisions of districts and counties as now situated, and also shewing the divisions which may be recommended by the committee appointed to take into consideration the general division of the province, and that the expense thereof be charged in the contingent account of this House.

Motion for distribution of Grievance reports.

Mr. Mackenzie, seconded by Mr. Wells, moves, that two copies of the Report on Grievances be delivered to each of the members of this House; and the remainder sent to members of the Imperial Parliament, under the direction of the Speaker,

Amendment.

In amendment, Mr. Perry, seconded by Mr. Walsh, moves, that after the word “moves” in the original motion, the whole be expunged, and that the following be inserted, “that the copies of the grievance report remaining undisposed of and in the clerks office, be equally divided among the members of this House.”

Lost

Which was lost.

On the original question being put, the yeas and nays were taken as follows: Division on original motion.

YEAS—MESSIEURS,

|                           |                            |            |                |         |
|---------------------------|----------------------------|------------|----------------|---------|
| Alway,                    | Durand,                    | Mackenzie, | Shibley,       |         |
| Bruce,                    | Gilchrist,                 | McMicking, | Small,         |         |
| Chisholm,                 | Hopkins,                   | Morrison,  | Thorburn,      | Yeas 24 |
| Cook,                     | Lount,                     | Parke,     | Waters,        |         |
| Duncombe, <i>Oxford,</i>  | McDonell, <i>Stormont.</i> | Rymal,     | Wells,         |         |
| Duncombe, <i>Norfolk,</i> | McIntosh,                  | Shaver,    | Woolverton—24. |         |

NAYS—MESSIEURS,

|           |           |                    |            |          |
|-----------|-----------|--------------------|------------|----------|
| Caldwell, | Malloch,  | Roblin,            | Walsh,     |          |
| Cornwall, | Merritt,  | Rykert,            | Wilkinson, | Nays 15. |
| Lewis,    | Perry,    | Solicitor General, | Yager—15.  |          |
| McLean,   | Robinson, | Strange,           |            |          |

The question was carried in the affirmative by a majority of nine, and ordered accordingly. Original question carried—majority 9

On motion of Mr. Perry, seconded by Mr. Chesser,

*Ordered*—That an humble address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will lay before this House copies of all despatches from His Majesty's government, transmitted to his predecessor Sir John Colborne, during the years 1830, 1831, and 1832, relative to the independence of the Judges in this Province, and excluding them from seats in the Legislative and Executive Councils, as also any communication or correspondence, at any time since the year 1830—between His Majesty's government and the Executive government of this colony, relative to a recommendation from His Majesty's government, that the Chief Justice of the Province, should abstain from all proceedings in the Legislative Council, by which he might be involved in any political contention of a party nature; and that Messrs. Cook and Yager be a committee to draft and report the said address, and that the 31st rule of this House be dispensed with so far as relates to this motion. Address to the Lt. Governor for copies of sundry despatches

Mr. Charles Duncombe, from the select committee to whom was referred the petition of W. C. Keele, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Committee on pet. of W C Keele report Keele's relief bill.

The report was received, and the bill for the relief of William Conway Keele was read a first time. Read 1st time.

*Ordered*—That Keele's relief bill be read a second time tomorrow. 2nd reading tomorrow.

Adjourned.

Wednesday, 10th February, 1836.

The House met.

The minutes of yesterday were read.

Mr. Waters brought up the petition of Simeon S. Eastman and two others of West Hawkesbury, in the district of Ottawa; which was laid on the table. Petitions bro't up. Of S S Eastman and others.

Mr. Waters brought up the petition of David Pattie and eighty-six others, of the county of Prescott, in the district of Ottawa; which was laid on the table. Of David Pattie and others.

Mr. Waters brought up the petition of Joseph Griffin, jun. and one hundred and one others, of the district of Ottawa; which was laid on the table. Of J Griffin jun and others.

Of James Crooks and others.

Mr. Smith brought up the petition of James Crooks and four others, on behalf of the district of Gore Agricultural Society; which was laid on the table.

Of W K Cornish and others

Mr. Smith brought up the petition of Wm. K. Cornish and thirty-five others, of the district of London; which was laid on the table.

Of A P Jones and others.

Mr. Smith brought up the petition of Asa P. Jones and seventy-nine others, of the same district; which was laid on the table.

Of J Stevenson & others.

Mr. Smith brought up the petition of James Stevenson and forty-four others, of the same district; which was laid on the table.

Of G Hamilton

Mr. Parke brought up the petition of George Hamilton, chairman of Quarter Sessions, district of Gore; which was laid on the table.

Of O Read and others.

Mr. Bruce brought up the petition of Obadiah Read and thirty-nine others, of North Crosby, district of Johnstown; which was laid on the table.

Of H Smith and others.

Mr. David Duncombe brought up the petition of Hezekiah Smith and forty others, of the district of London; which was laid on the table.

Of D Lyon and others.

Mr. Strange brought up the petition of Daniel Lyon and ninety-seven others, of the township of Loughborough, Midland district; which was laid on the table.

Of B Shaw and others.

Mr. David Duncombe brought up the petition of Bela Shaw and one hundred and six others, of the district of London; which was laid on the table.

Of J Lewis

Mr. Rykert brought up the petition of John Lewis; which was laid on the table.

Of J B Baby and others.

Mr. Caldwell brought up the petition of J. B. Baby and fifty-four others, of the Western district and district of London; which was laid on the table.

Of H Dalley and others.

Mr. Dunlop brought up the petition of Henry Dalley and twenty-four others, of the district of London; which was laid on the table.

Of S Smith and others.

Mr. Dunlop brought up the petition of Samuel Smith and twenty-four others, of the same district; which was laid on the table.

Of J McNair and others.

Mr. Dunlop brought up the petition of John McNair and twenty-seven others, of the same district; which was laid on the table.

Of C Cook and others.

Mr. Dunlop brought up the petition of Caleb Cook and fifty-three others, of the same district; which was laid on the table.

Of W Duff and others.

Mr. Wilkinson brought up the petition of William Duff and thirty-seven others, of the Western district; which was laid on the table.

Of J Caldwell & others.

Mr. Wilkinson brought up the petition of James Caldwell and forty-six others, of the same district; which was laid on the table.

Of J Smith and others.

Mr. Wilkinson brought up the petition of Thomas Smith and thirty-six others, of the same district; which was laid on the table.

Of G Buchanan and others.

Mr. Wilkinson brought up the petition of Gordon Buchanan and twenty-five others, of the same district; which was laid on the table.

Of P Girty and others

Mr. Wilkinson brought up the petition of Prideaux Girty and forty-two others, of the same district; which was laid on the table.

Of A Bruner and others.

Mr. Wilkinson brought up the petition of Adam Bruner and nineteen others, of the same district; which was laid on the table.

Of J Gardiner & others.

Mr. Cornwall brought up the petition of James Gardiner and sixteen others, of the same district; which was laid on the table.

Of D T Baldwin and others.

Mr. Cornwall brought up the petition of D. T. Baldwin and seventy-six others, of the same district; which was laid on the table.

Of H Allison J P and others.

Mr. McCrae brought up the petition of Harry Alison, J. P. and thirty-four others, of the same district; which was laid on the table.

- Mr. McCrae brought up the petition of Thomas Renwick and thirteen others, of the same district; which was laid on the table. Of T. Renwick and others.
- Mr. McCrae brought up the petition of James W. Little and one hundred and forty-nine others, of the same district; which was laid on the table. Of J W Little and others.
- Mr. Walsh brought up the petition of John Waddell and thirty-one others, of the district of London; which was laid on the table. Of J Waddell and others.
- Mr. Walsh brought up the petition of Peter Swartz and fifty-nine others, of the same district; which was laid on the table. Of Peter Swartz and others.
- Mr. Walsh brought up the petition of Jas. Blackwood and eighty-five others, of the same district; which was laid on the table. Of J Blackwood and others.
- Mr. David Duncombe brought up the petition of Samuel Farrin and one hundred and fifty-two others, of the same district; which was laid on the table. Of S Farrin and others.
- Mr. David Duncombe brought up the petition of George Miller and sixteen others, of the same district; which was laid on the table. Of G Miller and others.
- Mr. David Duncombe brought up the petition of R. L. McKenney and thirty-one others, of the same district; which was laid on the table. Of R L McKenney and others.
- Mr. David Duncombe brought up the petition of John Cosson and twenty-one others, of the same district; which was laid on the table. Of J Cosson and others.
- Mr. David Duncombe brought up the petition of John Alworth and seventeen others, of the same district; which was laid on the table. Of J Alworth and others.
- Mr. Yager brought up the petition of Solomon Johns and forty six others, of the district of Newcastle; which was laid on the table. Of Solomon Johns and others.
- Mr. Yager brought up the petition of T. Parker and eighty others, of the county of Hastings, Midland district; which was laid on the table. Of T Parker and others.
- Mr. Alway brought up the petition of William Lymburner and twenty two others, of the 13th and 14th concessions of the township of Burford, in the district of London; which was laid on the table. Of W Lymburner.
- Mr. Parke brought up the petition of Levi Fowler and forty five others, of the district of London; which was laid on the table. Levi Fowler and others.
- Mr. Parke brought up the petition of Archibald McKellock and seventy others, of the same district; which was laid on the table. Of A McKellock and others.
- Mr. Parke brought up the petition of L. Lawless and thirty eight others, of the same district; which was laid on the table. Of L Lawless and others.
- Mr. Robinson brought up the petition of Francis Hewson J. P., and eight hundred and ten others, of the county of Simcoe, in the Home district; which was laid on the table. Of F Hewson and others.
- Mr. Durand brought up the petition of John Gamble and three hundred others, of the district of Gore; which was laid on the table. Of J Gamble and others.
- Mr. Parke brought up the petition of John Bostwick and two hundred and seventy five others, county of Middlesex; which was laid on the table. Of J Bostwick & others.
- Mr. Hopkins brought up the petition of James McNab and eight hundred and forty nine others, freeholders &c. of the village of McNab and townships of Trafalgar, Chinguacousey, Esquesing, Caledon and Erin, district of Gore; which was laid on the table. Of J McNab and others.
- Mr. Charles Duncombe brought up the petition of John Chisholm of East Flamboro', district of Gore; which was laid on the table. Of J Chisholm.

Petitions read.

Pursuant to the order of the day, the following petitions were read :

Of Robt. Bowman and others.

Of Robert Bowman and forty-eight others, of the Gore of Toronto, &c., praying, that the base line of the Gore of Toronto may be improved.

Of John Steele & others.

Of John Steele and one hundred and thirteen others, inhabitants of the Midland and Newcastle districts, praying for a grant of a sum of money to improve the navigation of the River Trent, from its mouth to the Rice Lake.

Of Geo. Adams & others.

Of George Adams and thirty six others, of the district of Niagara, praying for a charter incorporating them as a mutual insurance company.

Of E. Malcolm & others.

Of Eliakim Malcolm and nine hundred and sixty-nine others, of the Eastern parts of the district of London, the Western parts of the district of Niagara, and the South-western parts of the district of Gore, praying for the formation of a new district.

Of Lewis Burwell & others.

Of Lewis Burwell and three hundred and ninety-five others, of the town and township of Brantford, and of the town of Paris, in the county of Wentworth, praying that if a new district should be formed, the present boundaries of the county of Wentworth may be preserved inviolate.

Of W Allan and others.

Of William Allan and forty-two others, stockholders in the British America Fire and Life Assurance Company, praying for certain alterations in their charter.

Of President &c. U C Bank.

Of the President, Directors and Company of the bank of Upper Canada, praying the House to take the state of the currency into its serious consideration, and make such alterations therein as may be deemed necessary.

Of N Gage.

Of Nathan Gage, late treasury of the Board of Health, at Brantford, praying that a sum expended by him from his private funds, may be repaid him.

Of W F Wallace.

Of William F. Wallace, late a member of the Board of Health of the same place, praying the same.

Of Geo. Rolph & others.

Of George Rolph and seven others, inhabitants of the village of Dundas and vicinity, praying that no act may be passed for incorporating the said village.

Master in Chancery brings down the seduction bill and the separatists bill from Leg. Coun.

The Master in Chancery brought down from the honorable the Legislative Council, a bill entitled, "*An Act to make the remedy in cases of seduction more effectual, and to render the fathers of illegitimate children liable for their support.*" And also the bill entitled, "*An Act to allow the people called separatists to make a solemn affirmation and declaration instead of an oath*"—which that honorable House had passed, and requested the concurrence of this House thereto.

Seduction bill from Leg. Council read 1st time.

The bill sent down from the honorable the Legislative Council, entitled, "*An Act to make the remedy in cases of seduction more effectual, and to render the fathers of illegitimate children liable for their support*"—was read a first time.

2nd reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

Separatist's bill from Leg. Council read 1st time.

The bill sent down from the honorable the Legislative Council, entitled, "*An Act to allow the people called separatists, to make a solemn affirmation and declaration instead of an oath*"—was read a first time."

2d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

Message &c. from Lieut. Governor on endowment of parsonages referred to select committee.

On motion of Mr. Small, seconded by Mr. Wilkinson, *Ordered*—That the message of His Excellency, the Lieutenant Governor, of Monday last, with the several documents accompanying the same, in answer to the address of this House of the 28th January,

upon the subject of lands surrendered for the endowments of parsonages, be referred to a select committee, with power to send for persons and papers, and to report thereon, and that Messrs. Morrison, Parke, and Chisholm, do compose said committee.

Mr. Chisholm from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House, on the affairs of the Province, reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer:

Com. to wait on His Exc'y with address on affairs of the province report His Excellency's answer.

GENTLEMEN:

An early answer to this Address shall be transmitted by Message to the House of Assembly. Answer.

On motion of Mr. Parke, seconded by Mr. Perry,

*Ordered*—That the documents sent down from His Excellency, the Lieutenant Governor, relating to the Talbot Settlement, be referred to the committee to whom was referred the proceedings on the petitions of William Jackson, John Ardiel, and Levi Lewis.

Documents from His Excellency on Talbot settlement referred to sel. com.

Mr. Roblin from the select committee to which was referred the petition of the Port Hope harbor Company, and the petition of D. Smart and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Com. on petition of Port Hope Har. Com. and on petition of D Smart report a bill to increase the capital stock of said company.

The report was received, and the bill was read the first time.

Bill read 1st time.

*Ordered*—That the bill to increase the capital stock of the Port Hope harbour and wharf company, be read a second time to-morrow.

2nd reading to-morrow.

On motion of Mr. Boulton, seconded by Mr. Small,

*Ordered*—That the petition of John Steele and others, be referred to the committee on canals and internal improvements.

Petitions referred. J Steele and others.

On motion of Mr. Durand, seconded by Mr. Hopkins,

*Ordered*—That the petition of George Rolph, Esq. and others, praying against their lands being included in any Act that may be passed for the incorporation of the village of Dundas, be referred to the committee on the incorporation of towns and villages.

Of George Rolph and others.

On motion of Mr. Lount, seconded by Mr. Waters,

*Ordered*—That the petition of the board of commissioners of the township of Thora, be referred to the committee on roads and bridges.

Of C Robinson and others.

On motion of Mr. Merritt, seconded by Mr. Rykert,

*Ordered*—That the petition of George Adams, Esquire, and others be referred to the committee on Insurance and trust companies.

Of G Adams and others.

On motion of Mr. Walsh, seconded by Mr. McCrae,

*Ordered*—That the petition of Richard Lanning and others, praying for an Act to be passed to confirm a Will, be referred to a select committee to be composed of Messrs. Small and Boulton, with power to send for persons and papers, and report thereon.

Of R'd Lanning and others.

On motion of Mr. Small seconded by Mr. Wilkinson,

*Ordered*—That the petition of William Allan and others be referred to the committee upon the incorporation of Insurance and trust Companies.

Of W Allan and others.

On motion of Mr. Rymal, seconded by Mr. Smith.

*Ordered*—That the petition of the inhabitants of the town and township of Brantford and town of Paris, be referred to the committee on the division of districts.

Of L Burwell and others.

On motion of Mr. Cornwall, seconded by Mr. Small,

*Ordered*—That the petition of James Bell and other inhabitants of the township of Zone, be referred to the committee on roads and bridges.

Of Ja's Bell and others.

Of J Bolton and others.

On motion of Mr. Cornwall, seconded by Mr. Small,  
*Ordered*—That the petition of John Bolton and others of the township of Dawn in the Western district, be referred to the committee on roads and bridges.

Com. of whole on war losses.

Pursuant to the order of the day, the House was put into committee of the whole on claims for War losses.

Mr. Waters in the chair.  
The House resumed.

Progress—sit again to-morrow.

Mr. Waters reported that the committee had made some progress, and asked leave to sit again tomorrow.

The report was received, and leave granted accordingly.

Pursuant to notice, Mr. Merritt seconded by Mr. Thorburn, moves, that so much of the Journals of last session as relates to the petition of William Fell and others be now read.

Journals on petition of W Fell read.

Which was carried, and the Journal was read accordingly—*see page 226 printed Journals.*

Pet. of W Fell referred to supply.

On motion of Mr. Merritt, seconded by Mr. Rykert,  
*Ordered*—That the petition of William Fell be referred to the committee of supply.

Ameliasburgh survey bill read 2d time

Pursuant to the order of the day, the Ameliasburgh survey bill was read a second time.

And committee

The House was put into a committee of the whole on the bill.

Mr. Cook in the chair.

The House resumed.

Progress—sit again tomorrow.

Mr. Cook reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

The report was received, and leave granted accordingly.

Judges restriction bill read 2nd time.

Pursuant to the order of the day, the Judges restriction bill was read a second time.

The House was put into committee of the whole on the bill.

House in com'tee.

Mr. Parke in the chair.

The House resumed.

Bill rep. amended.

Mr. Parke reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Division on receiving report.

On the question for receiving the report, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

- |          |                           |            |          |             |
|----------|---------------------------|------------|----------|-------------|
| Yeas 29. | Alway,                    | Gilchrist, | Parke,   | Small,      |
|          | Bruce,                    | Lount,     | Perry,   | Smith,      |
|          | Chesser,                  | McIntosh,  | Roblin,  | Thorburn,   |
|          | Chisholm,                 | Mackenzie, | Rykert,  | Waters,     |
|          | Cook,                     | McMicking, | Rymal,   | Wells,      |
|          | Duncombe, <i>Oxford,</i>  | Moore,     | Shaver,  | Woolverton, |
|          | Duncombe, <i>Norfolk,</i> | Morrison,  | Shibley, | Yager.—29.  |
|          | Durand,                   |            |          |             |

NAYS—MESSIEURS.

- |         |           |                    |        |              |
|---------|-----------|--------------------|--------|--------------|
| Nays 5. | Caldwell, | Solicitor General, | Walsh, | Wilkinson—5. |
|         | Robinson, |                    |        |              |

Question carried, majority 54.

The question was carried in the affirmative by a majority of twenty-four, and the report was received.

3rd reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Chairman of com. on Trade presents a report of an address.

Mr. Thorburn, chairman of the committee on trade, informed the House that the committee had agreed to a report, and the draft of an address to His Majesty, as their first report, which he was rea-



dy to submit whenever the House would be pleased to receive the same.

The report was received and read as follows :

Report read.

*To the Honorable the House of Assembly.*

The select committee to whom were referred a resolution on Trade and Commerce and the petition of the following members of the Board of Trade, Merchants and others, of the city of Toronto and its vicinity, viz :

Report of com. on the Resolution on Trade, and on the pet. of W. Allan Esq. & others.

The Honorable William Allan, James F. Smith, W. C. Ross, J. W. Brent, Francis Hincks, William Stennett, Peter Paterson, Sen., P. Paterson, Jun., William Kirkup, George P. Ridout, James Saxon, Thomas D. Harris, Joseph D. Ridout, J. R. McKnight, Geo. B. Willard, George A. Barber, William Armstrong, John Ewart, Silas Burnham, Daniel Griffin, George Monro, John Robertson, P. F. Whitney, Alfred Wasnidge, Matthew Codd, William M. Gorrie, J. L. Perrin, T. Parson, E. Leslie & Sons, John Christie, John A. Smith, Alexander Rennie, John Ellah, Alexander Ogilvie, William Hamilton, William Mather, Richard Northcote, W. J. Coates, John Somerville, James Westland, Robert Darling, R. Tuton, George Moore, Henry Rowsell, W. Rowsell, Francis Lewis, Charles Clever, D. Jardine, R. B. Sullivan, Edward Hitching, C. O. Benson, William Lawson, Thomas Thomson, Alexander Dixon, James Beatty, Robert Scott, John Beatty, J. R. Armstrong, George Savage, Thomas Rigney, D. Hudson, James Rigney, Joseph Rogers, Alexander Murray, G. Skor, J. A. Wilkes, W. C. Hume, John Ridout, James Cull, and William Atkinson,—setting forth, that they had heard that it was to be proposed in Congress to pass a law authorizing the importation and transport of British goods, through the United States into Canada, free of duty—that in their opinion such a measure would be advantageous to the Canadas—that the port of New-York is open all the year, while Montreal and Quebec are shut for several months—that when the Oswego rail-road is completed, goods may be delivered at the wharf at Toronto every month in the year, which would enable the merchant more frequently to renew his stock and do as much business as at present with a less capital—that the New-York route is so superior to the other, that some merchants prefer the existing heavy duties and avail themselves of it—that the admission of goods by New-York might enable this Province to collect its own revenue—that the petitioners are desirous of meeting the views of the Americans on this subject, because they look forward to the time when an Ontario, Simcoe, and Huron rail-road may produce reciprocity; so that the upper Canadians might become the carriers of the goods of the people of Michigan by a route about 300 miles shorter than that now used—that the project of the petitioners would virtually give Upper Canada “some Port of exit and of entry,”—that it is imperatively demanded by the commercial and agricultural importance of this province—and that the petitioners do not perceive that any evil would result to British shipping, but that they believe it might prove advantageous to the West India shipping, as instead of going out in ballast, many vessels might be freighted to New-York with British goods for Canada, and there take in the beef, pork, bread stuffs, and other produce of these Colonies direct for the West India Islands; and earnestly praying that your honorable House would adopt measures for bringing the subject before Parliament, enforced by your unanimous vote;—have, in obedience to the order of the House, carefully considered the allegations of the petitioners, and the several matters embraced in the resolution submitted to them.

Your committee having referred to the resolutions brought into the House last year from the select committee on Trade;—to the documentary and oral evidence reported to the House from that committee and embodied in three reports printed with a copious index, in the first volume of the Appendix to the Journal; and to such other sources of information as they considered essential,—are of opinion that the testimony before the House, embraced in these voluminous reports, affords good and sufficient grounds in support of the general principles laid down in the resolution submitted to them—In its details they have made some amendment.

In the great principle of obtaining for the colony a choice of markets, beyond its own boundary line, the members of the Toronto Board of Trade, and other petitioners appear fully to coincide with the opinion embraced in the resolution submitted to the committee; which also has for its object a general system of reciprocity, whereby our shipowners, manufacturers and farmers, would be admitted to a market of greater extent, and therefore less liable to be injuriously affected by local causes—at present the farmer and manufacturer are in a great degree confined to one market, and the prices are lowered by imports from the United States or Europe, when that market is high; while, when it is low they must take prices which do not remunerate, here or at Quebec, or pay ruinous duties on the opposite frontier.

The propositions contained in the address herewith reported, are in accordance with the line of commercial policy hitherto advocated by His Majesty's present advisers, and those who support their measures for the regulation of Trade in the Imperial Parliament.

DAVID THORBURN, Chairman,  
GILBERT McMICKING,  
CHARLES DUNCOMBE,  
Wm. L. MACKENZIE.

Address read 1st time.

The address to His Majesty was then read a first time.

On the question for the second reading of the address,

2nd reading 1st thing on Monday

In amendment, Mr. Thorburn, seconded by Mr. McMicking, moves, that the address be read a second time on Monday next, and that it stand first on the order of the day for that day, after referring petitions.

*Ordered.*

Chairman of com. on Contn. reports an address to His Ex'cy for £1,000.

Mr. Thorburn, chairman of the select committee appointed to examine and report upon the contingencies of this House during the late recess and present session, presented the draft of an address to His Excellency the Lieutenant Governor, which was received, read twice, adopted, and ordered to be engrossed and read a third time this day.

Com. on pet. of G. A. Latham, report address.

Mr. McIntosh from the select committee to whom was referred the petition of George A. Latham, M. D. of the City of Toronto, reported the draft of an address, which was received, read twice, concurred in, and ordered to be engrossed, and read a third time this day.

Address read twice 3rd reading this day

Mr. Cook, from the committee to draft an Address to His Excellency, the Lieutenant Governor, in relation to the independence of the Judges, &c. presented a draft, which was received and read twice.

Address read twice

On the question for the adoption of the address.

Amendment to the address.

Mr. Perry, seconded by Mr. McIntosh, moves, that the address be amended by adding the following—And also copies of all official correspondence between His Majesty's government and the government of this Province, relative to the cession by His Majesty, of the revenue raised under the statute 14th George the third, to the appropriation of the Legislature, and the particular provision for the several officers of the government, required by His Majesty to be made by the Legislature, on the cession of the said revenue.

Which was carried, and the address amended accordingly.

Amend't carried. 3rd reading this day.

The address was concurred in, and ordered to be engrossed and read a third time this day.

On motion of Mr. McIntosh, seconded by Mr. Woolverton,

Instructions to com. on pet. of Dr. Latham to inquire into the disposition of certain lands in the liberties of this City.

*Ordered*—That it be an instruction to the committee to which was referred the petition of Dr. Latham, relative to the appropriation of certain public property in this city and county, to make careful inquiry as to the authority under which the commons east of this city, and to the west of Peter Street, up to the garrison, and south of Lot Street West, with the water lots, or parts of the same, have been taken from the citizens without their consent, or the approbation of the Legislature, after being used for many years as a common for the recreation of the inhabitants, and as pasture ground for their cattle; also to inquire what sales, reservations, leases, or grants of those commons or other town property within the limits of the city and liberties have been made, and what other proceedings have been taken therewith, and what funds have accrued or are likely to accrue from the same; also to obtain an account of the manner in which any such funds have been applied; with the authority, if any, for such appli-

cation—and that the 31st rule be dispensed with so far as relates to this motion.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor for an advance on contingencies was read the third time, passed, and is as follows : Address to His Ex'y for advance on contingencies read third time

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency would be pleased to issue your Warrant on the Receiver General in favor of the Speaker of this House, for one thousand pounds, in part to defray the contingent expenses of this House, which sum we will make good during the present session.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
February 10th, 1836. }*

On motion of Mr. Thorburn, seconded by Mr. Hopkins, Com. to carry up the address.  
*Ordered*—That Messrs. Mells and Durand, be a committee to carry to His Excellency, the address of this House for an advance on account of contingencies, and present the same.

Pursuant to the order of the day, the law suit lessening bill was read the second time. Law suit lessening bill read 2d time.

The House was put into committee of the whole on the bill.

Mr. Rymal in the chair.

The House resumed.

Mr. Rymal reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow. Bill reported with out amendment 3rd reading to-morrow.

Pursuant to the order of the day, the assessment law amendment bill was read a second time. Ass't law amend't bill ref'd to sel com

The House was put into committee of the whole on the bill.

Mr. Small in the chair.

The House resumed.

Mr. Small reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

On the question for receiving the report,

In amendment, Mr. Robinson, seconded by Mr. Wilkinson, moves, that the bill to amend the wild land assessment law be referred to a select committee composed of Messrs. McLean, Perry, Walsh, and Roblin.

Which was carried.

On motion of Mr. Charles Duncombe, seconded by Mr. Bruce, Certain messages and documents sent down by His Ex'y on monday ref'd to com on finance  
*Ordered*—That the messages and documents sent down on Monday last, from His Excellency, the Lieutenant Governor, relating to the improvement of the St. Lawrence.—The Post Office Department. The University of King's College, Upper Canada College, and General Board of Education.—The Canal route between Lake Simcoe and the Rice Lake.—The Light House on Gull Island.—The Light House on Bois Blanc Island.—The Bridge at Dunville.—The Government Debentures, and The payments made to the Roman Catholic Clergy by the Bishop of Regiopolis—be referred to Committee on Finance.

Adjourned.

Thursday, 11th February, 1836.

The House met, pursuant to adjournment.

The minutes of yesterday were read.

Petitions bro't up.

Mr. C. Duncombe brought up the petition of John Hammill, of the town of Dunnville, in the Niagara district; which was laid on the table.

Of J. Hammill.

Of Jno. Weir and others.

Mr. C. Duncombe brought up the petition of John Weir and seven others, of the district of London; which was laid on the table.

Of Jesse Zavitz & others.

Mr. Parke brought up the petition of Jesse Zavitz and two hundred and eighty-five others, of the county of Middlesex; which was laid on the table.

Of Ebenezer Reynolds and others.

Mr. Wilkinson brought up the petition of Ebenezer Reynolds, Sheriff of the Western district; which was laid on the table.

Of R. Decker.

Mr. Durand brought up the petition of Richard Decker, of the township of Beverly, in the county of Halton; which was laid on the table.

Of J. Maclem, senior, and others.

Mr. Richardson brought up the petition of James Maclem, senr. and ninety-one others, of the district of Niagara; which was laid on the table.

Of J. L. Schofield, J. P., and others.

Mr. Wells bro't up the petition of J. L. Schofield, J. P. and seven others, of the district of Johnstown; which was laid on the table.

Of R. Fairburn & others.

Mr. Boulton brought up the petition of R. Fairburn and forty-one others, of the township of Darlington, in the district of Newcastle; which was laid on the table.

Of F. Phelps and others.

Mr. Robinson brought up the petition of Francis Phelps and fifty-four others, of the Home district; which was laid on the table.

Of T. West, jun., and others.

Mr. Robinson brought up the petition of T. West, jun'r, and two hundred and twenty-eight others, of the township of West Gwillimbury (Simcoe); which was laid on the table.

Of the President and Directors of the Bank of U. C.

Mr. Small brought up the petition of the President and Directors of the Bank of Upper Canada; which was laid on the table.

Of J. H. Greer & others.

Mr. Perry brought up the petition of John H. Greer and one hundred and seventeen others, inhabitants of the Province; which was laid on the table.

Judges' restriction bill read third time.

Pursuant to the order of the day, the Judges restriction bill was read a third time.

Rider.

On the question for passing the same being put, Mr. Richardson, seconded by Mr. Rykest, moves in amendment, that the following be added as a rider to the bill:

*Provided always*—That nothing contained in this Act shall extend or be construed to extend to prevent the Chief Justice for the time being holding a seat in the Legislative Council.

Division.

On which the yeas and nays being taken, were as follows:

YEAS—MESSIEURS.

|          |   |   |                                     |   |
|----------|---|---|-------------------------------------|---|
| Yeas 14. | Boulton,<br>Caldwell,<br>Cornwall,<br>Dunlop, | Lewis,<br>McKay,<br>McLean,<br>Merritt, | Richardson,<br>Robinson,<br>Rykert, | Sol. General,<br>Walsh,<br>Wilkinson,—14. |
|----------|---|---|-------------------------------------|---|

NAYS—MESSIEURS.

|          |  |  |   |   |
|----------|--|--|---|---|
| Nays 17. | Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Durand, | Gibson,<br>Gilchrist,<br>Lount,<br>McDonell, <i>Stormont</i> , | McMicking,<br>Morrison,<br>Parke,<br>Rymal, | Shaver,<br>Waters,<br>Wells,<br>Yager—17. |
|----------|--|--|---|---|

Question lost. majority 3.

The question was decided in the negative by a majority of three.

On the question for passing the bill the yeas and nays being taken, were as follows : On passing bill.

**YEAS—MESSIEURS.**

|                           |                             |           |             |         |
|---------------------------|-----------------------------|-----------|-------------|---------|
| Alway,                    | Gibson,                     | Moore,    | Small,      |         |
| Bruce,                    | Gilchrist,                  | Morrison, | Smith,      |         |
| Chisholm,                 | Hopkins,                    | Parke,    | Thorburn,   |         |
| Cook,                     | Lount,                      | Perry,    | Waters,     |         |
| Duncombe, <i>Oxford,</i>  | McDonnell, <i>Stormont,</i> | Rymal,    | Wells,      |         |
| Duncombe' <i>Norfolk,</i> | McIntosh,                   | Shaver,   | Woolverton, |         |
| Durand,                   | McMicking,                  | Shibley,  | Yager—28.   | Yeas 28 |

**NAYS—MESSIEURS.**

|           |         |             |               |          |
|-----------|---------|-------------|---------------|----------|
| Boulton,  | Lewis,  | Merritt,    | Sol. General, |          |
| Caldwell, | McKay,  | Richardson, | Waish,        |          |
| Cornwall, | McLean, | Robinson,   | Wilkinson—13. | Nays 13. |
| Dunlop,   |         |             |               |          |

The question was carried in the affirmative by a majority of fifteen, and the bill was passed. Carried, majority 15.

Mr. Small, seconded by Mr. Morrison, moves, that the bill be entitled, "*An Act to exclude Judges from the Legislative and Executive Councils, and to declare Ecclesiastics and all religious teachers incapable of sitting and voting in the Legislative Council.*" Title to Judges' restriction bill.

Which was carried, and Messrs. Small and Morrison, were ordered by the Speaker to carry the bill up to the honorable the Legislative Council, and to request their concurrence thereto. Committee to carry up the bill to Legislative Council.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor, requesting information on the Hospital, was read a third time and passed, and signed, and is as follows : Address to His Excellency read third time, &c.

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

**MAY IT PLEASE YOUR EXCELLENCY :**

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in provincial parliament assembled, humbly request that Your Excellency would be pleased to cause to be laid before this House, for its information, the detailed statements relative to the management of the Town and County Hospital in this city, the deaths, dismissals, and whether the patients so dismissed were cured or incurable, and relative to the receipt and appropriation of its revenues from the commencement, which we requested from His Excellency Sir John Colborne, in an address which passed this House on the eleventh day of February 1835. Address to His Excellency the Lt Gov for information in relation to the York General Hospital.

Complaint has been made to this House by petition from one of the medical practitioners of this city, setting forth that the said Hospital was endowed with various grants of land during the administration of His Excellency Sir Peregrine Maitland, which lands were granted in trust to the late Honorable William Dummer Powell, the late Hon. James Baby, and the Venerable Archdeacon Strachan, for the benefit of the poor and friendless who might be placed in the said hospital; and that by far the most valuable of these lots of ground are now in possession of those who have no claim to them.

On reference to the documents sent down to this House last session it appears "that the land attached to the Government or Elmsley House, in the town of York—Russell's Square, in the town of York—Simcoe Place, in the town of York—the Park or Government Reserve, east of the town of York—the land and site of the old brick and government buildings, adjoining the south-east angle of the town of York—the Government Reservation west of Russell Square, in the town of York—the Hospital reservation, in the town of York—the site of the present Gaol, in the town of York—and the School reservation, in the town of York"—were granted on the 9th of June, 1818, to the said Messrs. Powell, Baby, and the Venerable Archdeacon Strachan, in trust, for certain purposes therein named; and that six one acre lots granted to French Refugees, were recommended to be added to the said Hospital endowment, by a minute in Council of the 9th September, 1818; and that certain lots of land on each side of the Don Bridge were further added by a minute in Council of the 15th of October, 1819.

We are desirous to ascertain what purposes the said six acres were applied to ; and what revenues have been derived from the above mentioned appropriations, and to what purposes they have been applied, and to have laid before us copy of the detailed accounts of the receipt and expenditure of the Hospital revenues, as ordered to be annually submitted to the Executive Council, by the above recited minute in Council of the 15th October, 1819 ; as also, to ascertain whether the lands above enumerated or otherwise mentioned have in any case been diverted from the original purposes intended by the government, and if so, under what circumstances, and in whose possession they are now vested, and that copy of the application and order under which the old jail ground was added to the Venerable Archdeacon Strachan's glebe may be communicated to us ; as well as any applications, reports or observations that may be in Your Excellency's possession, on the subject of the Medical Board of this Province.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
11th February, 1836. }

On motion of Mr. McIntosh, seconded by Mr. Gilchrist,  
*Ordered*—That Messrs. Gibson and Lount, be a committee to ascertain when His Excellency will receive the address of this House, and to present the same.

Com. to wait on His Excy with the address.

Pursuant to the order of the day, the address to His Excellency, the Lieutenant Governor, relative to the independence of the Judges, &c., was read a third time, passed and signed, and is as follows :

Address to His Ex. on independence of Judges, read 3d time & passed.

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

Address to His Excellency on the independence of the Judges.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in provincial parliament assembled, humbly request that Your Excellency will lay before this House copies of all despatches from His Majesty's Government transmitted to Your Excellency's Predecessor Sir John Colborne, during the years 1830, 1831, or 1832, relative to the independence of the Judges in this Province, and excluding them from seats in the Legislative and Executive Councils, as also any communication or correspondence at any time since the year 1830, between His Majesty's Government and the Executive Government of this Colony relative to a recommendation from His Majesty's Government that the Chief Justice of the Province should abstain from all proceedings in the Legislative Council, by which he might be involved in any political contention of a party nature—and also copies of all official correspondence between His Majesty's Government and the Government of this Province relative to the cession by His Majesty of the revenue raised under the statute 14th George the 3rd to the appropriation of the Legislature, and the particular provision for the several officers of the Government required by His Majesty to be made by the Legislature, on the cession of the said revenue.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
11th February, 1836. }

On motion of Mr. Perry, seconded by Mr. Shibley,  
*Ordered*—That Messrs. David Duncombe and Durand, be a committee to wait on His Excellency, to know when he will receive the address, and present the same.

Com. to wait on His Excellency with the address.

Law suit lessening bill read 3rd time.

Pursuant to the order of the day, the law-suit lessening bill was read the third time.

Division.

On the question for passing the same, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

Yeas 33.

|           |            |             |           |
|-----------|------------|-------------|-----------|
| Alway,    | Gibson,    | Moore,      | Shibley,  |
| Boulton,  | Gilchrist, | Morrison,   | Small,    |
| Bruce,    | Hopkins,   | Parke,      | Smith,    |
| Caldwell, | Lount,     | Perry,      | Thorburn, |
| Chisholm, | McIntosh,  | Richardson, | Walsh,    |

|  |   |   |   |          |
|--|---|---|---|----------|
| Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Dunlop, | McKay,<br>Mackenzie,<br>McLean,<br>McMicking,<br>Merritt, | Robinson,<br>Roblin,<br>Rymal,<br>Shaver, | Wells,<br>Wilkinson,<br>Woolverton,<br>Yager,—38. | Yeas 38. |
|--|---|---|---|----------|

NAYS—MESSIEURS,

Solicitor General—1.

Nays 1.

The question was carried in the affirmative by a majority of thirty-seven, and the bill was passed. Question carried, majority 37.

Mr. Mackenzie, seconded by Mr. Lount, moves that the bill be entitled, *An Act to prevent the unnecessary increase of costs, in lawsuits brought on notes of hand, bonds and bills.* Title.

Which was carried, and Messrs. Mackenzie and Lount were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Committee to carry up the bill to Legislative Council.

Pursuant to the order of the day, the following petitions were read: Petitions read.

Of the Trustees of Grantham Academy, praying for a grant of £200 to enable them to satisfy a judgment against them for that amount. Of Trustees of the Grantham academy.

Of A. S. St. John and one hundred and fifty-eight others, of the townships of Moulton, Dunn, Cayuga, &c., on the banks of the Grand River, complaining of injuries sustained from the Welland Canal Company, and praying for relief. Of A. S. St John and others.

Of John Paterson, President, and eighteen others, stockholders of the Desjardins Canal Company, praying that the Legislature will take the remaining stock of the said Company. Of John Paterson and others.

Of John B. Askin, of the London district, praying that an additional rate may be levied, to enable the magistrates to enlarge and improve the Gaol and Court House. Of J B Askin

Of George Middagh and sixty-nine others, of the township of Caledon, Home district, praying aid for roads. Of G Middagh

Of John Armstrong and thirty-four others, of the township of Caledon, H. D., praying aid for roads. Of J Armstrong & others.

Of John Wilson and one hundred and three others, of the township of Howard, in the Western district, praying aid for roads. Of J Wilson and others.

Of Robert Dwyer, Jun. and nine hundred and seventeen others, praying that the society called "Christians," may enjoy certain privileges. Of R. Dwyer and others.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to bring in a bill to provide for putting and keeping in repair that part of the road leading from Yonge Street, through West Gwillimbury in the county of Simcoe, between the Red Mills and Evans' Tavern, by the erection of a toll gate under the direction of trustees. Notices.  
Of bill to repair a certain part of Yonge street.

The Solicitor General gives notice that he will, on to-morrow, move for leave to bring in a bill authorising His Majesty to alter and amend the charter of King's College. Of bill to amend King's Col. charter.

Mr. Caldwell gives notice that he will, on to-morrow, move for reading that part of the journals of last session relating to the petition of Antoine Barron of the township of Malden, in the Western district, praying for a pension. For reading Jour's on pet'n of Antoine Barron.

Mr. Dunlop from the select committee to which was referred the subject of Bank Charters and Insurance Companies, informed the House that the committee had agreed to report by bill; a draft of which he was ready to submit whenever the House would be pleased to receive the same. Com on bank charters &c. rep. mutual insurance bill.

Bill read 1st time.  
2d reading to-mor-  
row.

The report was received, and the bill was read a first time.  
*Ordered*—That the bill to authorise mutual insurance companies be read a second time to-morrow.

Com on pet of Jas  
Lesslie and others  
rep't Home dis't rail  
road bill.

Mr. Solicitor General, from the committee to which was referred the petition of James Lesslie and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read 1st time.  
2d reading to-mor-  
row.

The report was received, and the bill was read a first time.  
*Ordered*—That the Home district rail-road bill be read a second time to-morrow.

Com'te to wait on  
His Exc'y with ad-  
dress for advance on  
Coasting. rep answer

Mr. Wells from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House upon contingencies,—reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer:

GENTLEMEN :

Answer.

I shall have pleasure in complying with the request contained in your address of this day.

Sel. com. on pet.  
of G A Latham M D  
rep draft of address.

Mr. McIntosh from the committee to which was referred the petition of George A. Latham, M. D. relative to the appropriation of certain public property in this city and county, presented the draft of an address to His Excellency, the Lieutenant Governor, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Read twice.  
3rd reading this  
day.

Sel. com. on pet.  
of S Hughes & oth-  
ers report Farmers  
Storehouse bill.

Mr. Gibson from the select committee to which was referred the petition of Samuel Hughes and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Read 1st time.  
2nd reading to-  
morrow.

The report was received and the bill was read the first time.  
*Ordered*—That the Farmers' Store-house bill be read a second time to-morrow.

Petitions referred.

On motion of Mr. Caldwell, seconded by Mr. Wilkinson,

Of W. Ambridge  
and others.

*Ordered*—That the petition of William Ambridge and others, be referred to a select committee to be composed of Messrs. Walsh, Roblin, Merritt, and Parke, to report thereon by bill or otherwise.

On motion of Mr. Small, seconded by Mr. Woolverton,

Of the President  
and Directors of the  
Bank of U. C.

*Ordered*—That the petition of the President, Directors and Company of the Bank of Upper Canada, be referred to a select committee, with power to send for persons and papers, and that Messrs. C. Duncombe, Thorburn, and Merritt, do compose said committee, and that they be a standing committee on currency.

On motion of Mr. McMicking, seconded by Mr. Thorburn,

Committee on cur-  
rency formed.

*Ordered*—That the petition of Charles Hill and others, be referred to the committee appointed on the petition of Richard Graham and others, of the township of Bertie.

Of C. Hill and  
others.

On motion of Mr. Merritt, seconded by Mr. Charles Duncombe,

Of A. S. St. John  
and others.

*Ordered*—That the petition of A. S. St. John and others, be referred to the Welland Canal Committee.

On motion of Mr. Durand, seconded by Mr. Rymal,

Of the Directors of  
Desjardin's Canal  
Company.

*Ordered*—That the petition of the Directors of the Desjardin's Canal Company, be referred to a select committee, to be composed of Messrs. Hopkins, Gilchrist, Thorburn and Smith, with power to send for persons and papers and report thereon.

Of D. Perry and  
others.

On motion of Mr. Perry, seconded by Mr. Roblin,

*Ordered*—That the petition of Daniel Perry and others, be referred to the standing committee on Canals, Rail Roads, &c.



On motion of Mr. Perry, seconded by Mr. Shibley, Of T. Carr, Esq.  
*Ordered*—That the petition of Thomas Carr, Esquire, be referred to the standing committee on Canals and Rail Roads, &c.

On motion of Mr. Morrison, seconded by Mr. Shibley, Of P. Taylor and others.  
*Ordered*—That the petition of Peter Taylor and others, be referred to the committee on the division of districts.

On motion of Mr. Morrison, seconded by Mr. Shibley, Of J. Tomlinson and others.  
*Ordered*—That the petition of Joseph Tomlinson and others, be referred to the committee on Roads and Bridges.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Bruce, moves, that the House do resolve itself into a committee of supply upon roads and bridges. House in committee of supply on roads and bridges.

Mr. Alway in the chair.

The House resumed.

Mr. Alway reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Committee report resolution.

The report was received, and the resolution was read as follows: Report received.

*Resolved*—That there be granted to His Majesty, the sum of fifty thousand pounds, to defray the expense of constructing and improving the roads and bridges, in the several districts in this Province. Resolution. £50,000 for roads and bridges.

The resolution was then adopted nem. con.

**PRESENT**—Messrs. *Alway, Brown, Bruce, Caldwell, Chesser, Chisholm, Cook, Cornwall, Charles Duncombe, David Duncombe, Durand, Gilchrist, Hopkins, Lount, McIntosh, McKay, Mackenzie, McMicking, Merritt, Moore, Parke, Perry, Richardson, Roblin, Rymal, Shaver, Shibley, Smith, Strange, Thorburn, Walsh, Waters, Wells, Woolcorton, Yager.* Resolution passed nem. con.

On motion of Mr. Charles Duncombe, seconded by Mr. Chesser, Resolution referred to committee on roads and bridges.  
*Ordered*—That the resolution of this House granting to His Majesty the sum of fifty thousand pounds for the improvement of the roads and bridges in the several districts of this Province be referred to the standing committee upon roads and bridges, with power to report thereon by bill or otherwise.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor for information on commons and other grounds, was read a third time, passed and signed, and is as follows: Address to His Excellency for information on commons passed.

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

**MAY IT PLEASE YOUR EXCELLENCY:**

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled—humbly request your Excellency to be pleased to communicate to this House the authority under which the Commons, east of this city; and those west of Peter's Street, up to the Garrison; and south of Lot Street West, with the water lots, or parts of the same—have been taken from the citizens without their consent or the approbation of the Legislature, after being used for many years as a common for the recreation of the inhabitants, and as pasture ground for their cattle; also, what sales, reservations, leases, or grants of these commons or other town property within the limits of the city and liberties have been made; and what other proceedings have been had therewith; with a statement of the funds which have accrued or are likely to accrue from the same—also an account of the manner in which such funds have been applied, with the authority, if any, for the application of the same. Address.

**MARSHALL S. BIDWELL,**  
*Speaker.*

*Commons House of Assembly, }  
 11th Feb'y. 1836. }*

Committee to carry up the address.

On motion of Mr. McIntosh, seconded by Mr. Malloch,  
*Ordered*—That Messrs. Parke and Gilchrist, be a committee to ascertain when His Excellency will receive the address of this House, and to present the same.

The House adjourned till 3 P. M. to-morrow.

**Friday, 12th February, 1836.**

The House met at 3 o'clock P. M. pursuant to adjournment.  
The minutes of yesterday were read.

Mr. Speaker reports a letter and resolution from Assembly of Lower Canada.

Mr. Speaker reported having received a letter from the clerk of the Assembly of Lower Canada, communicating a resolution of that House, and a printed bill for the establishment and regulation of the Post Office department in that Province.

The letter was read as follows :

*Clerk's Office, House of Assembly, }  
Quebec, 6th February, 1836. }*

Letter from Clerk of Assembly.

SIR,  
I have the honor of transmitting you a copy of the Post Office Bill as passed by the Assembly of this Province, in conformity to an order of the House made on the 30th ultimo, and which order is herewith enclosed.

I have the honor to be,

Sir,  
Your most obedient  
Humble Servant,  
Wm. B. LINDSAY,  
*Clerk Assembly.*

To the honorable the Speaker  
of the Assembly of Upper Canada.

*House of Assembly, }  
Saturday, 30th January, 1836. }*

Resolution of Assembly of Lower Canada on subject of Post Office.

*Ordered*,—That the clerk of this House do transmit to the Speakers of the respective assemblies of the Provinces of Upper Canada, Nova Scotia, New Brunswick, Prince Edward's Island and Newfoundland, copies of the bill to establish a Post Office in this Province, and to provide for the future management of the same; as it passed this House.

Attest.

Wm. B. LINDSAY,  
*Clerk Assembly.*

200 copies of post office bill to be printed.

On motion of Mr. Charles Duncombe, seconded by Mr. Mackenzie,

Petitions bro't up.

*Ordered*—That there be printed two hundred copies of the Lower Canada Post Office bill, for the use of members.

Of J. Storey.

Mr. Malloch brought up the petition of James Storey; which was laid on the table.

Of Wm. Devenish and others.

Mr. Small brought up the petition of William Devenish and one hundred and sixty-nine others, of Dundas street, east of Toronto; which was laid on the table.

Of Wm. Devenish and others.

Mr. Small brought up the petition of William Devenish and one hundred and twenty-eight others, inhabitants of the Home district; which was laid on the table.

Of W. Stevens & others.

Mr. McIntosh brought up the petition of Webster Stevens and twenty-eight others, inhabitants of the township of Brock, (York); which was laid on the table.

Of W. Parliament and others.

Mr. McIntosh brought up the petition of William Parliament and thirty-two others, inhabitants of the township of Brock aforesaid; which was laid on the table.

Mr. McIntosh brought up the petition of William Thompson and thirty-six others, of the township of Brock, aforesaid; which was laid on the table. Of Wm Thompson and others.

Mr. Morrison brought up the petition of Jacob Wismer and one hundred and eighty-four others, inhabitants of the Home district; which was laid on the table. Of J Wismer and others.

Mr. Gilchrist brought up the petition of Robert Shearer and sixty-seven others, inhabitants of the County of Northumberland; which was laid on the table. Of R Shearer and others.

Mr. Wilkinson brought up the petition of B. D. Townsend, of the City of Toronto; which was laid on the table. Of B D Townsend

Mr. Wilkinson brought up the petition of Louis Davenport, of the town of Sandwich (Essex); which was laid on the table. Of L Davenport

Mr. Wilkinson brought up the petition of Horace Davenport, of the town of Sandwich aforesaid; which was laid on the table. Of H Davenport

Mr. Wilkinson brought up the petition of Thomas Parish, of the township of Sandwich aforesaid; which was laid on the table. Of T Parish

Mr. Wilkinson brought up the petition of B. P. Cahoon, of the City of Toronto; which was laid on the table. Of B P Cahoon

Mr. Mackenzie brought up the petition of John Gilmore and one hundred and ten others, of the townships of Caledon, Mono, and the back townships (Home district); which was laid on the table. Of J Gilmore and others.

Mr. Mackenzie brought up the petition of James Richardson and forty-nine others, of the same townships; which was laid on the table. Of J Richardson & others.

Mr. Mackenzie brought up the petition of Daniel Hopkins and ninety-two others, of the same townships; which was laid on the table. Of D Hopkins & others.

Mr. Mackenzie brought up the petition of Thomas Burrell and one hundred and twelve others, of the township of Toronto (York); which was laid on the table. Of T Burrell and others.

Mr. Mackenzie brought up the petition of Thomas Smith, of the township of Toronto; which was laid on the table. Of T Smith

Mr. Richardson brought up the petition of the trustees of the Niagara District School, which was laid on the table. Of Trustees of the Niagara Dis't school

Mr. Yager brought up the petition of Anson Hayden and one hundred and sixty-seven others, inhabitants of the townships of Sydney, Thurlow, &c. in the county of Hastings; which was laid on the table. Of A Hayden and others.

Pursuant to the order of the day the following petitions were read: Petitions read.

Of Simeon S. Eastman, Cornelius J. Lighthall and Robert McKillican of West Hawkesbury, in the Ottawa district, praying that an act may be passed to enable Peter Beers to convey a piece of land to them in trust, for the purpose of a School House. S S Eastman and others.

Of David Pattie and eighty-six others, of the county of Prescott, in the Ottawa district, praying that should a new district be formed no part of the Ottawa district may be taken, unless a certain portion of the Eastern district be added to the remaining townships in return, D Pattie & others

Of Joseph Griffin and one hundred and one others, of the Ottawa district, praying that an Act may be passed establishing a weekly market and a quarterly fair, to be held at the village of L'Original, in said district. J Griffin & others

Of the Gore district Agricultural Society, praying that should the House see fit to renew the Act for the encouragement of Agriculture, it may be on a more comprehensive scale than the Act about to expire. Of Gore dist' Agri-cultural society.

- Of W K Cornish and others      Of W. K. Cornish and thirty-five others, of the district of London, praying to be incorporated for the purpose of constructing a rail road from the Niagara river in the township of Bertie, to the town of Sandwich, on the river Detroit.
- Of A P Jones and others.      Of Asa P. Jones and seventy-nine others, and of James Stevenson and forty-four others, also of the London district—praying the same.
- Magistrates Gore district.      Of the Magistrates of the Gore district—praying that an Act may be passed authorising an additional rate to enable them to pay off the public debt of the district.
- Of O Read and others.      Of Obadiah Read and thirty-nine others, of North Crosby, in the Johnstown district, complaining of injuries sustained for want of a bridge over the Rideau Canal at the Isthmus in that township, and praying relief.
- Of H Smith and others.      Of Hezekiah Smith and forty others, of the district of London, praying for the construction of a rail road from Bertie, in the Niagara district, to Sandwich, on the river Detroit.
- Of D Lyon and others.      Of Daniel Lyon and ninety-seven others, of the township of Loughboro', (Frontenac,) praying that the survey of said township, made by Mr. Rankin, Deputy Surveyor, may be confirmed by law.
- Of B Shaw and others.      Of Bela Shaw and one hundred and six others, of the district of London, praying the same as Hezekiah Smith and others.
- Of J Lewis      Of John Lewis, praying to be naturalized.
- Of J B Baby and others.      Of J. B. Baby and fifty-four others, of the London and Western districts, praying the same as Hezekiah Smith and others
- Of H Dalley and others.      Of Henry Dalley and twenty-four others, Samuel Smith and twenty-four others, John McNair and twenty seven others, Caleb Cook and fifty-three others, of the London district—William Duff and thirty-seven others, James Caldwell and forty-six others, Thomas Smith and thirty-eight others, Gordon Buchanan and twenty-five others, Prideaux Girty and forty-two others, Adam Bruner and nineteen others, James Gardiner and sixteen others, D. T. Baldwin and seventy-six others, of the Western district, Harry Alison, J. P. and thirty-four others, of the London district, Thomas Renwick and thirteen others, Ja's W. Little and one hundred and forty-nine others, of the Western district, John Waddell and thirty-one others, Peter Swartz and fifty-nine others, James Blackwood and eighty-five others, Samuel Ferrin and one hundred and fifty-two others, George Miller and twenty-three others, R. L. McKenny and thirty-one others, John Casson and twenty-one others, and John Allworth and seventeen others, of the district of London, praying the same as the petition of Hezekiah Smith and others.
- Of S Smith and  
Of J McNair and  
Of C Cook and  
Of W Duff and  
Of J Caldwell &  
Of J Smith and  
Of G Buchannan  
Of P Girty and  
Of A Bruner and  
Of J Gardiner &  
Of D T Baldwin  
Of H Allison J P  
T Renwick & others  
J W Little & others  
J Waddle & others.  
P Swartz and others  
J Blackwood and  
others S Ferrin and  
others G Miller and  
others R S McKen  
ny and others.  
J Casson and others  
J Allworth & others
- S Johns and others      Of Solomon Johns and forty-six others, of the Midland and Newcastle districts, praying that the navigation of the River Trent may be improved from its mouth to the Rice Lake.
- T Parker and others      Of Thomas Parker and eighty others, of the County of Hastings, praying that the Act to abolish imprisonment for debt in certain cases may be amended.
- Of W Lymburner.      Of William Lymburner and twenty-two others, of the thirteenth and fourteenth concessions of Burford, in the London district, praying that the lines of said concessions may be equalised.
- Levi Fowler and others.      Of Levi Fowler and forty-five others, Archibald McKellok and seventy others, and L. Lawless and thirty-eight others, of the District of London, praying the same as the petition of Hezekiah Smith and others.

Of Francis Hewson and eight hundred and ten others, of the County of Simcoe, praying that said county may be set off as a separate District. Of F Hewson and others.

Of John Gamble and three hundred others, inhabitants of the District of Gore, praying that the projected rail road to Goderich may commence at the village of Dundas, and not at Wellington Square, as prayed for by some other persons. Of J Gamble and others.

Of John Bostwick and two hundred and seventy-five others, of the County of Middlesex, praying that further improvements may be made at Kettle Creek Harbor. Of J Bostwick & others.

Of James Macnab and eight hundred and forty-nine others, of the village of Macnab and the townships of Trafalgar, Chinguacousy, Esquesing, Caledon and Erin, praying that said townships may be made a separate District, with Macnab for the county town—and the petition of John Chisholm, praying that compensation may be made him for loss occasioned by the cutting of the canal at the Burlington Beach. Of J McNab and others.

Mr. Charles Duncombe gives notice that he will on to-morrow move for leave to bring in a bill to continue the several road Acts passed in the years 1834 and 1835 and for other purposes relative thereto. Of J Chisholm.

Mr. Small from the Committee to which was referred the petition of John Hugill, informed the House that the Committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Notices.

The report was received and the bill was read a first time. Of road act continuation bill.

*Ordered.*—That the bill for settling the affairs of the Wilmot Estate, be read a second time to-morrow. Com on petition of J Hugill rep Wilmot estate bill.

Mr. Chisholm from the Committee to which was referred the subject of the accounts of the Treasurer of the Eastern District presented, as their first report the draft of an Address, which was received, read twice, concurred in, read the third time, passed and signed and is as follows : Bill read 1st 2d reading to-mor row.

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in provincial parliament assembled, humbly request that Your Excellency will be pleased to direct the Treasurer of the Eastern District to cause to be laid before this House with as little delay as practicable, a statement of the taxes on such lots of land in the Eastern district as are subject to the assessed rates, and not returned on the assessors' rolls of the several townships, and that the said statement be in the following form, viz : Com. on accounts of Treasurer eastern district rep. address

(See form on next Page)

Form.

**RETURN of LANDS in the Eastern District that were not on the Assessor's Roll, in the years 1829, 1830, 1831, 1832, 1833, 1834, 1835 and 1836, also shewing when any part of the rates due on each lot were paid to the Treasurer.**

| TOWNSHIP. | Lot. | Con. | AMOUNT DUE YEARLY ON THE FIRST OF JULY. |      |      |      |      |      |      |      |      |      |      |      | RATES PAID TO THE TREASURER PREVIOUS TO THE FIRST OF JULY. |      |      |      |   |   |
|-----------|------|------|---|------|------|------|------|------|------|------|------|------|------|------|--|------|------|------|---|---|
|           |      |      | 1829                                    | 1830 | 1831 | 1832 | 1833 | 1834 | 1835 | 1836 | 1829 | 1830 | 1831 | 1832 | 1833   | 1834 | 1835 | 1836 |   |   |
|           |      |      | s                                       | d    | s    | d    | s    | d    | s    | d    | s    | d    | s    | d    | s  | d    | s    | d    | s | d |
|           |      |      |   |      |      |      |      |      |      |      |      |      |      |      |  |      |      |      |   |   |
|           |      |      |   |      |      |      |      |      |      |      |      |      |      |      |  |      |      |      |   |   |
|           |      |      |   |      |      |      |      |      |      |      |      |      |      |      |  |      |      |      |   |   |
|           |      |      |   |      |      |      |      |      |      |      |      |      |      |      |  |      |      |      |   |   |
|           |      |      |   |      |      |      |      |      |      |      |      |      |      |      |  |      |      |      |   |   |
|           |      |      |   |      |      |      |      |      |      |      |      |      |      |      |  |      |      |      |   |   |
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|           |      |      |   |      |      |      |      |      |      |      |      |      |      |      |  |      |      |      |   |   |

Also a Return of Taxes due on uncultivated lands in the Eastern District on the 1st of July 1828, and advertised for sale in the Upper Canada Gazette on the 17th of September 1829, shewing the appropriations of said taxes or rates, and the particular lots for which affidavits were made declaring that the rates were paid previous to the date of the warrant authorising the Sheriff to sell said lands for arrears of taxes.

|   | £ | s | d | VOUCHERS.  | £ | s | d |
|---|---|---|---|--|---|---|---|
| Amount of Sheriff's warrants for levying taxes in arrears up to 1st July, 1828. |   |   |   | A. B. Affidavit stating his having paid taxes for lot No. — in — con. of — up to —<br>(All orders in session directing the the Sheriff to pay road money to several persons to be inserted; here.) |   |   |   |

Also, Return of the debt due the Bank of Upper Canada from the Eastern District, as follows:

| Dr.   |                                     | £ | s | d | Cr.   |   |
|-------|-------------------------------------|---|---|---|-------|---|
| DATE. | Cash from the Bank of Upper Canada, |   |   |   | DATE. | Interest paid the Bank on — from — to —                               |
|       | Ditto ditto ditto                   |   |   |   |       | Paid so much on account of principal, Balance due the Bank, . . . . . |

Also, Return of the Treasurer's Account with the Commissioners for erecting the Gaol and Court House, and shewing the sources from which the funds were derived.

| DATE. | SOURCES. | £ | s | d | DATE. | VOUCHERS. | £ | s | d |
|-------|----------|---|---|---|-------|-----------|---|---|---|
|       |          |   |   |   |       |           |   |   |   |
|       |          |   |   |   |       |           |   |   |   |
|       |          |   |   |   |       |           |   |   |   |

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
12th February, 1836. }

Com to wait on his Ex'y with address.

On motion of Mr. Chisholm, seconded by Mr. Rymal,  
**Ordered**—That Messrs. McDonell, Stormont, and Bruce, be a committee to wait on His Excellency, to know when he will be pleased to receive the address, and present the same.

Petitions referred.

Of R Bowman and others, G Middagh & others, J Armstrong and others.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,  
**Ordered**—That the petitions of Robert Bowman and forty-eight others of Toronto Gore—George Middagh and sixty-nine others, of Caledon, and John Armstrong and thirty-four others, all of the second riding, York county, be referred to the select committee on finance.

Of J B Baby and others.

On motion of Mr. Caldwell, seconded by Mr. Wilkinson,  
**Ordered**—That the petition of J. B. Baby and others, of the Western and London districts, be referred to the committee to whom was referred the petition of William Ambridge and others.

Of Trustees Grantham academy.

On motion of Mr. Rykert, seconded by Mr. Merritt,  
**Ordered**—That the petition of the Trustees of the Grantham Academy be referred to the committee of supply.

On motion of Mr. Bruce, seconded by Mr. Wells, Of G Read and others.  
*Ordered*—That the petition of Obadiah Read and others, from North Crosby, be referred to the committee on roads and bridges.

On motion of Mr. Rykert, seconded by Mr. Caldwell, Of J Lewis  
*Ordered*—That the petition of John Lewis, of St. Catharines, be referred to the committee on the petitions of aliens.

On motion of Mr. Parke, seconded by Mr. Caldwell, Of P Girty and others.  
*Ordered*—That the petition of Prideaux Girty and others, upon the subject of a rail road from the Niagara river to the township of Sandwich—and all other petitions relating to the said rail road, which have been read this day, be referred to the select committee on the petition of William Ambridge and others.

In amendment, Mr. Wilkinson, seconded by Mr. Caldwell, Amendment.  
 moves, that the following be added to the original motion, “and that Messrs. Macnab and Charles Duncombe be added to said committee.”

Which was carried. Amend't carried.

The question as amended was then put and carried as follows:  
*Ordered*—That the petition of Prideaux Girty and others, upon the subject of a rail road from the Niagara river to the township of Sandwich, and all other petitions relating to the said rail road, which have been read this day, be referred to the select committee on the petition of William Ambridge and others, and that Messrs. Macnab and Charles Duncombe be added to the said committee. Original question as amended.

On motion of Mr. Alway, seconded by Mr. Parke, Of W Lymburner and others.  
*Ordered*—That the petition of William Lymburner and others be referred to a select committee, composed of Messrs. Charles Duncombe and Rykert, with power to send for persons and papers, and report thereon by bill or otherwise.

On motion of Mr. Smith, seconded by Mr. Rymal, Of Gore dis't agricultural society.  
*Ordered*—That the petition of the Gore district Agricultural Society be referred to the committee on agriculture.

On motion of Mr. Smith, seconded by Mr. Rymal, Of magis. of Gore district.  
*Ordered*—That the petition of the magistrates of the district of Gore be referred to a select committee, composed of Messrs. Durand, Hopkins, Rymal, and Macnab, with power to send for persons and papers, and to report thereon by bill or otherwise.

In amendment, Mr. Durand, seconded by Mr. Thorburn, moves, that after the word “moves” in the original motion the whole be expunged and the following inserted, “that it be referred this day six months.” Amendment.

On which the yeas and nays being taken, were as follows : Division.

YEAS—MESSIEURS,

|  |   |  |  |          |
|--|---|--|--|----------|
| Alway,<br>Cook,  | Durand,<br>Shaver,  | Thorburn,  | Waters—6.  | Yeas 6   |
| NAYS—MESSIEURS,  |   |  |  |          |
| Brown,<br>Bruce,<br>Caldwell,<br>Chesser,<br>Chisholm,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Gilchrist,<br>McIntosh,<br>McMicking,<br>Macnab,<br>Merritt,<br>Moore,<br>Morrison,<br>Parke, | Perry,<br>Richardson,<br>Robinson,<br>Roblin,<br>Rykert,<br>Rymal,<br>Small, | Smith,<br>Solicitor General,<br>Walsh,<br>Wells,<br>Wilkinson,<br>Woolverton,<br>Yager—30. | Nays 30. |

The question of amendment was decided in the negative by a majority of twenty-four. Amendment lost majority 24.

The original question was then put and carried.

On motion of Mr. Macnab, seconded by Mr. Wilkinson.

Of Ab Shade and others.

*Ordered*—That the petition of Absalom Shade and others be referred to the committee on rail roads.

Of A Deacon.

On motion of Mr. Roblin, seconded by Mr. Yager,

*Ordered*—That the petition of Andrew Deacon be referred to the committee on finance.

Of D Pattie and others.

On motion of Mr. Waters, seconded by Mr. Chesser,

*Ordered*—That the petition of David Pattie and eighty-six others, of the county of Prescott, in the Ottawa district, be referred to the standing committee on the division of districts.

200 copies of documents on Loan to be printed.

On motion of Mr. Perry, seconded by Mr. Woolverton,

*Ordered*—That two hundred copies of the several documents sent down to this House relative to the loan lately contracted, be printed for the use of members

Of Sol Johns and others.

On motion of Mr. Roblin, seconded by Mr. Yager,

*Ordered*—That the petition of Solomon Johns and others, be referred to the select committee on canals and internal improvements

On motion of Mr. Gilchrist, seconded by Mr. McIntosh,

Documents on Lake Simcoe canal referred to com'te on canals.

*Ordered*—That the committee on finance be discharged from the further consideration of the report, plans and survey of a route for a canal between Lake Simcoe and Rice Lake, and that the same be referred to the committee on canals and internal improvements.

Select com to enquire into grants to religious denomin.

Pursuant to notice, Mr. Thorburn, seconded by Mr. McMicking, moves, that a select committee be appointed to inquire whether any money has been paid by the government to any religious denominations in this province; and if so, what the purposes are to which such grants (if any) have been applied, or agreed to be applied; and that the said committee have authority to summon witnesses and call for the production of papers and records, and to report from time to time by address or otherwise, and that Messrs. Rymal, Morrison, Roblin, Hopkins, Shaver, Parke, Cook, and Mackenzie, do compose said committee. and that the twenty-ninth rule of this House be suspended as far as it would affect this motion.

*Ordered,*

Com on whole discharged and subject ref. to com. on bank charters.

On the order of the day being called for the House to go into Committee of the whole on the Banking bill.

Mr. Thorburn, seconded by Mr. McMicking—moves, that the order of the House for the committee of the whole on the banking bill be discharged, and that the bill be referred to the select committee on banks and assurance companies, and that the name of Mackenzie be added to the committee.

Amendment.

In amendment, Mr. Merritt, seconded by Mr. Rykert, moves, that the following words be added to the motion, “and that the name of Merritt be struck off the said committee.”

Carried.

Which was carried.

Original question as amended

The original motion was then put and carried as follows:

*Ordered*—That the order of the House for the committee of the whole on the banking bill be discharged, and that the bill be referred to the select committee on banks and assurance companies, that the name of Mackenzie be added to the committee, and that the name of Merritt be struck off the said committee.

Estreats bill bro't in

Pursuant to notice, Mr. Richardson, seconded by Mr. Robinson, moves for leave to bring in a bill for the more economical collection of fines, issues, amercements, and sums due upon recognizances forfeited.



Which was granted and the bill read.

*Ordered*---That the bill for the more convenient collection of fines be read a second time to-morrow.

The House then adjourned till three o'clock, P. M. to-morrow.

Bill read  
2nd reading to-morrow.

**Saturday, 13th February, 1836.**

At three o'clock P. M. the House met pursuant to adjournment.

The minutes of yesterday were read.

Mr. Mackenzie brought up the petition of John Watson and forty-five others, of the township of King (York); which was laid on the table.

Petitions bro't up.

Of J Watson and others.

Mr. Thorburn brought up the petition of Francis Hall, Esq. civil engineer; which was laid on the table.

Of F Hall Esq.

Mr. Small brought up the petition of the Rev'd D. Macaulay, master of the Home district school; which was laid on the table.

Of Rev D Macaulay.

Mr. Merritt brought up the petition of James A. Welford and eight others, of the township of Thorold, in the district of Niagara; which was laid on the table.

Of J A Welford & others.

Mr. Morrison brought up the petition of Robert Armstrong and forty-seven others, of the township of Markham, in the Home district; which was laid on the table.

Of R Armstrong and others.

Mr. Morrison brought up the petition of Archibald Barker and one hundred and five others, of the township of Markham, (York); which was laid on the table.

Of A Barker and others.

Mr. Mackenzie brought up the petition of A. Lewis and two hundred and thirty-nine others, of the township of Toronto, (York); which was laid on the table.

Of A Lewis and others

Mr. McIntosh brought up the petition of William Johnston and forty-seven others, of the township of Georgina, (York); which was laid on the table.

Of W Johnston & others.

Mr. Macnab brought up the petition of Henry Odell and fifty-five others, of the districts of London and Gore; which was laid on the table.

Of H'y Odell and others.

Mr. Macnab brought up the petition of Russel H. Odell and one hundred and twenty-five others, of the districts aforesaid; which was laid on the table.

Mr. Macnab brought up the petition of Nancy Strobridge, widow of the late James Gordon Strobridge, late contractor for the Burlington Bay Canal; which was laid on the table.

Of Nancy Strobridge

Mr. Macnab brought up the petition of Gilbert McMicking, Esquire, of the county of Lincoln; which was laid on the table.

Of G. McMicking Esq.

Pursuant to the order of the day the following petitions were read :

Petitions read.  
Of J Hammill.

Of John Hammill, praying to be reimbursed for losses sustained in the erection of works at Dunville, on the Grand River.

Of John Weir and seven others, of the London District, praying for a charter to construct a canal or rail road from Brantford to the River Thames and thence to London.

Of John Weir and others.

Of Jesse Zavitz and two hundred and eighty-five others, inhabitants of the County of Middlesex, praying for a harbor at the mouth of Cat Fish Creek.

Of J Zavitz and others.

Of Ebenezer Reynolds, Sheriff of the Western district, praying for a salary.

Of E. Reynolds.

Of Richard Decker, of Beverley, in the county of Halton, praying for a balance of £15 due him on the erection of a bridge over Big Creek.

Of R Decker.

Which was granted and the bill read.

*Ordered*--That the bill for the more convenient collection of fines be read a second time to-morrow.

The House then adjourned till three o'clock, P. M. to-morrow.

Bill read  
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Of J Watson and others.

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Of F Hall Esq. :

Mr. Small brought up the petition of the Rev'd D. Macaulay, master of the Home district school; which was laid on the table.

Of Rev D Macaulay.

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Of J A Welford & others.

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Of R Armstrong and others.

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Of A Lewis and others

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Of J Hammill.

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Of John Weir and others.

Of Jesse Zavitz and two hundred and eighty-five others, inhabitants of the County of Middlesex, praying for a harbor at the mouth of Cat Fish Creek.

Of J Zavitz and others.

Of Ebenezer Reynolds, Sheriff of the Western district, praying for a salary.

Of E. Reynolds.

Of Richard Decker, of Beverley, in the county of Halton, praying for a balance of £15 due him on the erection of a bridge over Big Creek.

Of R Decker.

J Maclem and others.

Of James Maclem, Senior, and ninety one others, of the district of Niagara, praying to be remunerated in full for losses sustained during the late war with the United States.

J L Schofield and others.

Of J. L. Schofield and seventeen others, of the district of Johnstown, praying for a grant of money for a bridge over the River Rideau at Smith's Falls.

R Fairbairn and others.

Of R. Fairbairn and forty-one others, of the township of Darlington in the Newcastle District, praying that the registry laws may be amended.

Of F. Phelps and others.

Of Francis Phelps and fifty-four others, inhabitants of the Home district, praying for the macadamization of Yonge Street.

Of President, Directors & Co. U. C. Bank.

Of the President and Directors of the Bank of Upper Canada : praying for an increase of their capital stock.

Of J. H. Greer & others.

Of John H. Greer and one hundred and seventeen others, inhabitants of Upper Canada, praying that the public may be protected in the operations of Banking institutions.

Notices.

Of committee on timber duties, on Ottawa River.

Mr. McKay gives notice, that on Monday he intends to move for the appointment of a committee to enquire into the amount of duties collected for timber on Ottawa River, and to send for persons and papers, and that it be an instruction to the said committee to inquire into and report on all receipts and expenditures of said revenue.

Of bill to regulate partnerships.

Mr. Wells gives notice, that he will on Monday next move for leave to bring in a bill to regulate partnerships in this province.

Com. of supply.

Mr. Small gives notice, that he will on Monday next move for a committee of the whole on Supply

Of bill to prevent Sheriff's, &c. employ ing deputies on certain occasions.

Mr. Perry gives notice, that he will on Monday next move for leave to bring in a bill to prevent Sheriffs or other officers charged with the execution of Felons, or with the corporal punishment of persons for other offences, from employing or procuring any other person or persons to perform such execution or corporal punishment, and to provide for a suitable punishment to be inflicted on any person or persons, who shall for hire and gain or other inducements, be guilty of performing the same.

Of bill to extend the jail limits.

Mr. Roblin gives notice, that he will on Monday next, move for leave to bring in a bill to extend the limits of the several jails to the extent of the districts in which they are situated.

Com'tee to wait on His Excellency with address on the subject of Judges' independence, report answer.

Mr. Durand from the committee to wait on His Excellency, the Lieutenant Governor, with the address of this House, on the subject of the independence of the Judges, reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

Answer to Judges independence address

GENTLEMEN :

I will transmit to the House of Assembly, with as little delay as possible, copies of all the despatches and documents you desire.

Committee on the affairs of the Wellnd Canal, present 1st report.

Mr. Small from the select committee appointed to examine and report upon the state of the Welland Canal affairs presented a first report; which was received and read.

Report—(see *Appendix*.)

Referred to supply

On motion of Mr. Small, seconded by Mr. Wilkinson, *Ordered*—That the report of the committee upon the affairs of the Welland Canal Company, be referred to the committee of Supply.

Com. on charters of banks, &c. present 2nd report, (by laws.)

Mr. Dunlop from the committee to which was referred the subject of charters of banks and assurance companies, presented a second report ; which was received and read.

Report—(see *Appendix*.)

On motion of Mr. Dunlop, seconded by Mr. Wilkinson,  
*Ordered*—That 300 copies of the bill to authorise the establishing of mutual assurance companies in this Province, together with the code of by-laws relating to that subject, just reported, be printed for the use of members.

300 copies of mutual assurance bill and by-laws to be printed.

On motion of Mr. Charles Duncombe, seconded by Mr. David Duncombe,

*Ordered*—That the petition of John Hammill, be referred to the committee on claims, and that they have power to send for persons and papers and report thereon.

Petitions referred.  
 Of J Hammill

On motion of Mr. Charles Duncombe, seconded by Mr. Alway,  
*Ordered*—That the petition of John Weir and others, be referred to a committee to be composed of Messrs. McNab and Rymal, with power to report thereon by bill or otherwise.

Of John Weir and others.

On Motion of Mr. Small seconded by Mr. Wilkinson,  
*Ordered*—That the petition of the President Directors and Co. of the Bank of Upper Canada, praying for an increase of their capital stock, be referred to the committee on Banking.

Of the President and Directors of the Bank of U. C. (increase of cap. stock)

On motion of Mr. Durand, seconded by Mr. Smith,  
*Ordered*—That the petition of John Gamble and others, praying to be incorporated as a company to construct a rail road from Dundass to Lake Huron, be referred to the standing committee on rail roads and canals.

Of J Gamble

On motion of Mr. Durand, seconded by Mr. Walsh.

*Ordered*—That the petition of Richard Decker, praying for remuneration, be referred to the standing committee on claims.

R Decker

On motion of Mr. Parke, seconded by Mr. Moore.

*Ordered*—That the petition of John Bostwick and others, be referred to the standing committee on canals and internal improvements.

J Bostwick

On motion of Mr. Parke, seconded by Mr Gilchrist,

*Ordered*—That the petition of Jesse Zavitz and others, be referred to the standing committee on canals and internal improvements.

Of J Zavitz and others.

On motion of Mr. Richardson, seconded by Mr. Rykert,

*Ordered*—That the petition of James Macklem and others, praying for the liquidation of the balance due the sufferers by the late war, be referred to the committee of the whole on war losses.

Of J Macklem, &c and others.

On motion of Mr. Wilkinson, seconded by Mr. Small,

*Ordered*—That the petition of Ebenezer Reynolds, sheriff of the Western district, be referred to the committee of supply.

Of Eb Reynolds

Mr. Parke from the committee to wait on His Excellency, the Lieutenant Governor with the address of this House, requesting information in regard to the grounds lately occupied as commons by the inhabitants of the town of York, reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

Com. to wait on His Excellency with address on commons report answer.

GENTLEMEN,

I will transmit the information requested in your address as soon as I shall be able to obtain it.

Answer to address on commons

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

*Ordered*—That the petition of Robert Dwyer, junior, and nine hundred and seventeen others, of the religious denomination called "Christians," be referred to the committee to which the petition of R. S. Whitesides and others, was referred.

Pet of R Dwyer & others, referred

Pursuant to notice, Mr. Wells, seconded by Mr. Shaver, moves for leave to bring in a bill to allow voting by ballot at elections.

Ballot bill bro't in

2d reading to-mor-row.  
 Messrs Parke and McNab added to com'ee on canals, &c  
 Insolvent debtors' bill read 2nd time  
 Committed  
 Progress reported, sit again Monday  
 Estreat bill read 2nd time.  
 Committed.  
 Progress rep'd, sit again Monday next

Which was granted, and the bill read.  
*Ordered*—That the ballot bill be read a second time to-morrow.  
 On motion of Mr. Rykert, seconded by Mr. Merritt,  
*Ordered*—That the names of Parke and Macnab, be added to the committee on canals and other internal improvements.  
 Pursuant to the order of the day, the bill to amend the insolvent debtors' Act, was read the second time.  
 The House was put into committee of the whole on the bill.  
 Mr. Durand in the chair.  
 The House resumed.  
 Mr. Durand reported that the committee had made some progress in the bill, and asked leave to sit again on Monday next.  
 The report was received, and leave was granted accordingly.  
 Pursuant to the order of the day, the bill for the more easy recovery of fines, &c. was read the second time.  
 The House was put into committee of the whole on the bill.  
 Mr. Gilchrist in the chair.  
 The House resumed.  
 Mr. Gilchrist reported that the committee had made some progress in the bill, and asked leave to sit again on Monday next.  
 The report was received, and leave was granted accordingly.  
 The House then adjourned 'till 10 o'clock, A.M., on Monday next.

Monday, 15th February, 1836.

The House met pursuant to adjournment.  
 The minutes of Saturday were read.  
 Mr. Speaker reported that he had received from His Excellency the Lieutenant Governor in accordance with the request of the House, a warrant for one thousand pounds in advance for defraying in part the contingencies of the present session, and late recess, which he had placed in the Bank of Upper Canada to the credit of the Speaker of the Assembly for the time being.  
 Mr. Walsh brought up the petition of Michael Troyer and one hundred and forty others, inhabitants of the county of Norfolk; which was laid on the table.  
 Mr. Walsh brought up the petition of Andrew Moore and eighty others, of the township of Bayham, in the county of Middlesex; which was laid on the table.  
 Mr. Small brought up the petition of Donald Cameron of Thora; which was laid on the table.  
 Mr. Roblin brought up the petition of Elijah Carley and nine others, of the township of Sophiasburg (Prince Edward); which was laid on the table.  
 Mr. Parke brought up the petition of Richard Murphy, president and forty-eight others, members of mechanics' institute, of the town of London (Middlesex); which was laid on the table.  
 Mr. Richardson brought up the petition of Charles Walsh, a prisoner confined in the gaol of the district of Niagara; which was laid on the table.  
 Mr. Caldwell brought up the petition of Joseph Warrow and ten others, Indians of the Wyandott tribe; which was laid on the table.  
 Pursuant to the order of the day, the following petitions were read:  
 Of Thomas West, Junr. and two hundred and twenty-eight others, of the township of West Gwillimbury, county of Simcoe, praying

Mr. Speaker rep'ts receiv'g the warrant for £1,000.  
 Petitions bro't up. Of M Troyer and others.  
 Of A Moore and others.  
 Of D Cameron,  
 Of E Carley and others.  
 Of R Murphy and others.  
 Of C Walsh.  
 Of J Warrow and others.  
 Petitions read.  
 T. West and others

that a sum of money be granted to repair a certain road in said township, and to repay the same by a toll.

Of James Storey, a witness at the Leeds contested election, praying for payment of his expenses while attending the same. Of J. Storey

Of William Devenish, and one hundred and sixty-nine others, of the Home district, praying that Dundas Street, east of the City of Toronto, may be improved, and not the road commonly called Cornell's road. Of Wm. Devenish and others.

Of William Devenish, and one hundred and twenty-eight others, of the Home district, praying that the system of macadamizing the roads may be persevered in; that £10,000 be annually expended for that purpose;—the statute labour on those roads commuted, and an additional rate levied on the district, to make up any deficiencies, which however are not anticipated. Of Wm. Devenish and others.

Of Webster Stevens, and twenty-eight others, of the Home district, praying for alterations in the Court of Requests law, that the Commissioners be elective; juries called, and the jurisdiction extended to twenty pounds. Of W. Stevens & others.

Of William Parliament, and thirty-two others, of the township of Brock, Home district, complaining that the Canada Company do not contribute to the resources of the province, nor bear any portion of the burthens, &c. &c. and praying for redress. Of W. Parliament and others.

Of William Thompson and thirty-six others, of the township of Brock, praying aid for their roads and bridges. Of Wm Thompson and others.

Of Jacob Wismer and one hundred and eighty-four others, of the Home district, stating that by the present indiscriminate mode of fishing, the salmon fishery in this Province is in danger of annihilation, and praying that the law on that subject may be revised and amended. Of J Wismer and others.

Of Robert Shearer and sixty-seven others, of the county of Northumberland, praying for one hundred and fifty pounds, to aid in the erection of a bridge over Indian river in that township. Of R Shearer and others.

Of Benjamin D. Townsend, of the city of Toronto, Of B D Townsend  
 Of Louis Davenport of the town of Sandwich, merchant, Of L Davenport  
 Of Horace Davenport, of the town of Sandwich, Of H Davenport  
 Of Thomas Parish, of the town of Sandwich, mariner, and Of T Parish  
 Of Benjamin P. Cahoon, of the city of Toronto—praying to be Of B P Cahoon  
 naturalized.

Of John Gilmore, of the township of Caledon, and one hundred and twelve others, praying that petitions for money on roads leading to the back townships may not be entertained, except on the sixth line of Toronto, on which petitioners principally reside. Of J Gilmore and others.

Of James Robinson and forty-nine others, Of J Robinson and others.  
 Of Thomas Burrell and one hundred and twelve others, and Of T Burrell and others.  
 Of Daniel Hopkins and nine-two others, of Toronto aforesaid— Of D Hopkins & others.  
 praying the same.

Of Thomas Smith of the township of Toronto, complaining of fraud on the part of James Such, and praying for relief by the establishment of a court having equitable jurisdiction. Of T Smith

Of the trustees of the Niagara District School, praying that said school may be put on a more respectable footing, and a sufficient sum granted for the support of the master and two assistants, and also for the purchase of apparatus for the illustration of science—and Of Trustees of the Niagara Dis't school

Of Anson Hayden, and one hundred and sixty-seven others, of the county of Hastings, praying aid to erect a bridge over the River Moira. Of A Hayden and others.

Notices  
For committee of  
whole on assessment  
laws.

Mr. Small gives notice that he will on tomorrow, move that the House do resolve itself into a committee of the whole on the Assessment laws of this Province, so far as they effect the inhabitants of the city of Toronto.

Committee on pe-  
tition of Splitlog,  
report address.

Mr. Mackenzie from the committee to which was referred the petition of Splitlog and others, Indians of the Wyandott tribe, reported the draft of an address to His Excellency the Lieutenant Governor, which was received, and read twice.

On the question for adopting the Address, Mr. Richardson, seconded by Mr. Caldwell, moves in amendment, that the Address be taken into consideration in committee of the whole House on Thursday next.

Address adopted.

Which was lost.

The address was then adopted, read a third time and passed, and is as follows:

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address to His  
Excellency on Split-  
log's petition.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly represent to Your Excellency, that Thomas Splitlog, Thomas Clarke, Nicholas Laford, Matthias Splitlog, John B. White, Matthias Barnett, Joseph B. White, and Peter Roundhead, Chiefs and Warriors of the Huron or Wyandott Nation—have by memorial to this House, complained of George Ironside, the Indian superintendent and others, for that they had instigated the government to divide among and concede to the half-breed Indians, not entitled thereto, a tract of land between Sandwich and Amherstburgh, containing about seven miles square, although the said Wyandott Nation had held and peaceably enjoyed the same from time immemorial, and resided on the same, living after the customs and manners of their fathers.

That Fighting Island belongs to them, but has been kept possession of by one Thomas Paxton, who had, they say, paid them no rent since a licence of occupation was granted him by the government.

That they had made several applications to the government for its aid and protection, which had been denied them.

That at the sale made to the government of the lands in the Western district, the tract now attempted to be taken from the said Wyandott Indians, was specially reserved for them, with a particular request of the Indians of the Lake confederacy, that the King and his officers would not disturb them in their possession of the same.

They also pray this House to inquire into the merits of their case, and if found deserving, to ask the royal interference on their behalf, so that His government here might be prevented "from wresting their little piece of land away from them."

We humbly request that Your Excellency would give direction that there be laid before this House, all such documentary and other evidence in the possession of the government or its offices, relative to the said Huron reserve or of the proceedings of the government had thereon, as would enable this House to ascertain whether its further interference on behalf of the Wyandott Indians is required.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
February 15th, 1836.*

Committed to car-  
ry up address.

On motion of Mr. Mackenzie, seconded by Mr. Wells,  
*Ordered*—That Messrs. Shaver and Durand, be a committee to wait upon His Excellency, to learn when he will be pleased to receive the address of this House, and to present it.

Addition to com-  
mittee on canals and  
internal improve-  
ments.

Mr. McNab, seconded by Mr. Merritt, moves, that the names of McDonell, *Northumberland*, and Boulton be added to the committee on canals and internal improvements.

Amendment.

In amendment, Mr. Charles Duncombe, seconded by Mr. Mackenzie, moves, that the question be not now put.

On which the yeas and nays were taken, as follows :

YEAS—MESSIEURS.

|                           |            |           |                |          |
|---------------------------|------------|-----------|----------------|----------|
| Alway,                    | Hopkins,   | Morrison, | Waters,        | Yeas 18. |
| Bruce,                    | McIntosh,  | Norton,   | Wells,         |          |
| Cook,                     | Mackenzie, | Parke,    | Woolverton—18. |          |
| Duncombe, <i>Oxford,</i>  | McMicking, | Shaver,   |                |          |
| Duncombe, <i>Norfolk,</i> | Moore,     | Small,    |                |          |

NAYS—MESSIEURS,

|            |                             |                    |            |   |
|------------|-----------------------------|--------------------|------------|---|
| Boulton,   | McDonell, <i>Glengarry,</i> | Merritt,           | Strange,   | Nays 20.<br>Amendment lost,<br>majority 2.<br>Original question<br>carried. |
| Caldwell,  | McKay,                      | Richardson,        | Thorburn,  |   |
| Chisholm,  | McLean,                     | Rykert             | Walsh,     |   |
| Gilchrist, | McNab,                      | Shibley,           | Wilkinson, |   |
| Lewis,     | Malloch,                    | Solicitor General, | Yager,—20. |   |

The question was decided in the negative by a majority of two.  
The original question was then put and carried

On motion of Mr. Mackenzie, seconded by Mr. Charles Duncombe,

*Ordered*—That the report of the Burlington Canal Commissioners—Mr. Hall's several reports on the state of the Welland Canal—the report on the Canal, proposed to be made between Lake Simcoe and Rice Lake—and the report of the Inspectors of the Penitentiary, be printed as speedily as possible, in the form of the Appendix to the Journal, (but with marginal notes,) 250 copies of each for the use of members, exclusive of the documents which accompany these papers.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

*Ordered*—That the petition of Thomas Smith, saddler, Toronto township, be referred to the committee on Law, Fees &c.

On motion of Mr. Wilkinson, seconded by Mr. Caldwell,

*Ordered*—That the Petition of B. D. Townsend, L. Davenport, H. Davenport, Thomas Parish and B. P. Cahoon, be referred to the select committee on aliens.

On motion of Mr. Hopkins, seconded by Mr. Durand,

*Ordered*—That the petition of James McNab, and others, be referred to the committee, on the division of districts.

On motion of Mr. McIntosh, seconded by Mr. Woolverton,

*Ordered*—That the petition of Wm. Thomson, and others, of the township of Brock, be referred to the committee on roads and bridges, and report thereon.

On motion of Mr. McIntosh, seconded by Mr. Charles Duncombe,

*Ordered*—That the Petition of Webster Stevens, and others, be referred to the committee to whom was referred the bill to amend the Court of Requests' Act.

Pursuant to the order of the day, the address to His Majesty on the subject of trade, was read the second time.

On the question for adopting the same, Mr. McNab, seconded by Mr. Wilkinson, moves that the question be not now put. but that the address be referred to a committee of the whole this day.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|                             |                            |               |               |          |
|-----------------------------|----------------------------|---------------|---------------|----------|
| Boulton,                    | McDonell, <i>Stormont.</i> | Richardson,   | Strange,      | Yeas 14. |
| Caldwell,                   | McKay,                     | Smith,        | Walsh,        |          |
| Lewis,                      | Macnab,                    | Sol. General, | Wilkinson—14. |          |
| McDonell, <i>Glengarry.</i> | Merritt,                   |               |               |          |



NAYS—MESSIEURS,

|          |                            |            |           |             |
|----------|----------------------------|------------|-----------|-------------|
| Nays 25. | Alway,                     | Gilchrist, | Morrison, | Small,      |
|          | Chisholm,                  | Hopkins,   | Parke,    | Thorburn,   |
|          | Cook,                      | McIntosh,  | Perry,    | Waters,     |
|          | Duncombe, <i>Oxford</i> ,  | Mackenzie, | Roblin,   | Wells,      |
|          | Duncombe, <i>Norfolk</i> , | McMicking, | Shaver,   | Woolverton, |
|          | Durand,                    | Moore,     | Shibley,  | Yager—25.   |
|          | Dunlop,                    |            |           |             |

Question lost, majority 11.

The question of amendment was decided in the negative by a majority of eleven.

Mr. Secretary Cameron came to the bar of the House, and delivered to the Clerk a packet.

Sec'y brings down message.

Mr. Secretary Joseph brought down from his Excellency the Lieutenant Governor, a message—and having delivered the same to the Speaker, retired.

Amend't to adopt'n of address to his Majesty.

In amendment to the question for the adoption of the address to His Majesty, Mr. Solicitor General, seconded by Mr. McKay, moves that the address be not now adopted, but that it be,

*Resolved*—That it is incumbent on this House as the representatives of the people of Upper Canada, to urge upon His Majesty's ministers, the great importance of continuing the protective duties on the timber trade of these Provinces—and to point out the ruinous consequences, that must result to this most important branch of our commerce, should these duties be reduced in favor of foreign importations into the United Kingdom.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |                             |                            |             |                    |
|----------|-----------------------------|----------------------------|-------------|--------------------|
| Yeas 32. | Boulton,                    | McDonell, <i>Northumb.</i> | Parke,      | Smith,             |
|          | Caldwell,                   | McIntosh,                  | Perry,      | Solicitor General, |
|          | Chisholm,                   | McKay,                     | Roblin,     | Strange,           |
|          | Cook,                       | McLean,                    | Richardson, | Walsh,             |
|          | Cornwall,                   | McNab,                     | Rykert,     | Wells,             |
|          | Lewis,                      | Malloch,                   | Shaver,     | Wilkinson,         |
|          | McDonell, <i>Glengary</i> , | Merritt,                   | Shibley,    | Woolverton,        |
|          | McDonell, <i>Stormont</i> , | Norton,                    | Small,      | Yager—32.          |
|          |                             |                            |             |                    |
|          |                             |                            |             |                    |

NAYS—MESSIEURS.

|         |                            |            |            |              |
|---------|----------------------------|------------|------------|--------------|
| Nays 7. | Duncombe, <i>Norfolk</i> , | Hopkins,   | McMicking, | Thorburn,—7. |
|         | Durand,                    | Mackenzie, | Morrison,  |              |

Amendm't carried, majority 25.

The question of amendment was carried in the affirmative by a majority of twenty-five.

On motion of Mr. McLean, seconded by Mr. Boulton,

Resol and address referred to com'tee of whole to-morrow.

*Ordered*—That the resolution and address be referred to a committee of the whole House to-morrow, and that it be the first item on the order of the day.

Public accounts reported.

Mr. Speaker reported that Mr. Secretary Cameron had delivered at the bar of the House, the Public Accounts for 1835, and estimates for the current year.

The clerk read the schedule as follows :

(See Schedule on next Page)

## Upper Canada.

Schedule of public  
accounts.SCHEDULE of ACCOUNTS prepared to be laid before the second Session of the twelfth  
Provincial Parliament.

- |        |  |
|--------|--|
| No. 1. | Statement of Monies paid to the Receiver General of Lower Canada, between the 1st January and 1st July, 1835, for duties collected at the Port of Quebec.            |
| 2.     | Statement of Monies paid to the Receiver General of Lower Canada, between the 1st July, 1835, and the 1st January, 1836, for duties collected at the Port of Quebec. |
| 3.     | Abstract of Warrants issued on the Receiver General under Provincial Enactments from 1st January to 30th June, 1835.   |
| 4.     | Abstract of Warrants issued on the Receiver General under Provincial Enactments from 1st July to 31st December, 1835.  |
| 5.     | Statement of the Receiver General's Receipts and Payments of the Provincial Revenue for the year 1835.   |
| 6.     | Account of Revenue arising from Duties on Importations from the United States of America.  |
| 7.     | Account of Revenue from Duties on Licenses issued to Shopkeepers, Innkeepers, Distillers, &c. from 5th January, 1835 to 5th January, 1836.                           |
| 8.     | Account of Revenue from Licenses issued to Hawkers and Pedlers for the year 1835.  |
| 9.     | Account of Revenue from Licenses issued to Auctioneers and on Sales at Auction.  |
| 10.    | Statement of Monies outstanding in the hands of Collectors and Inspectors on 1st January, 1836.  |
| 11.    | Statement of Monies paid to the Receiver General by Collectors and Inspectors from the 1st January to 10th February, 1836.   |
| 12.    | Estimate of the Civil Expenditure of 1836.   |
| 13.    | General Estimate of the Expenditure and Resources of the Province for 1836.  |

GEORGE H. MARKLAND,  
Inspector General.

Inspector General's Office, }  
10th February, 1836. }

## Accounts—(See Appendix.)

On motion of Mr. Macnab, seconded by Mr. Wilkinson,  
*Ordered*—That the public accounts delivered this day by the Secretary of the Province, be referred to the committee of finance.  
Mr. Speaker reported, that Mr. Secretary Joseph had brought down from His Excellency, the Lieutenant Governor, a message and several documents.

Public accounts referred to finance committee.

Mr Speaker reports message and documents from the Lieutenant Governor.

The message was read as follows:

F. B. HEAD,

The Lieutenant Governor transmits to the House of Assembly, the following answer to its address of the 5th instant:

Message.

- It appears to the Lieutenant Governor that this address contains,
- 1st. A statement of the opinions of the House on various subjects of high importance to this Province.
  - 2nd. A request that the Lieutenant Governor should himself give the House certain explanations.
  - 3rd. A request that the Lieutenant Governor should transmit to the House copies of certain documents and despatches which are mentioned.

The Lieutenant Governor assures the House of Assembly, that every opinion stated in their address, shall receive his attentive and deliberate consideration.

With respect to the explanations, as also the copies of the documents and despatches which the House of Assembly has re-

Message.

requested from the Lieutenant Governor, he will now proceed to consider these subjects, seriatim, in the order in which they appear in the address.

1st. The Lieutenant Governor transmits herewith to the House of Assembly, according to its request "a copy of the correspondence desired to be obtained by our address to His Excellency Sir John Colborne, dated the 19th of January, 1835, relative to the removal of the late Attorney General and Solicitor General, the appointment of the present Attorney General, and the re-appointment of the Solicitor General."

The Lieutenant Governor informs the House of Assembly, that there also exists in the Government office, one other despatch on the above subject marked "confidential" and which he withholds from the House, because it is not even left to his discretion to impart it.

The Lieutenant Governor, however, briefly explains to the House of Assembly, that Lord Goderich's order of the 8th of March, 1833, for the retirement of the Solicitor General, was subsequently reversed by His Majesty's government, in consequence of exculpatory explanations which that officer made during his visit to England.

2nd. The Lieutenant Governor transmits herewith to the House of Assembly, according to its request "a copy of the correspondence concerning the several expulsions of a member of this House, in the last Parliament."

3rd. The House of Assembly request copies of any despatches, "that would serve to explain to this House, the apparent contradictions between the Royal instructions, relative to the dismissal or resignation of public officers, when they cease to give a conscientious support to the measures of the Government, and the continuance in office of persons composing the Executive Council, and legal advisers of the Government, notwithstanding their opposition to many urgent and beneficial measures of reform, so often and loudly called for by a large majority of the people of the Colony, and recommended by the Earl of Ripon, as set forth in his despatch of the 8th November, 1832, which opposition and utter contempt of the wishes of the people, and the recommendation of His Majesty's Government as aforesaid, will most strikingly appear by reference to the Journals, in regard to the proceedings had on the said despatch, which was sent down to both Houses by His Excellency Sir John Colborne, in compliance with the instruction of the Earl of Ripon, to make it public in Canada, by which reference it will most distinctly appear, that the above description of persons have not only opposed the carrying into effect the said recommendation, but offered the greatest indignity to His Majesty and his ministers, by voting to send the said despatch back to His Excellency, in opposition to a motion for printing and publishing it; and on another occasion, opposed and prevented the passage of an address of thanks to his Majesty for his prompt attention, displayed in said despatch, to the wishes and interests of the people of the country, by moving another address in amendment, of a censurable character upon his Majesty's minister, for writing and transmitting the said despatch; which address was afterwards presented to his Excellency, as the address of the House, although never carried through its several stages."

In reply to the above request, the Lieutenant Governor informs the House of Assembly, that no despatches exist in the Government office, affording the explanation desired.

4th. The Lieutenant Governor transmits herewith to the House of Assembly, according to its request "a statement of the several persons who compose your Excellency's Executive Council and of Your legal advisers, with the dates of their appointment, and at which they were severally sworn into office."

5th. The House of Assembly requests, "that Your Excellency will please to inform this House, whether it is considered that their appointments and continuance in office are in strict accordance with the spirit of the Royal instructions, and that they are taken from among that class of His Majesty's subjects who have given a conscientious support to those measures of the Government, which are enumerated in the despatch of the Earl of Ripon, as aforesaid."

As the *appointment* of the individuals alluded to, is the prerogative of the Crown, the Lieutenant Governor cannot presume to offer to the House of Assembly any opinion on that subject; but, with respect to the question, whether their *continuance* in office is in strict conformity with the spirit of the Royal instructions, contained in Lord Ripon's despatch of the 8th November, 1832, the Lieutenant Governor conceives, that the real meaning of those instructions was, to arm the Lieutenant Governor of this Province, with power to require, and if necessary, to insist on the resignation of any, or all individuals, holding official situations, who should openly or latently, oppose the measures of his Government.

The Lieutenant Governor will certainly not hesitate to avail himself of this power, should he ever feel it his painful duty to do so, but he considers it would not be a fruitful application of his time, were he now retrospectively to attempt to determine, whether these individuals ever had or had not opposed any measure of the Government of his predecessor, who is responsible to His Majesty alone, for his decisions. He, therefore, feels he is bound, in justice, to infer, that as his predecessor did not see occasion to dismiss these officers, their continuance in office to the present date, is in strict accordance with the spirit of the Royal instructions, which never required that these gentlemen should inflict upon themselves the penalty awarded, in case they should oppose the measures of the Government.

6th. The House of Assembly state, "that in reply to the representations of this House to His Majesty, against the composition of the Legislative Council, the despatch of Lord Glenelg refers with approbation to the report of the Committee of the House of Commons, on Canada affairs, in the year 1828, and we cannot, by any possible ingenuity, reconcile the principles laid down in that report and that despatch, with those acted upon in the recent appointment to seats in the Legislative Council, (if we may believe general report,) inasmuch as all those said to be lately appointed to the said Council, who were members of the last Parliament, (including the gentleman who has, during the present Session, already taken his seat,) took a most conspicuous and prominent part in the contemptuous proceedings on the Earl of Ripon's despatch; which a reference to the Journals of this House will most amply shew; and all said to be so appointed, have always been understood to be violently opposed to the principal measures of improvement and policy, so long required by a large majority of the people, thereby increasing, if possible, instead of diminishing the great obstacle to the reform necessary to be accomplished, in order to secure to the people of this Colony, peace, happiness and prosperity, and the full enjoyment of their civil and religious rights and privileges. We therefore desire to obtain

Message.

“ copies of any communications between the Colonial Office and the Government of this Colony, relating to the late appointments to the Legislative Council, or those of any other persons whose appointments have not been acceded to, or confirmed by the King; and to be informed who, among those lately appointed, have taken the oath as Legislative Councillors, and who, if any of them, have declined accepting of the appointment; and we request Your Excellency as early as may be, to call upon any such as have been so appointed, either to accept the said appointment, and take the necessary oath, &c. or to decline the same.”

As the Lieutenant Governor is incompetent to judge of the principles which regulated the conduct of his respected predecessor, it is totally out of his power to attempt to reconcile to the House of Assembly, the recent appointments to the Legislative Council with the report and despatch alluded to by the House of Assembly. But, although these appointments are the prerogative of His Majesty, and although the recommendations from which they proceeded ought not to transpire, the Lieutenant Governor nevertheless transmits to the House of Assembly, according to its' request, “ copies of any communications between the Colonial Office and the Government of this Colony relating to the late appointments to the Legislative Council, or those of any other persons whose appointments have not been acceded to or confirmed by the King”—and moreover the Lieutenant Governor informs the House, that those gentlemen who have been lately appointed, have been already required to take the oath as Legislative Councillors.

7th. The House of Assembly states “ We therefore trust that Your Excellency will take immediate steps in fulfilment of the gracious wishes of the King, to carry into effect his benevolent intentions, as desired by the great body of the people of this Colony, by calling upon the said Bishop (of Regiopolis) and Archdeacon (of York) either to withdraw from the Legislative Council altogether, or resign their other offices.”

The Lieutenant Governor is not aware that His Majesty has expressed any “ intentions” on the above subject, but opinions have been very clearly expressed by Lord Ripon in his despatch of the 8th Nov. 1832, to the full extent and meaning of which the Lieutenant Governor assures the House he shall feel it his duty strictly to attend.

8th. The House of Assembly request, “ that Your Excellency will lay before us any other information or instructions that you may have received (if any) from His Majesty's Government beyond what has already been sent to us, relative to the administration of the Government.”

In reply to the above request, the Lieutenant Governor, feels it will be only necessary for him to remind the House of Assembly of the following extract of the message he communicated on the 30th ultimo. “ The Lieutenant Governor was commanded by his Majesty to communicate the “ substance” of his instructions to both Houses of the Provincial Parliament; but considering it would be more satisfactory to them to receive the *whole*, he accordingly transmits it herewith.”

9th. The House of Assembly requests the Lieutenant Governor will transmit “ any other information or instruction in answer to a resolution transmitted to His Majesty, through His Excellency Sir John Colborne, which resolution was reported to this House by the Finance Committee, and adopted by the House as containing our

“ views on the important question of the appropriation of the pro- Message.  
 “ ceeds of the natural resources of the country, by the Legislature,  
 “ and strongly remonstrating against the charter and improvident  
 “ sale to the Canada Company, which has proved, and is likely to  
 “ continue to prove, exceedingly injurious to the Province.”

In answer to the above request, the Lieutenant Governor reassures the House of Assembly, that he has received from His Majesty's Government, no other information or instructions on the subject beyond what he has already communicated.

10th. The Lieutenant Governor transmits herewith, to the House of Assembly, according to its request “ Copies of answers to “ any other resolutions or addresses of this House transmitted to His “ Majesty by its order.”

11th. The House of Assembly requests the Lieutenant Governor to transmit copies “ of correspondence between His Majesty's “ Government and the Government of this Province, especially rela- “ tive to the address reported by the committee on grievances and “ adopted by this House on the complaint of an outrage on William “ Forsyth of the Niagara Falls hotel.”

In reply to this request, the Lieutenant Governor informs the House of Assembly, that the case of Mr. William Forsyth, with the documents relating to it, are at this moment under the consideration of His Majesty's Government; and that as soon as the Lieutenant Governor receives His Majesty's final decision, it shall immediately be communicated to the House.

12th. The Lieutenant Governor transmits to the House of Assembly according to its request “ the copy of the despatch of His “ Excellency Sir John Colborne to the Secretary for the Colonies da- “ ted the 12th of September last.”—The despatch dated the 16th containing His Excellency's observations on some of the topics embraced in the Seventh Report on Grievances, the Lieutenant Governor cannot transmit without the sanction of the Secretary of State.

13th. The House of Assembly requests the Lieutenant Governor, to transmit to the House “ copies of all other communications between “ the Colonial office and the Executive Government of this Province, “ on matters of public or general interest to the inhabitants of this “ Province, since the period of the general election of members to “ serve in the House of Assembly, and referred to in the despatch “ of the Secretary of State, sent down to this House on Saturday “ last, as being for Your Excellency's guidance and instruction.”

In reply to this request, the Lieutenant Governor observes to the House of Assembly, that in his instructions alluded to, he certainly was referred for information by the Colonial minister, “ to the “ correspondence of my predecessor and myself with the Officers “ who have successively administered the provincial government” but he is sure the house will feel that it was not either the intention or wish of his majesty's government that the Lieutenant Governor should (as requested by the house) unreservedly and without even a specification of the documents required, divulge to one Branch of the Legislature, a voluminous correspondence which from its nature, must unavoidably relate to many questions belonging exclusively to the other two branches; but must also unavoidably contain subjects of a strict confidential nature, besides others, the publication of which would merely tend to revive by-gone discussions.

The Lieutenant Governor takes this opportunity of appealing to the liberality and good sense of the House of Assembly for considera-

Message

tion, that, as a stranger to this Province, totally unconnected even with the political differences which have existed in the mother country, he has but lately arrived here, entrusted by our most Gracious Sovereign with instructions. the undisguised object of which, is, firmly to maintain the happy constitution of this country inviolate, but to correct cautiously, yet effectually, all real grievances.

The House of Assembly is deeply interested in the importance and magnitude of the task he has to perform—and he is confident it will, on reflection, be of opinion that the Lieutenant Governor of this Province had better look steadily forward to its *future* prosperity and improvement—that he had better attract into Upper Canada the superabundant capital and population of the mother country, by encouraging internal peace and tranquillity—than to be observed occupying himself only in re-considering the occurrences of the *past*.

The Lieutenant Governor does not assert, that the latter occupation would be totally useless, but he maintains, that the former is by far the more useful, and that to attend to both is impossible.

14th. The Lieutenant Governor transmits to the House of Assembly according to its' request "a statement of the proceedings and "steps taken by the Government relative to a special matter contained in the third report of the committee on finance of last session "in reference to a defalcation of monies by the late collector of the "town of Kingston, which defalcation had for several years been reported and appeared in the public accounts, but which was omitted "to be stated by the Inspector General in the last accounts sent down "to this House without any authority to do so from the Legislature."

GOVERNMENT HOUSE. }  
15th February, 1836. }

Documents—(See Appendix.)

2,000 copies to be printed.

On motion of Mr. Macnab, seconded by Mr. Wilkinson, *Ordered*—That two thousand copies of His Excellency, the Lieutenant Governor's message of this day, with the documents accompanying the same, except the extracts from the Journals, be printed in pamphlet form, with marginal notes, for the use of members.

Adjourned.

Tuesday, 16th February, 1836.

The House met.

The minutes of yesterday were read.

Petitions bro't up.  
Of W Sherwood and others.

Mr. Roblin brought up the petition of Wm. Sherwood, and nine hundred and fifty-six others, inhabitants of the districts of Newcastle, Prince Edward, and Midland; which was laid on the table.

G Goodwillie and others.

Mr. Hopkins brought up the petition of George Goodwillie, and seventy-eight others, of the township of Esquesing, (Halton,) which was laid on the table.

B Flint jun'r and others.

Mr. Yager brought up the petition of Billa Flint Junior, and four hundred and ninety-two others, of the townships of Madoc, Huntingdon, and Thurlow, (Hastings); which was laid on the table.

Z Phillips.

Mr. Bruce brought up the petition of Ziba M. Philips of the township of Augusta; which was laid on the table.

G Lyon and others.

Mr. Malloch brought up the petition of George Lyon, and one hundred and seventy-two others of the County Carlton; which was laid on the table.

|   |  |
|---|--|
| Mr. Mackenzie brought up the petition of Edward Lee, and twenty-one others, of the township of Howard, (Western district,) which was laid on the table.   | E Lee and others                                       |
| Mr. Small brought up the petition of James Durnan, light house keeper on Gibraltar Point, which was laid on the table.  | J Durnan.  |
| Pursuant to the order of the day, the following petitions were read   | Petitions read.  |
| Of John Watson and forty-five others, of the township of King, in the Home district, praying aid for roads.   | Of J Watson and others.                                |
| Of Francis Hall, Civil Engineer, praying payment of a claim for services rendered at the Burlington Bay Canal.  | Of F Hall Esq.   |
| Of the Rev. D. Macaulay, praying that the district school of the Home district, of which he is master may be properly supported.  | Of Rev D Macaulay                                      |
| Of Joseph A. Wilford, and seven others of Thorold. district of Niagara, praying for aid to build a bridge over the River Welland.   | Of J A Welford & others.                               |
| Of Robert Armstrong, and forty-seven others, of the township of Markham, praying aid for roads.   | Of R Armstrong and others.                             |
| Of Archibald Barker, and one hundred and five others, of the township of Markham, Home district, praying aid for a bridge over the River Rouge.   | Of A Barker and others.                                |
| Of A. Lewis and thirty-nine others, of the township of Toronto, praying aid for roads.  | Of A Lewis and others                                  |
| Of William Johnson, and forty-seven others, of Georgina, in the Home, district, praying the same.   | Of W Johnson & others.                                 |
| Of Henry Odell, and seventy-seven others, of the London and Gore districts, praying that tolls may be collected on the main road from the Western district to the head of Lake Ontario.   | Of H'y Odell and others.                               |
| Of Russell H. O'Dell, and one hundred and twenty-five others, of the same District, praying the same.   | Of R H O'Dell and others.                              |
| Of Nancy Strobridge, widow of J. G. Strobridge, late contractor for the Burlington Bay Canal, praying payment of a balance alleged to be due to her late husband.   | Of Nancy Strobridge                                    |
| Of Gilbert McMicking, Esq., praying compensation for losses sustained by his Father, the late Peter McMicking, on the Niagara frontier during the late war.   | Of G. McMicking Esq.                                   |
| Mr. Wells gives notice, that he will, on to-morrow, move for leave to bring in a bill authorising the appointment of one or more agents of the Province to England.   | Notices.<br>Of Provincial Agents' bill.                |
| Mr. Boulton gives notice, that he will move on to-morrow, that the House do resolve itself into a committee of the whole to enable him to move for a grant of £1000, in aid of the sufferers by the late calamitous fire at New York, pursuant to his notice of the 19th January last.          | Of motion to relieve sufferers at New York.            |
| Mr. Mackenzie gives notice, that he will, on to-morrow move for leave to bring in a bill to make the office of Sheriff elective.  | Bill to make Shff's elective.                          |
| Mr. Charles Duncombe gives notice, that he will, on to-morrow, move that it be a standing order of this House that the Speaker do appoint standing committees upon all the important matters brought under the consideration of this House.   | Standing order for Mr. Speaker to app't standing com.  |
| On motion of Mr. Gilchrist, seconded by Mr. McIntosh,<br><i>Ordered</i> —That two hundred copies of the report of the Civil Engineer on the effect of Purday's mill dam on the navigation of the Scugog river, and the quantity of land flooded by said dam, be printed for the use of members. | 200 copies of Eng. rep. on Purdy's mill to be printed. |
| Mr. Caldwell from the committee to which was referred the petition of William Ambridge and others, and the several other peti-  | Com on pet'n of Wm Ambridge and                        |



others, and other petitions referred to same committee, report Bertie and Detroit rail road bill.

Bill read  
2d reading to-morrow.

Com on petition of J. Weir and others, report Brantford and Thames rail road bill

Bill read 1st time.  
2d reading to-morrow.

Committee on petition of Pourse, &c. report.

Report referred to committee of whole;

Petitions referred.

D Crosthwaite.

Rev B Macaulay

Of J. H. Greer & others.

R White and others

Com of whole on Address to His Majesty on Trade.

Black Rod

Chairman reports resolutions.

1st Resolution.

tions on the same subject, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

The report was received and the bill was read the first time.

*Ordered*—That the bill to authorise the construction of a rail-road between Bertie and Detroit be read a second time to-morrow.

Mr. Charles Duncombe from the select committee to which was referred the petition of John Weir and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

The report was received, and the bill was read the first time.

*Ordered*—That the Brantford and Thames rail-road bill be read a second time to-morrow.

Mr. Gilchrist from the committee to which was referred the petition of Pearse, Dumble and Hore, contractors for the canal at the Bobcaygean Falls, presented a report, which was received and read.

Report—(See Appendix.)

On motion of Mr. Gilchrist, seconded by Mr. Roblin,

*Ordered*—That the report of the committee on the petition of John Pearse and others, be referred to a committee of the whole House on to-morrow.

On motion of Mr. Smith, seconded by Mr. Rymal,

*Ordered*—That the petition of Daniel Crosthwaite be referred to a select committee, composed of Messrs. Morrison, Woolverton, Mackenzie, and Norton, with power to send for persons and papers, and to report thereon by bill or otherwise.

On motion of Mr. Small, seconded by Mr. Wilkinson,

*Ordered*—That the petition of the Rev. D. McAulay be referred to a select committee, to be composed of Messrs. Thorburn, Rykert, and Charles Duncombe, with power to send for persons and papers, and to report thereon by bill or otherwise.

On motion of Mr. Perry, seconded by Mr. Strange,

*Ordered*—That the petition of John H. Greer and others, be referred to the standing committee on currency.

On motion of Mr. Roblin, seconded by Mr. Perry,

*Ordered*—That the petition of Reuben White and others, be referred to the standing committee on canals and internal improvements.

Pursuant to the order of the day the House was put into a committee of the whole, on the subject of an address to His Majesty, on trade and Commerce.

Mr. Caldwell in the Chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Mr. Speaker left the chair.

The Chairman resumed the chair of committee.

The House resumed.

Mr. Caldwell reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

The report was received.

The first resolution was put as follows :

*Resolved*—That it is incumbent on this House, as the Representatives of the people of Upper Canada, to urge upon His Majesty's Ministers, the great importance of continuing the protective duties on the Timber Trade of these Provinces, and to point out the ruinous con-

sequences that must result to this most important branch of our commerce, should these duties be reduced in favour of foreign importations into the United Kingdom.

In amendment, Mr. Mackenzie, seconded by Mr. Morrison, moves, that after the word "Resolved" in the original resolution, the whole be expunged and the following inserted, "That an address be presented to His Majesty as follows :

Amendment.

*To the King's most Excellent Majesty*

MOST GRACIOUS SOVEREIGN,

We, your Majesty's dutiful and loyal subjects, the Commons of Upper Canada in provincial parliament assembled, humbly beg leave to submit to your Majesty that the depressed state of agriculture in this province is in a great measure to be attributed to those laws ordinances, and instructions for the regulation of trade, by means of which the industry of the Province is held in subservience to the interest of the commerce and shipping of the United Kingdom—and from your Majesty's paternal care and enlightened views we entertain a reasonable expectation that a more liberal policy, suitable to the wants and more permanent interests of the Colonists, will be henceforth pursued, and their foreign trade encouraged and promoted as being eminently conducive to the prosperity of the Province.

We further humbly submit to your Majesty that we have always shewn great willingness to consume the goods and merchandise of the United Kingdom and its colonies according to our means of payment, but that if the restrictions which embarrass our commerce were removed, and we permitted to direct the labor of our hands to the industry of our choice, to employ the cheapest and most convenient means of transport, and to carry the products of that industry to those markets in which they could be disposed of to the best advantage, our means of purchasing British goods would be thereby increased, and our capital and labor employed beneficially in diffusing wealth and enjoyment through the colony.

Situated as Upper Canada is, at a great distance from the sea, the communication with which by the St. Lawrence is interrupted for a great part of the year, our interests would be best promoted by the adoption of such commercial regulations as would enable our agriculturists, merchants, and manufacturers, to obtain free access to the ocean through every channel, by means of which they could safely convey those articles of which this province possesses a superfluity, to the best markets, and through which they might bring back of the goods and merchandise of other lands according to their means, without such imports being subjected to the present heavy tariff of discriminating duties, the operation of which is, to add materially to the many natural obstructions incidental to our inland situation, and to retard the settlement of the waste lands of the province by the more wealthy, intelligent, and persevering class of emigrants, who are induced to settle and invest their capital in the States of Ohio, Michigan, Pennsylvania, and New York, the citizens of which have at all times the free choice of three markets, namely, the Saint Lawrence, Foreign States, through their own seaboard, and the markets of the Southern States, while we of Upper Canada are restricted to the channel of the St. Lawrence only.

We humbly request that your Majesty will be pleased to cause such representations to be made to the Government at Washington as shall appear to be best calculated to induce Congress to admit the goods and merchandise of Great Britain or other nations to pass through the United States into Upper Canada, subject only to the duties which are or may be payable within this province, and without being liable to the payment of any tax or impost in or to the said States, and also to permit the goods, wares and merchandise of this Province to be transported through the said States to other countries beyond the seas, free of duty and subject only to such regulations as may be found necessary for the prevention of infractions of the revenue laws of the American Union.

We also humbly submit to your Majesty that lumber is admitted duty free into this Province from the United States, the government of which States exacts very heavy duties on the lumber we export thither, and that the exaction of these duties gives cause of complaint to all who are largely engaged in carrying lumber from the Western settlements of this Province to the said States—and we trust that your Majesty's government will enter into such negotiations as may have a tendency to place this important branch of Canadian industry on a footing of perfect reciprocity in the market of the neighboring Republic.

Although the prices of wheat and flour, two of our staple commodities, are frequently higher in the United States than in this Province, we are prevented from obtaining the full advantage of the increase of demand consequent on such prices, our wheat being subject to a duty in the United States' ports of about fourteen pence currency, on every bushel imported, with a proportional tax, on Canadian flour, while to the people of the said States our markets for their wheat and flour are always open, duty free, by which regulation they are at all times enabled to avail themselves of such favorable changes as may happen in the markets of Canada.

We humbly request that your Majesty would cause such representations to be made to the government of the United States, as might have a tendency to place this interesting branch of Canadian commerce, on a footing of reciprocity in the two countries; which principle of reciprocity, if it were extended generally to other descriptions of goods admitted duty free into the Canadas under late Colonial Trade Acts, would confer many additional benefits on this Province.

And we also humbly request that in consideration of the great and increasing consumption of the merchandise of the United Kingdom in Upper Canada, your Majesty would be pleased to recommend to your Parliament to admit the flour, meal, grain, beef, pork, and other staple products of this Province into the ports of the United Kingdom on the terms at which the staple agricultural products of the Northern and Eastern States of the American

Union are, by a late British Act, authorised to be admitted into Canada—or subject to as reasonable rates of impost as are now levied at the Ports of Montreal and Quebec, on the staple products and manufactures of the United Kingdom when imported direct from Great Britain and Ireland by sea.

We would humbly represent to your Majesty, that the entire abolition of the several duties now levied in our ports upon articles of the growth and manufacture of other countries, which come not into competition with the industry of this Province, would have a tendency to increase and diffuse capital here, besides affording a protection to labor by enabling the laborer to live cheaper, and the farmer and manufacturer to compete more successfully with the skill and industry of other countries.

The article of Tea, which is consumed in great quantities in this Province, is taxed at Quebec, and prohibited on our frontier, but admitted free of duty into the United States, to which it is brought direct from the place of its growth. The free importation of Tea into Canada would interfere with no article of domestic manufacture either in Great Britain or her Colonies; although tea is prohibited from being imported hither from the United States, where it is obtained much cheaper than we now obtain it in Montreal and Quebec. The opinion prevails that it is extensively smuggled from the United States, and it is well known that the seizures made by the officers of the Customs sometimes prove ruinous to those persons who are tempted to engage in the traffic, hence the complaint is preferred with very great reason, that laws are enacted in England, where we are not represented in Parliament, prohibiting the people of this Province from purchasing the commodities they require, at the best and cheapest markets, and compelling them, if they purchase at all, to uphold a grievous monopoly by buying at the dearest market, both to the merchant and the consumer, although in preventing the Canadians from purchasing tea in the United States, the government cannot urge the usual specious plea, that it does so to encourage some domestic production either of England or her Colonies.

We are of opinion that the following articles, when imported from Great Britain or from any other country into Lower Canada, or into this Province from the United States, should be imported free from all duties, namely, Teas of all kinds, Coffee, Cotton Yarn and all Cotton manufactures, Bur Blocks, Bolting Cloths and Screens, Books and Papers of all kinds, Printers' Presses, Types and Ink, Molasses, Tin in plates and block Tin.

Our close neighbourhood, for many hundreds of miles to parts of the States of New York, Pennsylvania, Ohio, and Michigan, renders it a matter of difficulty for the trader who will not smuggle to compete with him who will, in all those articles which can be purchased cheapest in the markets of those States, on which a duty is now levied, sufficiently high to cover the expense and risk of smuggling them across the lines.

We are of opinion that it would be expedient to repeal the laws imposing seven and a half, fifteen, twenty, and in some cases thirty pounds of Customs duties on every hundred pounds value of many articles of goods which are of the first necessity to an agricultural community, when imported into Lower Canada by sea from countries not under the dominion of Great Britain, or from the United States into this Province, by land or other conveyance, while in some instances no duty, and in most cases a duty of only two pounds ten shillings on every hundred pounds value is exacted on the same descriptions of goods and merchandise if imported from Great Britain or her Colonies by way of Quebec and Montreal, and that in lieu of the said discriminating duties or other regulations, only two pounds ten shillings on every hundred pounds value, should be levied on such goods whether they be imported by sea from parts abroad, or by land, river or lake conveyance from the said United States, so that a fair competition may be allowed in our markets to other nations, and our limited capital and population employed to the best advantage.

And that it is expedient to repeal the statutes under authority, of which train oil and oil of all sorts, fish, dried or salted, and books which are prohibited to be imported into the United Kingdom, are prohibited to be imported into this Province from the United States or other foreign countries, and to allow the people of this Province to buy oils, books and fish in whatever market such articles are sold cheapest.

And we would further humbly represent to Your Majesty that in case the revenue that would accrue to the Province from the customs duties and other sources under the changes contemplated in this address, should fall short of the sum necessary to carry on the Government, and defray the interest of the public debt we have already contracted, the difference might be raised by a judicious apportionment of taxation by the Legislature of this Province on those imported articles which are generally regarded as luxuries, or which come directly into competition with the staple productions of the Colony; and that where, by giving a temporary encouragement, by means of moderate duties to certain species of domestic industry, a reasonable expectation might be entertained, that the articles so encouraged, would soon be able to compete on equal terms with the products of the skill and labour of other countries, so that the tariff would no longer operate as a tax, we would not be unwilling to impose such duties; and we feel it incumbent on us further to represent to Your Majesty, that as the timber trade of the Canadas has been for many years encouraged and fostered by the commercial regulations adopted in England, and as a large capital is now vested therein, any act of the Imperial Parliament, with which the present scale of duties levied on foreign timber might be reduced, would be attended by very injurious consequences to many inhabitants of this Province, engaged in that important branch of our commerce.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|                   |            |         |           |
|-------------------|------------|---------|-----------|
| Alway,            | Hopkins,   | Parke,  | Thorburn, |
| Bruce,            | Lount,     | Perry,  | Waters,   |
| Chisholm,         | McIntosh,  | Rymal,  | Wells,    |
| Duncombe, Oxford, | Mackenzie, | Shaver, | Wilson,   |

|   |                                   |                    |                          |          |
|---|-----------------------------------|--------------------|--------------------------|----------|
| Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gilchrist, | McMicking,<br>Moore,<br>Morrison, | Shibley,<br>Smith, | Woolverton,<br>Yager—26. | Yeas 26. |
|---|-----------------------------------|--------------------|--------------------------|----------|

NAYS—MESSIEURS,

|   |  |  |          |
|---|--|--|----------|
| Boulton,<br>Caldwell,<br>Cook,<br>Cornwall,<br>Lewis,<br>McDonell, <i>Glengarry</i> ,<br>Malloch, | McDonell, <i>Stormont</i> ,<br>McDonell, <i>Northumb.</i><br>McKay,<br>McLean,<br>McNab,<br>Merritt,<br>Norton,<br>Richardson,<br>Roblin,<br>Rykert, | Small,<br>Solicitor General,<br>Strange,<br>Walsh,<br>Wilkinson,—22. | Nays 22. |
|---|--|--|----------|

The question of amendment was carried in the affirmative by a majority of four. Carried, majority 4.

The original question as amended was then put and carried.

The second resolution was then put and carried, nem. con. as follows :

*Resolved*—That it would greatly advance the agricultural prosperity of this Province, and afford an additional proof of the anxiety of His Majesty's government to promote the welfare of his loyal subjects in this portion of his dominions, if all the duties now levied on beef pork, wheat, flour, and other bread stuffs, upon their importation into the United Kingdom were entirely abolished. 2nd resolution put & carried nem. con.

PRESENT—Messrs. *Alway, Boulton, Bruce, Caldwell, Chisholm, Cook, Cornwall, Charles Duncombe, David Duncombe, Durand, Gilchrist, Hopkins, Lewis, Lount, D. McDonell, D. Æ. McDonell, A. McDonell, McIntosh, McKay, Mackenzie, McLean, McMicking, Macnab, Malloch, Merritt, Moore, Morrison, Norton, Parke, Perry, Richardson, Roblin, Rykert, Rymal, Shaver, Shibley, Small, Smith, Sol. General, Strange, Thorburn, Walsh, Waters, Wells, Wilkinson, Wilson, Woolverton, and Yager.*

The third resolution was read as follows :

*Resolved*.—That although bread stuffs and lumber from the United States of America, may be imported into these Provinces for exportation, upon payment of an almost nominal duty, and thereupon acquire the character of colonial produce, and are admitted as such into the possessions of His Majesty, yet the same articles are not admitted from the Canadas into the United States, unless on payment of a heavy duty, contrary to principles of just and reasonable reciprocity. Wherefore it is expedient to pray His Majesty to call upon the government of the United States, to place the trade of these provinces upon terms of equal liberality with those existing on the part of the United Kingdom. 3rd resolution.

Mr. Perry seconded by Mr. Roblin, moves in amendment that the following be added :

“ And that we also, as the Representatives of the people of this Province, feel it to be a duty we owe our constituents, to represent to His Majesty, that by the late laws passed by the Imperial Parliament, regulating the intercourse between the United States of America, and this Colony—horses, horned cattle, sheep and hogs, beef, pork, mutton, butter, cheese, &c. and various kinds of coarse grain and meal, the growth and produce of that country, are allowed to be imported duty free into this Colony, and come into competition in our markets with the like articles, the growth and produce of this Colony, and to the above catalogue may be added various articles of manufacture, which are either admitted duty free, or upon the payment of an exceedingly small advalorem duty, and so arranged as to admit of an easy evasion, even of those duties, for instance the article of leather, and various other manufactures, which we have reason to believe are generally entered at the Custom Houses in this Province at a valuation far below their real value, by which the manufacturer of the article in the United States, is enabled to come into almost unrestricted competition with the manufacturer in this province—while by the laws of the said United States, the same description of articles are subject to heavy duties if exported from this Colony into their territory, thereby affording the grower and manufacturer of those articles in that country, the advantage of two markets, and consequently an encouragement for the inhabitants of that country to turn their attention with confidence and success to the production of those articles in great abundance ; while on the other hand, the said regulation have the effect to deter and discourage the inhabitants of this Province from turning their attention to the improvement, growth and produce and manufacture of those articles, and to exert themselves to supply their own markets, and thereby retain in the country, large sums of money that are now annually drained from the province by the purchase of those commodities from the said United States—and therefore most humbly entreat that His Majesty will take immediate steps to relieve His Majesty's subjects, in this Province from their present disadvantageous situation in this respect, and to bring about such a regulation of the intercourse between this Colony and the United States, as will afford

a suitable protection and encouragement to the grower and manufacturer of those commodities in this Province, and a guarantee of a profitable return for the outlay and expense they may be put to in producing the same.

Carried nem con.

Which was carried nem. con.

**PRESENT**—Messrs. *Alway, Bruce, Caldwell, Chisholm, Cook, Cornwall, C. Duncombe, D. Duncombe, Durand, Gilchrist, Hopkins, Lewis, A. McDonell, McIntosh, McKay, Mackenzie, McMicking, Macnab, Malloch, Merritt, Moore, Morrison, Parke, Perry, Roblin, Rykert, Rymal, Shaver, Shibley, Small, Smith, Solicitor General, Strange, Thorburn, Walsh, Waters, Wells, Wilkinson, Wilson, Woolerton, and Yager.*

The original question as amended was then put and carried, and it was

Original question  
as amended.

*Resolved*—That although bread stuffs and lumber (from the United States of America,) may be imported into these Provinces for exportation, upon payment of an almost nominal duty, and thereupon acquire the character of Colonial produce and are admitted as such into the possessions of His Majesty, yet the same articles are not admitted from the Canadas into the United States. unless on payment of a heavy duty, contrary to principles of just and reasonable reciprocity—wherefore it is expedient to pray His Majesty to call upon the government of the United States to place the trade of these Provinces upon terms of equal liberality with those existing on the part of the United Kingdom—And that we also as the Representatives of the people of this Province, feel it to be a duty we owe our constituents to represent to His Majesty, that by the late laws passed by the Imperial Parliament, regulating the intercourse between the United States of America and this Colony—horses, horned cattle, sheep, and hogs, beef, pork, mutton, butter, cheese, &c. and various kinds of course grains and meal, the growth and produce of that country are allowed to be imported duty free into this colony, and come into competition in our markets with the like articles, the growth and produce of this colony, and to the above catalogue may be added various articles of manufacture, which are either admitted duty free or upon the payment of an exceedingly small advalorem duty, and so arranged, as to admit of an easy evasion, even of those duties; for instance, the article of leather and various other manufactures, which we have reason to believe are generally entered at the Custom Houses in this Province at a valuation far below their real value, by which the manufacturer of the article in the United States, is enabled to come into almost unrestricted competition with the manufacturer in this Province—while by the laws of the said United States the same description of articles are subject to heavy duties if exported from this colony into their territory—thereby affording the grower and manufacturer of those articles in that country, the advantage of two markets and consequently an encouragement for the inhabitants of that country to turn their attention with confidence and success, to the production of those articles in great abundance; while, on the other hand, the said regulations have the effect to deter and discourage the inhabitants of this Province from turning their attention to the improvement, growth and produce, and manufacture of those articles, and to exert themselves to supply their own markets, and thereby retain in the country, large sums of money that are now annually drained from the province by the purchase of those commodities from the said United States, and therefore most humbly entreat that His Majesty will take immediate

steps to relieve His Majesty's subjects in this Province from their present disadvantageous situation in this respect, and to bring about such a regulation of the intercourse between this Colony and the United States, as will afford a suitable protection and encouragement to the grower and manufacturer of those commodities in this Province, and a guarantee of a profitable return for the outlay and expense they may be put to in producing the same.

The fourth resolution was then put as follows :

*Resolved*—That in consequence of all the sea ports of the Canadas being placed within the limits of the Lower Province, Upper Canada has found it necessary to incur the expenditure of a large sum of money amounting already to £370,000, in improving the Saint Lawrence for the purpose of gaining a safe and convenient access to those ports—which expenditure will nevertheless prove of little, if any, advantage to this colony, unless like effects are made on the part of the sister Province, to complete within its limits, improvements of a corresponding description from the Coteau du Lac to Montreal.

4th resolution.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|           |                            |          |                    |          |
|-----------|----------------------------|----------|--------------------|----------|
| Boulton,  | Lewis,                     | Malloch, | Solicitor General, | Yeas 15. |
| Caldwell, | McDonell, <i>Northumb.</i> | Merritt, | Strange,           |          |
| Cook,     | McKay,                     | Roblin,  | Wilkinson—15.      |          |
| Cornwall, | Macnab,                    | Rykert   |                    |          |

NAYS—MESSIEURS,

|                           |            |          |             |         |
|---------------------------|------------|----------|-------------|---------|
| Alway,                    | Hopkins,   | Parke,   | Thorburn,   | Nays 27 |
| Bruce,                    | Lount,     | Perry,   | Waters,     |         |
| Chisholm,                 | McIntosh,  | Rymal,   | Wells,      |         |
| Duncombe, <i>Oxford,</i>  | Mackenzie, | Shaver,  | Wilson,     |         |
| Duncombe, <i>Norfolk,</i> | McMicking, | Shibley, | Woolverton, |         |
| Durand,                   | Moore,     | Small,   | Yager—27.   |         |
| Gilchrist,                | Morrison,  | Smith,   |             |         |

The question was decided in the negative by a majority of twelve.

The fifth resolution was then put as follows :

*Resolved*.—That it would very greatly advance the commercial prosperity of Upper Canada, if its merchants and traders were permitted to import by way of the United States, such British and foreign manufactures and productions as they require, especially during those periods, when the navigation of the St. Lawrence is closed by ice and the inclemency of the season.

Fifth Resolution.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|                           |                            |           |                    |          |
|---------------------------|----------------------------|-----------|--------------------|----------|
| Alway,                    | Gilchrist,                 | Morrison, | Smith,             | Yeas 33. |
| Boulton,                  | Hopkins,                   | Parke,    | Solicitor General, |          |
| Bruce,                    | Lount,                     | Perry,    | Strange,           |          |
| Caldwell,                 | McDonell, <i>Northumb.</i> | Roblin,   | Thorburn,          |          |
| Chisholm,                 | McIntosh,                  | Rykert,   | Waters,            |          |
| Cook,                     | McKay,                     | Rymal,    | Wells,             |          |
| Cornwall,                 | Mackenzie,                 | Shaver,   | Wilson,            |          |
| Duncombe, <i>Oxford,</i>  | McMicking,                 | Shibley,  | Woolverton,        |          |
| Duncombe, <i>Norfolk,</i> | Merritt,                   | Small,    | Yager—28.          |          |
| Durand,                   | Moore,                     |           |                    |          |

NAYS—MESSIEURS.

|        |         |          |              |         |
|--------|---------|----------|--------------|---------|
| Lewis, | Macnab, | Malloch, | Wilkinson—4. | Nays 4. |
|--------|---------|----------|--------------|---------|

The question was carried in the affirmative by a majority of thirty four. Question carried majority 34.

The sixth resolution was then put and carried nem. con. and is as follows :

*Resolved*.—That experience has proved the utter impracticability of guarding against the illicit introduction of Tea into this Province from the United States, to an extent that almost excludes the importation of that article through legitimate channels, with any prospect of a Sixth resolution carried nem. con.

remunerating profit to the dealer, and therefore it is most desirable to obtain permission to import that necessary and almost indispensable article to domestic comfort through foreign countries.

**PRESENT**—Messrs. *Alway, Boulton, Bruce, Caldwell, Chisholm, Cook, Cornwall, C. Duncombe, D. Duncombe, Durand, Gilchrist, Hopkins, Lewis, Lount, A. Macdonell, McIntosh, McKay, Mackenzie, McMicking, Macnab, Malloch, Merritt, Moore, Morrison, Parke, Perry, Roblin, Rykert, Rymal, Shaver, Shibley, Small, Smith, Sol. General, Strange, Thorburn, Waters, Wells, Wilkinson, Wilson, Woolverton, Yager.*

Address to His Majesty 3rd reading this day.

Mr. Mackenzie, seconded by Mr. Moore, moves that the address to His Majesty be engrossed and read a third time this day.

Amendment to refer address and resolution to select com.

In amendment Mr. Perry, seconded by Mr. Shaver, moves, that after the word "moves" in the original, the whole be expunged and the following inserted, that the address, together with the resolutions just adopted, be referred to a select committee composed of Messrs. Norton, Dr. C. Duncombe, Sol. General, Roblin and Cook, with power to send for persons and papers, and leave to report thereon, and that the 29th rule of this House be dispensed with so far as relates to the same.

Division.

On which the yeas and nays were taken, as follows :

**YEAS—MESSIEURS.**

|          |           |           |           |          |               |
|----------|-----------|-----------|-----------|----------|---------------|
| Yeas 16. | Caldwell, | McDonell, | Northumb. | Merritt, | Sol. General, |
|          | Cook,     | McKay,    |           | Perry,   | Strange,      |
|          | Cornwall, | Macnab,   |           | Roblin,  | Walsh,        |
|          | Lewis,    | Malloch,  |           | Rykert,  | Wilkinson—16. |

**NAYS—MESSIEURS.**

|          |                    |            |           |             |
|----------|--------------------|------------|-----------|-------------|
| Nays 25. | Alway,             | Hopkins,   | Morrison, | Thorburn,   |
|          | Bruce,             | Lount,     | Parke,    | Waters,     |
|          | Chisholm,          | McIntosh,  | Rymal,    | Wells,      |
|          | Duncombe, Oxford,  | Mackenzie, | Shaver,   | Wilson,     |
|          | Duncombe, Norfolk, | McMicking, | Shibley,  | Woolverton, |
|          | Durand,            | Moore,     | Smith,    | Yager—25.   |

Amendt. lost maj. 9.

The question of amendment was decided in the negative by a majority of nine.

The original question was then put and carried.

Master in Chancery bro't down White's estate relief bill and message.

Mr. Speaker reported that the Master-in-Chancery had brought down from the honorable the Legislative Council, a message and a bill entitled, "*An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased,*" which that honorable House had passed, and requested the concurrence of this House thereto.

The message was read as follows :

Message from L. C. town member's wages bill passed.

**MR. SPEAKER,**

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled, "*An Act to provide for the payment of wages to members representing cities and incorporated towns within this Province,*" without amendment.

**JOHN B. ROBINSON,**  
Speaker.

Legislative Council Chamber, }  
Sixteenth day of February, 1836. }

White's estate relief bill read 1st time.

The bill sent down from the honorable the Legislative Council, entitled, "*An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased,*" was read the first time.

*Ordered*—That the bill be read a second time to-morrow.

2d read'g. to-morrow

Address to His Majesty read 3rd time.

Pursuant to the order of the day, the address to His Majesty was read the third time.

Mr. Merritt, seconded by Mr. Rykert, moves, that after the words "American Union," the following be added—

That we are of opinion, a full equivalent for those advantages would be derived by the citizens of the United States, by admitting their products, through the water communications within these Provinces by the St. Lawrence, thereby imparting to the grower and consumer, situated in the interior of this continent, in either country, all the advantages nature or art has or may confer on them, in the transit of their products to and from the sea-board.

On which the yeas and nays being taken were as follows :

|  |   |  |  |                       |
|--|---|--|--|-----------------------|
| YEAS—MESSIEURS,  |   |  |  | Amendment to address. |
| Caldwell,<br>McDonell,   | Merritt,<br><i>Stormont.</i> Richardson,  | Rykert,  | Strange—6.   | Yeas 6.               |
| NAYS—MESSIEURS,  |   |  |  | Division.             |
| Alway,<br>Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand, | Gilchrist,<br>Hopkins,<br>Lount,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Moore, | Morrison,<br>Parke,<br>Rymal,<br>Shaver,<br>Shibley,<br>Small,<br>Smith, | Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager,—27. | Nays 27.              |

The question was decided in the negative by a majority of twenty-one. Amd'nt. lost maj. 21.

Mr. Merritt seconded by Mr. Rykert, moves, that after the word "Majesty" in the seventeenth line of the address, the words following the word "Colony" in the fortieth line be expunged, and the following inserted in their place: "that the present high tariff of duties on foreign articles when imported by the port of Quebec, and the restriction of others, operates as a premium on those articles being imported at the port of New York, and thence to this Province, proves injurious to the foreign trade of the ports of Quebec and Montreal, as well as unnecessarily increasing the consumption of those articles to the consumer in this Province, without any corresponding advantages to the trade of the mother country, inasmuch as all articles, the manufacture of the mother country, are furnished to us at a cheaper rate than from foreign ports." Amd'nt. to address.

On which the yeas and nays being taken, were as follows:

|   |   |  |   |           |
|---|---|--|---|-----------|
| YEAS—MESSIEURS,   |   |  |   | Division. |
| Caldwell,<br>Cook,  | McIntosh,<br>Merritt,   | Richardson,<br>Rykert,                                       | Small,<br>Strange,—8.   | Yeas 8.   |
| NAYS—MESSIEURS.   |   |  |   | Division. |
| Alway,<br>Bruce,<br>Chisholm,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gilchrist, | Hopkins,<br>Lount,<br>Mackenzie,<br>McMicking,<br>Moore,<br>Morrison, | Parke,<br>Roblin,<br>Rymal,<br>Shaver,<br>Shibley,<br>Smith, | Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—25. | Nays 25.  |

The question was decided in the negative by a majority of seventeen. Amd'nt. lost maj. 17.

On the question for passing the address, the yeas and nays being taken, were as follows :

|                               |                                 |                               |                                |                     |
|-------------------------------|---------------------------------|-------------------------------|--------------------------------|---------------------|
| YEAS—MESSIEURS,               |                                 |                               |                                | On passing address. |
| Alway,<br>Bruce,<br>Chisholm, | Hopkins,<br>Lount,<br>McIntosh, | Morrison,<br>Parke,<br>Rymal, | Thorburn,<br>Waters,<br>Wells, |                     |



Yeas 25. Duncombe, *Oxford*, Mackenzie, Shaver, Wilson,  
 Duncombe, *Norfolk*, McMicking, Shibley, Woolverton,  
 Durand, Moore, Smith, Yager—25.  
 Gilchrist,

NAYS—MESSIEURS,

Nays 6. Caldwell, Roblin, Small, Strange—6  
 Richardson, Rykert,

Question carried  
 majority 19.

The question was carried in the affirmative by a majority of nineteen, and the address was passed, and is as follows:

*To the King's Most Excellent Majesty*

**MOST GRACIOUS SOVEREIGN,**

Address to His Majesty on the subject of trade & commerce.

We, your Majesty's dutiful and loyal subjects, the Commons of Upper Canada in provincial parliament assembled, humbly beg leave to submit to your Majesty that the depressed state of agriculture in this province is in a great measure to be attributed to those laws ordinances, and instructions for the regulation of trade, by means of which the industry of the Province is held in subservance to the interest of the commerce and shipping of the United Kingdom—and from your Majesty's paternal care and enlightened views we entertain a reasonable expectation that a more liberal policy, suitable to the wants and more permanent interests of the Colonists, will be henceforth pursued, and their foreign trade encouraged and promoted as being eminently conducive to the prosperity of the Province.

We further humbly submit to your Majesty that we have always shewn great willingness to consume the goods and merchandise of the United Kingdom and its colonies according to our means of payment, but that if the restrictions which embarrass our commerce were removed, and we permitted to direct the labor of our hands to the industry of our choice, to employ the cheapest and most convenient means of transport, and to carry the products of that industry to those markets in which they could be disposed of to the best advantage, our means of purchasing British goods would be thereby increased, and our capital and labor employed beneficially in diffusing wealth and enjoyment through the colony.

Situated as Upper Canada is, at a great distance from the sea, the communication with which by the St. Lawrence is interrupted for a great part of the year, our interests would be best promoted by the adoption of such commercial regulations as would enable our agriculturists, merchants, and manufacturers, to obtain free access to the ocean through every channel, by means of which they could safely convey those articles of which this province possesses a superfluity, to the best markets, and through which they might bring back of the goods and merchandise of other lands according to their means, without such imports being subjected to the present heavy tariff of discriminating duties, the operation of which is, to add materially to the many natural obstructions incidental to our inland situation, and to retard the settlement of the waste lands of the province by the more wealthy, intelligent, and persevering class of emigrants, who are induced to settle and invest their capital in the States of Ohio, Michigan, Pennsylvania, and New York, the citizens of which have at all times the free choice of three markets, namely, the Saint Lawrence, Foreign States, through their own seaboard, and the markets of the Southern States, while we of Upper Canada are restricted to the channel of the St. Lawrence only.

We humbly request that your Majesty will be pleased to cause such representations to be made to the Government at Washington as shall appear to be best calculated to induce Congress to admit the goods and merchandise of Great Britain or other nations to pass through the United States into Upper Canada, subject only to the duties which are or may be payable within this province, and without being liable to the payment of any tax or impost in or to the said States, and also to permit the goods, wares and merchandise of this Province to be transported through the said States to other countries beyond the seas, free of duty and subject only to such regulations as may be found necessary for the prevention of infractions of the revenue laws of the American Union.

We also humbly submit to Your Majesty that lumber is admitted duty free into this Province from the United States, the government of which States exacts very heavy duties on the lumber we export thither, and that the exaction of these duties gives cause of complaint to all who are largely engaged in carrying lumber from the Western settlements of this Province to the said States—and we trust that your Majesty's government will enter into such negotiations as may have a tendency to place this important branch of Canadian industry on a footing of perfect reciprocity in the market of the neighboring Republic.

Although the prices of wheat and flour, two of our staple commodities, are frequently higher in the United States than in this Province, we are prevented from obtaining the full advantage of the increase of demand consequent on such prices, our wheat being subject to a duty in the United States' ports of about fourteen pence currency, on every bushel imported, with a proportional tax, on Canadian flour, while to the people of the said States our markets for their wheat and flour are always open, duty free, by which regulation they are at all times enabled to avail themselves of such favorable changes as may happen in the markets of Canada.

We humbly request that your Majesty would cause such representations to be made to the government of the United States, as might have a tendency to place this interesting branch of Canadian commerce, on a footing of reciprocity in the two countries; which principle of reciprocity, if it were extended generally to other descriptions of goods admitted duty free into the Canadas under late Colonial Trade Acts, would confer many additional benefits on this Province.

And we also humbly request that in consideration of the great and increasing consumption of the merchandise of the United Kingdom in Upper Canada, your Majesty would be pleased to recommend to your Parliament to admit the flour, meal, grain, beef, pork, and other staple products of this Province into the ports of the United Kingdom on the terms at which the staple agricultural products of the Northern and Eastern States of the American Union are, by a late British Act, authorised to be admitted into Canada—or subject to as reasonable rates of impost as are now levied at the Ports of Montreal and Quebec, on the staple products and manufactures of the United Kingdom when imported direct from Great Britain and Ireland by sea.

We would humbly represent to your Majesty, that the entire abolition of the several duties now levied in our ports upon articles of the growth and manufacture of other countries which come not into competition with the industry of this Province, would have a tendency to increase and diffuse capital here, besides affording a protection to labor by enabling the laborer to live cheaper, and the farmer and manufacturer to compete more successfully with the skill and industry of other countries.

The article of Tea, which is consumed in great quantities in this Province, is taxed at Quebec, and prohibited on our frontier, but admitted free of duty into the United States, to which it is brought direct from the place of its growth. The free importation of Tea into Canada would interfere with no article of domestic manufacture either in Great Britain or her Colonies; although tea is prohibited from being imported hither from the United States, where it is obtained much cheaper than we now obtain it in Montreal and Quebec. The opinion prevails that it is extensively smuggled from the United States, and it is well known that the seizures made by the officers of the Customs sometimes prove ruinous to those persons who are tempted to engage in the traffic, hence the complaint is preferred with very great reason, that laws are enacted in England, where we are not represented in Parliament, prohibiting the people of this Province from purchasing the commodities they require, at the best and cheapest markets, and compelling them, if they purchase at all, to uphold a grievous monopoly by buying at the dearest market, both to the merchant and the consumer, although in preventing the Canadians from purchasing tea in the United States, the government cannot urge the usual specious plea, that it does so to encourage some domestic production either of England or her Colonies.

We are of opinion that the following articles, when imported from Great Britain or from any other country into Lower Canada, or into this Province from the United States, should be imported free from all duties, namely, Teas of all kinds, Coffee, Cotton Yarn and all Cotton manufactures, Bur Blocks, Bolting Cloths and Screens, Books and Papers of all kinds, Printers' Presses, Types and Ink, Molasses, Tin in plates and block Tin.

Our close neighbourhood, for many hundreds of miles to parts of the States of New York, Pennsylvania, Ohio, and Michigan, renders it a matter of difficulty for the trader who will not smuggle to compete with him who will, in all those articles which can be purchased cheapest in the markets of those States, on which a duty is now levied, sufficiently high to cover the expense and risk of smuggling them across the lines.

We are of opinion that it would be expedient to repeal the laws imposing seven and a half, fifteen, twenty, and in some cases thirty pounds of Customs duties on every hundred pounds value of many articles of goods which are of the first necessity to an agricultural community, when imported into Lower Canada by sea from countries not under the dominion of Great Britain, or from the United States into this Province, by land or other conveyance, while in some instances no duty, and in most cases a duty of only two pounds ten shillings on every hundred pounds value is exacted on the same descriptions of goods and merchandise if imported from Great Britain or her Colonies by way of Quebec and Montreal. and that in lieu of the said discriminating duties or other regulations, only two pounds ten shillings on every hundred pounds value, should be levied on such goods whether they be imported by sea from parts abroad, or by land, river or lake conveyance from the said United States, so that a fair competition may be allowed in our markets to other nations, and our limited capital and population employed to the best advantage.

And that it is expedient to repeal the statutes under authority, of which train oil and oil of all sorts, fish, dried or salted, and books which are prohibited to be imported into the United Kingdom, are prohibited to be imported into this Province from the United States or other foreign countries, and to allow the people of this Province to buy oils, books and fish in whatever market such articles are sold cheapest.

And we would further humbly represent to Your Majesty that in case the revenue that would accrue to the Province from the customs duties and other sources under the changes contemplated in this address, should fall short of the sum necessary to carry on the Government, and defray the interest of the public debt we have already contracted, the difference might be raised by a judicious apportionment of taxation by the Legislature of this Province on those imported articles which are generally regarded as luxuries, or which come directly into competition with the staple productions of the Colony; and that where, by giving a temporary encouragement, by means of moderate duties to certain species of domestic industry, a reasonable expectation might be entertained, that the articles so encouraged, would soon be able to compete on equal terms with the products of the skill and labour of other countries, so that the tariff would no longer operate as a tax, we would not be unwilling to impose such duties; and we feel it incumbent on us further to represent to Your Majesty, that as the timber trade of the Canadas has been for many years encouraged and fostered by the commercial regulations adopted in England, and as a large capital is now vested therein, any act of the Imperial Parliament, with which the present scale of duties levied on foreign timber might be reduced, would be attended by very injurious consequences to many inhabitants of this Province, engaged in that important branch of our commerce.

MARSHALL S. BIDWELL,

Speaker.

Address to His Excellency to transmit address to his majesty on trade ordered.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,  
*Ordered*—That an address be presented to His Excellency the Lieutenant Governor, informing His Excellency, that this House has passed an address to His Majesty, on the subject of the trade of this Province, and praying His Excellency to transmit the same to the Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne; and that Messrs. Parke and Hopkins be a committee to draft and report said address.

Adjournment 'till Thursday proposed

Mr. Richardson seconded by Mr. Rykert, moves, that this House when it adjourns, do adjourn until Thursday next, at ten A. M.

Lost

Which was lost.

Committee report address to H Ex'y to transmit address to the King

Mr. Hopkins from the committee to draft an address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the address to His Majesty, reported a draft which was received and read twice, adopted, read third time and passed, and is as follows:

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

Address

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in provincial parliament assembled, beg leave to inform Your Excellency that this House has passed an address to His Majesty on the state of trade and commerce, and we humbly request that Your Excellency will be pleased to transmit the same to His Majesty's principal Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
 16th Feb'y. 1836.*

Com to wait on his Ex'y with the address.

On motion of Mr. Mackenzie, seconded by Mr. Wells,  
*Ordered*—That Messrs. Wilson and Charles Duncombe, be a committee to wait on His Excellency to learn when he will be pleased to receive this House with its address of this day to His Majesty and to His Excellency.  
 Adjourned.

**Wednesday, 17th February, 1836.**

Petitions bro't up.

The House met.

The minutes of yesterday were read.

Of A S Fraser & others

Mr. Boulton brought up the petition of A. S. Fraser, and thirty-five others, of the township of Fenelon and Verulam, in the district of Newcastle; which was laid on the table.

Of H Valteau and others.

Mr. Wilson brought up the petition of Heldebrand Valteau, of the district of Prince Edward; which was laid on the table.

Of E Kennedy

Mr. Lount brought up the petition of Edward Kennedy; which was laid on the table.

Of A Laing and others.

Mr. Lount brought up the petition of Alexander Laing, and two others, commissioners in behalf of the inhabitants of Medonte, (Home District); which was laid on the table.

Of G Alley and others.

Mr. Lount brought up the petition of Gerard Alley, and two others, commissioners of North and South Orrillia (Simcoe); which was laid on the table.

Of D Vanvolkenburgh

Mr. McLean brought up the petition of David Vanvolkenburgh, late a private in the Glengary Regiment; which was laid on the table.

Of Rev T Phillips and others.

Mr. Small brought the up petition of the Rev. Thos. Phillips, D. D. and eighteen others of the city of Toronto; which was laid on the table.

Mr. Small brought up the petition of the Rev. R. Macdowall, and thirty-nine others, of the City of Toronto, which was laid on the table. Of Rev R McDowall and others.

Mr. Walsh brought up the petition of George S. Salmon, Col. 2nd Norfolk Militia, and six others, officers of said regiment, composing the Court Martial on the trial of Capt. Edward Allan Talbot, which was laid on the table. Of G S Salmon and others.

Mr. Walsh brought up the petition of Collin McMeilledge, and forty-seven others, of the Port-Dover Harbor Company, which was laid on the table. Of C McNeilledge and others.

Mr. Norton brought up the petition of David Spencer, and 77 others, of the townships of Edwardsburgh, Matilda, Mountain and Osgoode, district of Johnstown, which was laid on the table. Of D Spencer and others.

Mr. Hopkins brought up the petition of John McKee, and forty-three others, of the township of Garrafraxa, (Halton,) which was laid on the table. Of J McKee and others.

Mr. Richardson brought up the petition of the Reverend Robert McGill, and thirty others, of the town of Niagara, which was laid on the table. Of Rev R McGill and others.

Mr. Richardson brought up the petition of Wm. M. Gray, and fourteen others, of the town of Niagara, which was laid on the table. Of W M Gray and others.

Mr. Richardson brought up the petition of Wm. M. Gray, and fifteen others, of the town of Niagara, which was laid on the table. do.

Mr. Small brought up the petition of J. W. Brent, and seventy-one others, of the city of Toronto, which was laid on the table. Of J W Brent and others.

Mr. Perry brought up the petition of Garrett Lee and thirty-seven others, of the townships of Howard and Harwich, in the Western district; which was laid on the table. Of G Lee and others.

Mr. Waters brought up the petition of Allan Cameron and ninety-two others, of the townships of Lochiel and Kenyon, in the Eastern district; which was laid on the table. Of A Cameron and others.

Mr. Thorburn brought up the petition of William H. Cristeson and six others, members of the Royal College of Surgeons, Edinburgh; which was laid on the table. Of W H Cristeson and others.

Pursuant to the order of the day, the following petitions were read: Petitions read.

Of Donald Cameron, of Thorah, praying that justice may be rendered him in the premises. Of D Cameron,

Of Edward Carley and nine others, of the township of Sophiasburgh, (Prince Edward)—praying that their side lines may remain unaltered. Of E Carley and others.

Of Richard Murphy, President, and forty-eight others, members of the Mechanics' Institute of the town of London (Middlesex) praying pecuniary aid for said institution. Of R Murphy and others.

Of Charles Walsh, a prisoner confined in the gaol of the district of Niagara—praying to be relieved by an amendment of the law. Of C Walsh

Of Joseph Warrow and ten others, Indians of the Wyandott tribe—praying that the petition of Splitlog and others may not be entertained. Of J Warrow and others.

Mr. Richardson gives notice, that he will, to-morrow, move for the reading of the Journals of last session relative to the petition of Richard Bullock, Esquire. Notices. For reading Journals on petition of R. Bullock.

Mr. McDonell, of Glengarry gives notice, that he will, on to-morrow, move for leave to bring in a bill authorising the District Court and the Court of General Quarter Sessions of the Peace to be held alternately in the different counties of the several districts of this province. Of bill for the holding certain courts in the different counties in each district.

Committee to wait on His Excellency with address for returns from treasurer of Eastern district, report answer.

Mr. D. Æ. McDonell, from the committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, requesting certain returns from the Treasurer of the Eastern district, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Answer.

GENTLEMEN,

I will direct, that the request contained in your address shall be immediately complied with.

Committee on petition of D. Pattie & 123 others, report Hawkesbury division bill.

Mr. Waters, from the select committee, to which was referred the petition of David Pattie and 123 others, informed the House, that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read 1st time.

The report was received, and the bill was read a first time.

2nd reading tomorrow.

*Ordered*—That the Hawkesbury division bill be read a second time to-morrow.

Committee on expiring laws, report.

Mr. Shaver, from the committee on expiring laws, reported two bills which were received.

Bill to facilitate remedies against corporations, read 1st time.

The bill to continue the Act to facilitate legal remedies against corporations, was read a first time.

2nd reading tomorrow.

*Ordered*—That the bill be read a second time to-morrow.

Bill to extend Cobourg rail road company act read 1st time.

The bill to extend the Cobourg rail road company Act was read a first time.

2d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

Petitions referred. Of R. Murphy and others.

On motion of Mr. Parke, seconded by Mr. Gilchrist, *Odered*—That the petition of Richard Murphy and others, President and members of the mechanics' institute, of the town of London, be referred to a committee, consisting of Messrs. McNab and Wilson, to report thereon.

On motion of Mr. Macnab, seconded by Mr. Richardson.

Of G. McMicking

*Ordered*—That the petition of Gilbert McMicking, be referred to the committee on claims.

Of N. Strobidge.

On motion of Mr. Maenab, seconded by Mr. Richardson, *Ordered*—That the petition of Nancy Strobidge, be referred to a select committee, consisting of Messrs. Perry and Norton, with power to send for persons and papers, and to report to this House.

Of R. H. Odell & H. Odell.

On motion of Mr. Macnab, seconded by Mr. Richardson, *Ordered*—That the petition of Russell H. Odell and others, and of Henry Odell and others, be referred to Messrs. Boulton, Richardson and Rymal, with power to report thereon by bill or otherwise.

Of F. Hall.

On motion of Mr. Thorburn, seconded by Mr. McMicking, *Ordered*—That the petition of Francis Hall, Esquire, Civil Engineer, be referred to the committee of finance.

Of D. Cameron.

On motion of Mr. Small, seconded by Mr. McNab, *Ordered*—That the petition of Donald Cameron, be referred to a select committee, to be composed of Messrs. Lount, McIntosh, McDonell, of Stormont, Chisholm and Mackenzie, with power to send for persons and papers, and to report thereon by address or otherwise.

Of J. Griffin and others.

On motion of Mr. Waters, seconded by Mr. Rymal, *Ordered*—That the petition of Joseph Griffin, and others, of the Ottawa district, be referred to a select committee, to be composed of Messrs. Chesser and Smith, with power to send for persons and papers, and report thereon by bill or otherwise.

Of C. Walsh.

On motion of Mr. Richardson, seconded by Mr. Rykert, *Ordered*—That the petition of Charles Walsh be referred to a

select committee, to be composed of Messrs. Yager, Wilkinson and Wilson, to report thereon.

Pursuant to notice, Mr. Smith, seconded by Mr. Rymal, moves that so much of the journals of last session, as relates to the petition of William Lotteridge and others, be now read,

Journals on petition of W. Lotteridge, read.

Which was carried and the journals read accordingly.

(See Printed Journal—pages 189.)

On motion of Mr. Smith, seconded by Mr. Durand,

Ordered—That the petition of William Lotteridge and others, be referred to a select committee, composed of Messrs. Durand and Rymal, with power to report thereon by bill or otherwise.

Petition of Wm Lotteridge, referred

On motion of Mr. Mackenzie, seconded by Mr. Durand.

Ordered—That Messrs. Dunlop, Gibson, Charles Duncombe, and McIntosh, be a committee to consider and report a plan for the Geological survey of this Province; that they have power to send for witnesses and report by bill or otherwise.

Committee for geological survey appointed

Mr. Macnab, seconded by Mr. Rykert, moves that an humble address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to lay before this House, a copy of so much of the despatch from Sir John Colborne, to the Lord Glenelg, dated Toronto, 16th September, 1835, as has not been sent down to this House, and that the 31st rule of this House be dispensed with for that purpose.

An address to be presented to His Excellency for the residue of Sir J. Colborne's despatch, of 16th September.

Which was carried nem. con.

Carried, nem. con

PRESENT—Messrs. Boulton, Bruce, Caldwell, Chesser, Chisholm, Cook, Duncombe Oxford, Doucombe Norfolk, Dunlop, Durand, Gilchrist, Hopkins, Lewis, Lount, McDonell Glengarry, McDonell Stormont, McIntosh, Mackenzie, McLean, McNab, Malloch, Merritt, Moore, Norton, Parke, Perry, Richardson, Roblin, Rykert, Rymal, Shaver, Shibley, Small, Smith, Thorburn, Walsh, Wells, Wilkinson, Wilson, Woolverton and Yager.

On motion of Mr. Macnab, seconded by Mr. Wilkinson,

Ordered—That Messrs. Roblin and Norton, be a committee to examine the Journals of the Hon. the Legislative Council, and report to this House, the proceedings had on the amendments of this House, to the amendments of the Honorable the Legislative Council, to a Bill sent up from this House, entitled "*An Act to secure the freedom of Elections in the County of Leeds.*"

Committee to examine Journals of Legislative Council on proceedings had on Leeds election bill.

Pursuant to Notice Mr. Small seconded by Mr. Wilkinson, moves that so much of the Journals of last session as relates to the petition of William Warren Baldwin, and others, be now read.

Journals on petition of W. W. Baldwin and others, read.

Which was carried, and the Journals were read accordingly.

(See printed Journals, page 93.)

On motion of Mr. Small, seconded by Mr. Wilkinson,

Ordered—That the petition of William Warren Baldwin and others, be referred to a select committee to be composed of Messrs. Solicitor General, Morrison, and McIntosh, with power to send for persons and papers, and to report thereon by bill or otherwise.

Petition of W. W. Baldwin and others, referred.

Pursuant to notice, Mr. Rykert, seconded by Mr. Caldwell, moves, for leave to bring in a bill to authorise the conveyance of old roads in certain cases.

Bill to authorise the sale of old roads brought in.

Which was granted and the bill read.

Ordered—That the bill to authorise the conveyance of old roads in certain cases, be read a second time to-morrow.

2d reading to-morrow.

Niagara district school petition referred to supply.

On motion of Mr. Richardson, seconded by Mr. Rykert, *Ordered*—That the petition of the trustees of the Niagara district school, be referred to the committee of supply.

Journals on petition of A. Barron, of Malden, read.

Pursuant to notice, Mr. Caldwell, seconded by Mr. Richardson, moves, that so much of the Journals of last session as relates to the petition of Antoine Barron, of the township of Malden, in the Western district, praying for a pension, be now read.

Which was carried, and the Journals were read accordingly.

(See Page 105, printed Journals.)

Petition of A. Barron, referred.

On motion of Mr. Caldwell, seconded by Mr. Richardson, *Ordered*—That the petition of Antoine Barron be referred to the committee on claims.

Journals on petition of R. Hare, read.

Pursuant to notice, Mr. Boulton, seconded by Mr. McLean, moves, that the Journals of last session relating to the petition of Richard Hare and others be read.

Which was carried, and the Journal was read accordingly.

See page 122, printed Journals.

Petition of R. Hare referred

On motion of Mr. Boulton, seconded by Mr. McLean, *Ordered*—That the petition of Richard Hare and others be referred to a special committee, to consist of Messrs. Gilchrist and McDonell, *Northumberland*, to report thereon by bill or otherwise.

Committee to draft address to His Excellency for despatch of Sir John Colborne—report draft—read twice.

Mr. Small, from the committee to draft an address to His Excellency the Lieutenant Governor for further information on the subject of a despatch, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

3d reading this day.

Pursuant to notice, Mr. Wells, seconded by Mr. Shaver, moves, that so much of the Journals of the last session as relates to the petition of David Ballentyne and others be now read.

Journals on petition of D. Ballentyne, read.

Which was carried, and the Journal was read accordingly.

(See page 262 printed Journals.)

Pet of D Ballentyne referred.

On motion of Mr. Wells, seconded by Mr. Shaver, *Ordered*—That the petition of David Ballentyne and others, of the town of Prescott, be referred to a committee, to consist of Messrs. Shaver, Cook, and Norton, with power to report thereon by bill or otherwise.

Bill to facilitate proof of deeds, etc. brought in.

Pursuant to notice, Mr. Boulton, seconded by Mr. Macnab, moves, for leave to bring in a bill to facilitate proof of deeds and to provide for registry of judgments, as also to enable married women, residing in a foreign country, to bar dower or sell real estate in this Province.

Which was granted, and the bill read.

*Ordered*—That the bill to facilitate proof of deeds, &c. be read a second time to-morrow.

2d reading to-morrow.

Pursuant to the order of the day, the address to His Excellency for copy of despatch, was read the third time, passed, and is as follows:

Address to His Excellency for despatch of Sir J. Colborne, read third time and passed.

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

Address to His Excellency for certain despatch of Sir John Colborne.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled—humbly request that your Excellen-

cy will be pleased to lay before this House, a copy of so much of the despatch from Sir John Colborne to The Lord Glenelg, dated Toronto, 16th September, 1836, as has not been sent down to this House.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
16th February, 1836. }

On motion of Mr. Small, seconded by Mr. Cornwall,  
*Ordered*—That Messrs. Macnab and Wilkinson, be a committee to wait upon His Excellency, to know when he will be pleased to receive the address, and to present the same. Committee to carry up address.

Pursuant to the order of the day, the towns' election bill, was read a second time. Town election bill read 2nd time.

The House was put into committee of the whole on the bill. Committed.

Mr. McMicking in the chair.

The House resumed.

Mr. McMicking reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House. Bill reported with out amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time tomorrow. 3d reading to-morrow.

Mr. Secretary Cameron came to the bar of the House and delivered the contingent accounts for the public service of the past year. Provincial Secretary delivers contingent accounts.

Adjourned.

**Thursday, 18th February, 1836.**

The House met. Petitions bro't up

The minutes of yesterday were read. Of Jas. Cull.

Mr. Small brought up the petition of James Cull, Civil Engineer, of the city of Toronto; which was laid on the table.

Mr. Mackenzie brought up the petition of Edward H. Malloy, of Port Stanley (Middlesex); which was laid on the table. Of E H Malloy.

Mr. Rykert brought up the petition of J. L. Schofield, J. P. and ninety-eight others, of the district of Johnstown; which was laid on the table. Of J L Scofield & others.

Mr. David Duncombe brought up the petition of John Richmond and thirty-eight others, of the townships of Walpole and Rainham; which was laid on the table. Of J Richmond & others.

Mr. David Duncombe brought up the petition of William Cunningham and eighty others, of the county of Norfolk; which was laid on the table. Of W Cunningham and others.

Mr. Thorburn brought up the petition of John Clark, J. P. and one thousand five hundred and eighty-seven others, of the counties of Lincoln and Haldimand, in the district of Niagara; which was laid on the table. Of J Clark and others.

Pursuant to the order of the day, the town election bill was read the third time and passed. Town election bill read 3rd time and passed.

Mr. Small, seconded by Mr. Richardson, moves, that the bill be entitled, "*An Act to declare the rights of certain persons therein mentioned to vote at the election of members for the several towns within this Province, now or hereafter sending representatives to Parliament.*" Title.

Which was carried, and Messrs. Small and Richardson were ordered by Mr. Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Sent to Leg Coun.



Petitions read.

Pursuant to the order of the day the following petitions were read :

Of Wm Sherwood and others

Of William Sherwood and nine hundred and fifty-six others, inhabitants of the districts of Newcastle, Midland, and Prince Edward, praying for the construction of a canal to connect the waters of Lake Ontario with the Bay of Quinte.

Of G Goodwillie and others

Of George Goodwillie and seventy-eight others, of the township of Esquesing. (Halton) praying aid for roads.

Of B Flint j<sup>r</sup> and others.

Of Billa Flint, Junior, and four hundred and ninety-two others. of the townships of Madoc, Huntingdon, and Thurlow, praying aid for the road from Madoc to Belleville.

Of Z M Phillips

Of Ziba M. Phillips, of Augusta, praying to be placed on the pension list of Upper Canada.

Of E Lee & others

Of Edward Lee and twenty-one others, of the township of Howard, in the Western district, praying aid for roads, and the appointment of certain Commissioners. And—

Of J Durnan

Of James Durnan, Light House keeper, Gibraltar Point, praying repairs to be done to his house.

Notices  
For reading Journals on pet of Rev'd A McDonnell.

Mr. McDonell, *Glengarry*, gives notice, that he will, on to-morrow, move for leave for the reading of that part of the Journals of last session which refers to the petition of the Reverend Angus Macdonell, of Sandwich, and others.

For reading Journals on petition of J. Inkstar.

Mr. Rykert gives notice, that he will on to-morrow move for the reading of so much of the Journals of last session, as relates to the petition of James Inkstar, and nineteen others, masters of Vessels.

For committee of whole on land granting department.

Mr. Macnab gives notice that he will on Monday, move that this House resolve itself into a committee of the whole, on the subject of the land granting department of this province.

For committee of whole on additional assessment in each district.

Mr. Boulton gives notice that he will on to-morrow, move that the House do resolve itself into a committee of the whole to take into consideration the expediency of imposing an additional assessment in each district, to provide fire proof Offices.

Committee on petition of Rev'd. D. Macaulay, report address.

Mr. Small from the committee to which was referred the petition of the Rev. D. Macaulay, presented as a first report, the draft of an address to His Excellency the Lieutenant Governor, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Motion for printing resolution and address on trade.

Mr. Macnab, seconded by Mr. Small, moves that two thousand copies of the address and resolutions on the subject of free trade, be printed for the use of members, with the yeas and nays.

Amendment, 2000 extra sheets of Journals containing resolutions and address on trade to be printed.

In amendment Mr. Mackenzie, seconded by Mr. Wilson, moves, that after the word "moves" in the original motion, the whole be expunged, and the following inserted, "that two thousand extra copies of those sheets of the journal which contain the resolutions, addresses and proceedings of this House, of the 16th inst. on the trade and commerce of this colony, be printed for the use of members.

Division.

On which the yeas and nays beng taken, were as follows :

YEAS—MESSIEURS,

|                  |  |  |   |   |
|------------------|--|--|---|---|
| <p>Yeas, 23.</p> | <p>Bruce,<br/>Chisholm,<br/>Cook,<br/>Duncombe, <i>Oxford</i><br/>Duncombe, <i>Norfolk</i><br/>Durand,</p> | <p>Gibson,<br/>Gilchrist,<br/>Hopkins,<br/>Lount,<br/>McIntosh,<br/>Mackenzie,</p> | <p>Moore,<br/>Morrison,<br/>Parke,<br/>Shaver,<br/>Shibley,<br/>Thorburn,</p> | <p>Waters,<br/>Wells,<br/>Wilson,<br/>Woolverton,<br/>Yager—23.</p> |
|------------------|--|--|---|---|

NAYS—MESSEURS

|  |   |   |   |           |
|--|---|---|---|-----------|
| Boulton,<br>Caldwell,<br>Chesser,<br>Cornwall,<br>McDonell, <i>Glengarry</i> . | McKay,<br>McLean,<br>McNab,<br>Malloch,<br>Merritt, | Norton,<br>Perry,<br>Richardson,<br>Rykert,<br>Rymal, | Smith,<br>Strange,<br>Walsh,<br>Wilkinson—19. | Nays, 19. |
|--|---|---|---|-----------|

The question of amendment was carried in the affirmative by a majority of four. Amendment carried, majority 4.

The original question as amended was then put and carried.

Mr. Small from the committee to which was referred the petition of Silas V. York, informed the House that the committee had agreed to a report, which he was ready to submit whenever the House would be pleased to receive the same. Committee on petition of S. V. York, report.

The report was received and read.

Report—(see *Appendix*.)

Mr Small, seconded by Mr. Wilkinson, moves that the House do now resolve itself into a committee of the whole, on the report from the select committee upon the petition of Silas V. York. Committee of whole on above report.

Which was carried and the House was put into committee of the whole on the same.

Mr. Wells in the chair.

The House resumed.

Mr. Wells reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Committee of whole report resolution.

The report was received.

On the question for the adoption of the resolution, the yeas and nays being taken, were as follows: On adopting report.

YEAS—MESSIEURS,

|  |   |   |  |          |
|--|---|---|--|----------|
| Boulton,<br>Caldwell,<br>Chisholm,<br>Cornwall,<br>Durand,<br>Gilchrist,<br>Lewis, | M'Donell, <i>Glengarry</i> ,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Macnab,<br>Moore, | Norton,<br>Parke,<br>Richardson,<br>Rykert,<br>Rymal,<br>Small, | Smith,<br>Thorburn,<br>Walsh,<br>Wilkinson,<br>Wilson,<br>Woolverton—26. | Yeas 26. |
|--|---|---|--|----------|

NAYS—MESSIEURS,

|  |                    |                     |                     |         |
|--|--------------------|---------------------|---------------------|---------|
| Cook,<br>Duncombe, <i>Norfolk</i> ,<br>Gibson, | Hopkins,<br>Perry, | Shaver,<br>Shibley, | Waters,<br>Yager—9. | Nays 9. |
|--|--------------------|---------------------|---------------------|---------|

The question was carried in the affirmative by a majority of seventeen, and the resolution was adopted as follows: Question carried, majority 17.

*Resolved*—That it is expedient to extend the provisions of the Pension Act of the last Session of the Provincial Parliament to such persons as may upon investigation be found deserving in consequence of wounds received during the last war with the United States of America. Resolution to extend pension list.

On motion of Mr. Small, seconded by Mr. Wilkinson,

*Ordered*—That the resolution of this House upon the subject of the Pension Act be referred to the committee upon claims, with power to report thereon by bill. Resolution referred.

Mr. Wilkinson, seconded by Mr. Macnab, moves, that five hundred copies of the Niagara and Sandwich rail-road bill be printed for the use of members. Motion for printing 500 copies of Niagara and Sandwich rail road bill.

In amendment, Mr. C. Duncombe, seconded by Mr. Wilson, moves, that after the word "moves" in the original motion, the whole be expunged, and that this bill together with the London and Gore district rail road amendment bill, be referred to the standing committee upon rail roads and internal improvements. Amendment, this bill and the London and Gore district rail road bill be referred.

Division.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |                          |                            |          |             |
|----------|--------------------------|----------------------------|----------|-------------|
| Yeas 22. | Boulton,                 | McDonell, <i>Stormont.</i> | Parke,   | Thorburn,   |
|          | Cook,                    | McIntosh,                  | Perry,   | Waters,     |
|          | Duncombe, <i>Orford.</i> | Mackenzie,                 | Rymal,   | Wells,      |
|          | Durand,                  | McMicking,                 | Shaver,  | Woolverton, |
|          | Gilchrist,               | Macnab,                    | Shibley, | Yager—22.   |
|          | Hopkins,                 | Moore,                     |          |             |

NAYS—MESSIEURS.

|          |                           |          |             |                |
|----------|---------------------------|----------|-------------|----------------|
| Nays 14. | Caldwell,                 | Lewis,   | Richardson, | Strange,       |
|          | Chisholm,                 | McKay,   | Rykert,     | Walsh,         |
|          | Cornwall,                 | Merritt, | Small,      | Wilkinson,—14. |
|          | Duncombe, <i>Norfolk.</i> | Norton,  |             |                |
|          |                           |          |             |                |

The question of amendment was carried in the affirmative by a majority of eight.

The original question as amended was then put and carried.

Mr. Speaker reported, that he had received from the President of the Commercial Bank of the Midland district, a letter and statement of the affairs of that institution, in conformity to a resolution of the House.

*Commercial Bank, Midland District, }  
Kingston, 2d February, 1836. }*

SIR,

In obedience to the order of the honorable the House of Assembly, I beg to enclose the statement of the affairs of this Institution.

I have the honor to be, Sir,

Your most obedient Humble Servant,

JOHN S. CARTWRIGHT,

*President.*

JAMES FITZGIBBON,

Clerk, hon. the House of Assembly, &c. &c. &c.

Letter from President of Commercial Bank.

ABSTRACT from the Books of the Commercial Bank of the Midland District, exhibiting a General Statement of the affairs of the Institution on the 1st day of February, 1836, according to Act of Parliament, 2 William 4, chap. 11.

|   | £         | s. | d. |  | £         | s. | d. |
|---|-----------|----|----|--|-----------|----|----|
| Capital Stock paid in,.....   | 100,000   | 0  | 0  | Gold, Silver and Copper in the Bank and its offices,.....  | 34,874    | 10 | 0  |
| Bank Notes in circulation not bearing interest, viz: of \$5 and upwards,....£100,887  |           |    |    | Real Estate, Office Furniture, &c.,.....   | 3,703     | 10 | 10 |
| Under \$5,..... 44,375  |           |    |    | Bills of other Banks,.....   | 7,424     | 10 | 0  |
|   | 145,262   | 0  | 0  | Balances due f'm other Banks and Foreign Agencies,....   | 5,704     | 6  | 1  |
| Bills and Notes bearing interest, none,.....  |           |    |    | Am't of all debts due, includ'g Notes, Bills of Exchange, and all Stock and Funded debts of every description, excepting the balances due from other Banks,..... | 284,610   | 16 | 6  |
| Balances due to other Banks and Foreign Agents on Exchange transactions,.....   | 38,806    | 1  | 0  |  |           |    |    |
| Cash deposits bearing interest,   | 12,649    | 0  | 0  |  |           |    |    |
| Cash deposits including all sums whatsoever due from the Bank not bearing interest,.....  | 39,600    | 12 | 5  |  |           |    |    |
| Total amount due from the Bank,.....  | £ 336,317 | 13 | 5  | Total amount of the resources of the Bank,.....  | £ 336,317 | 13 | 5  |
| Rate of $\frac{1}{4}$ yearly dividend to the 1st Dec. last being 4 per cent on the capital stock,...  | 4,000     | 0  | 0  |  |           |    |    |
| Rate bonus paid 15th Dec. last 6 per cent,.....   | 6,000     | 0  | 0  |  |           |    |    |
| Amount of reserved profits at the time of declaring the last dividend and bonus,...   | 174       | 15 | 6  |  |           |    |    |
| Amount of debts due to the Bank and not paid being over due,.....£10,724 13 11 of which the sum of £108 18s 1d. may be considered doubtful. |           |    |    |  |           |    |    |

account of the affairs of the Commercial Bank of the Midland District, according to the best of our knowledge and belief.

JOHN S. CARTWRIGHT, *President.*  
F. A. HARPER, *Cashier.*

Sworn before me at Kingston, this }  
2nd day of February, 1836. }  
W. H. GRAY, *J. P.*

Mr. Gibson from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House, on the subject of the York General Hospital, reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

Committee to wait on His Excellency with address on Hospital, report answer.

GENTLEMEN,

The statements and documents requested in this address, so far as it is in my power to obtain them, shall be transmitted to the House of Assembly without delay.

Answer.

Mr. Boulton from the committee to which was referred the petition of Alexander Fletcher and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Committee on petition Alex'r Fletcher and others, report Darlington survey bill.

The report was received, and the Darlington survey bill was read a first time.

Bill read 1st time.

On the question for the second reading of the bill to-morrow.

On question for 2d reading to-morrow. Amendment, 2nd reading 4 months.

In amendment Mr. Perry, seconded by Mr. Roblin, moves that the bill be read a second time this day four months.

On which the yeas and nays being taken were as follows.

Division.

YEAS—MESSIEURS.

|                          |                            |             |             |
|--------------------------|----------------------------|-------------|-------------|
| Bruce,                   | Lount,                     | Parke,      | Strange,    |
| Caldwell,                | McDonell, <i>Stormont,</i> | Perry,      | Thorburn,   |
| Chisholm,                | McIntosh,                  | Richardson, | Waters,     |
| Cook,                    | McKay,                     | Roblin,     | Wells,      |
| Duncombe <i>Norfolk,</i> | McMicking,                 | Rykert,     | Wilson,     |
| Durand,                  | Malloch,                   | Rymal,      | Woolverton, |
| Gibson,                  | Moore,                     | Shaver,     | Yager, 34   |
| Hopkins,                 | Morrison,                  | Shibley,    |             |
| Lewis.                   | Norton,                    | Smith,      |             |

Yeas 34.

NAYS—MESSIEURS.

|          |                          |         |         |
|----------|--------------------------|---------|---------|
| Boulton, | McDonell <i>Glengary</i> | McLean, | Walsh—4 |
|----------|--------------------------|---------|---------|

Nays 4.

The question was carried in the affirmative by a majority of thirty and ordered accordingly.

Amendment carried, majority 30.

Adjourned.

Friday, 19th February, 1836.

The House met.

The minutes of yesterday were read.

Petitions bro't up.

Mr. C. Duncombe brought up the petition of John Allan and two hundred and fifty-three others, of the district of Newcastle; which was laid on the table.

Of Jno. Allan and others.

Mr. Lount brought up the petition of James Hood and eleven others, of the townships of Essa and Tosorontio, (Simcoe); which was laid on the table.

Of Jno. Hood and others.

M Mackenzie brought up the petition of James Lesslie and eleven others, stockholders of the "Bank of the People,"; which was laid on the table.

Of James Lesslie and others.

Of G. Spence and others.

Mr. Mackenzie brought up the petition of George Spence and thirty-four others, of the township of Caledon and places adjacent; which was laid on the table.

Of Harcar Lyons and others.

Mr. Mackenzie brought up the petition of Harcar Lyons and thirty-one others, of the district of Gore; which was laid on the table.

Of J. Hamilton & others

Mr. Perry brought up the petition of John Hamilton and two hundred and forty-two others, of the Home district; which was laid on the table.

Of J. S. Cartwright and others.

Mr. Perry brought up the petition of John S. Cartwright and one hundred and five others, of the Midland district; which was laid on the table.

Of A. Campbell & others.

Mr. Perry brought up the petition of Alexander Campbell and one hundred and forty-eight others, of the Midland district; which was laid on the table.

Of W. H. Merritt.

Mr. Small brought up the petition of William H. Merritt, President of the Welland Canal Company; which was laid on the table.

Address to His Excellency on Home district school, read 3rd time and passed.

Pursuant to the order of the day the address to His Excellency the Lieutenant Governor, relative to the Home district school, was read a third time and passed and is as follows:

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully request that your Excellency will be pleased to order to be laid before this House without delay a statement of the expenditure of the allowance for a district school master for the Home district, since the resignation of that situation by the Venerable the Archdeacon of Toronto. As also any information it may be in your Excellency's power to communicate upon the subject of the provincial philosophical apparatus, purchased for the province under the authority of an Act of the parliament of this province, passed in the 46th year of the reign of King Geo. 3rd, entitled, "*An Act to procure certain apparatus for the promotion of science*"—and whether there is any and what objection to the same being at the service of the Home district School Master, for the illustration of lectures upon natural philosophy and astronomy.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
19th February, 1836. }*

Committee to wait on His Excellency with the address.

On motion of Mr. Small, seconded by Mr. Richardson, *Ordered*—That Messrs. C. Duncombe and Wells, be a committee to wait upon His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the address and present the same.

Pursuant to the order of the day, the following petitions were read:

Petitions read.

Of A. S. Fraser and others

Of A. S. Fraser, and thirty-five others, of the township of Fenelon, and Verulam, Newcastle district, praying aid for a certain road.

Of H. Valleau and others.

Of Heldebrand Valleau, and eighty-eight others, of the district of Prince Edward, stating that illegal taxes have been exacted in said district, and praying relief.

Of E. Kennedy

Of Edward Kennedy, praying that an inquiry may be instituted into the conduct of H. C. Young, and A. B. Hawke, emigrant agent.

Of A. Laing and others.

Of Alexander Laing, and two others, commissioners in behalf of the inhabitants of Medonte, Home district, praying aid for roads

Of G. Alley and others.

Of Gerald Alley, and two others, Commissioners of North and South Orrillia (Simcoe,) praying aid for roads.

Of D. Vanvolkenburgh

Of David Van Volkenburgh, a soldier of the late Glengary Regiment, praying for a pension.

- Of Rev. Thomas Phillips, D. D. and eighteen others, of the city of Toronto, praying the incorporation of Relief Unions. Of Rev T Phillips and others.
- Of Robert McDowall, and thirty nine others of the city of Toronto, praying that certain means be used to prevent the use of ardent spirits. Of R McDowall & others
- Of George S. Salmon, Colonel 2nd Norfolk militia, and six others, officers of said regiment, composing the court martial on the trial of Captain Edward Allan Talbot, praying remuneration for their services as such court martial. Of G S Salmon & others
- Of Colin McNeilledge and forty-seven others, President, Directors and Co. of the Port Dover harbor, praying for the loan of two thousand pounds. Of C McNeilledge and others
- Of David Spencer and seventy-seven others, of the townships of Edwardsburg and Matilda, Mountain and Osgoode, &c. &c. district of Johnstown, praying for the erection of a new district. Of D Spencer and others
- Of John McKee and forty-three others, of the township of Garrafraxa, praying aid for roads. Of J McKee and others.
- Of Robert McGill and thirty others, of the town of Niagara, praying that means be adopted to prevent street begging. Of R McGill and others.
- Of William M. Gray and fourteen others, of the same place, praying that certain means be used to prevent the sale of ardent spirits. Of W M Gray and others.
- Of Wm. M. Gray and fifteen others, of the town of Niagara, praying that Acts of incorporation may be granted to relief unions. do.
- Of J. W. Brent and seventy-one others, of the city of Toronto, praying for the establishment of Bankrupt laws. Of J W Brent and others.
- Of Garrett Lee and thirty-seven others, of the townships of Howard and Harwich, in the Western district, praying that the monies applied to certain roads in said townships, be expended according to the original intention. Of G Lee and others.
- Of Allan Cameron and ninety-two others, of the townships of Lochiel and Kenyon, Eastern district—praying that certain parts of said district be set apart as a separate district—and Of A Cameron and others.
- Of William H. Christeson and six others, members of the Royal College of Surgeons, Edinburgh—praying for an amendment in the Act 8 Geo. 4. c. 3. Of W H Christeson and others
- Mr. Caldwell from the committee to draft and report an address to His Majesty on tobacco, reported a draft, which was received, read twice, adopted, and ordered to be engrossed and read a third time this day. Committee to draft address to His Majesty report.  
Address read twice.  
3d reading this day.
- On motion of Mr. Wilson, seconded by Mr. Mackenzie, Petition of H. Val-  
leau, referred.
- Ordered*—That the petition of Heldebrand Valleau be referred to a select committee, and that Messrs. Chisholm, McDonell, of *Stor-  
mont*, Mackenzie and Waters do compose the same, with power to send for persons and papers and report by bill or otherwise.
- Mr. Parke from the committee to which was referred the petition of E. Gilbert and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Committee on pe-  
tition of E. Gilbert  
and others, report  
Otter Creek im-  
provement bill.  
Bill read 1st time;
- The report was received, and the bill was read a first time. 2nd reading tomo-  
row.
- Ordered*—That the bill for the improvement of Otter Creek, be read a second time to-morrow.
- On motion of Mr. Bruce, seconded by Mr. Wilson, Petitions referred.
- Ordered*—That the petition Ziba M. Philips be referred to the standing committee on claims of militia pensioners. Of Z. M. Philips.

Of John McKee and others.

On motion of Mr. Hopkins, seconded by Mr. Durand,  
*Ordered*—That the petition of John McKee and others be referred to the committee of supply.

Of W. M. Gray & others.

On motion of Mr. Richardson, seconded by Mr. Robinson,  
*Ordered*—That the petition of William M. Gray and 15 others, be referred to a select committee to be composed of Messrs. Dunlop and Strange to report thereon.

Of M. Blair and others.

Mr. Macnab, seconded by Mr. Small, moves that the petition of Marcus Blair and others, be referred to the committee of supply.

In amendment, Mr. Mackenzie, seconded by Mr. Wilson, moves, that after the word "referred" the remainder be expunged and the following words substituted, "to the select committee on the affairs of the Welland Canal Company."

Which was carried.

The original question as amended was then put and carried.

Of R. McGill and others.

On motion of Mr. Richardson, seconded by Mr. Robinson,  
*Ordered*—That the petition of Rev. Robert McGill and thirty others, be referred to a select committee, to be composed of Messrs. Rykert and Thorburn, to report thereon.

Of Wm. M. Gray and others.

On motion of Mr. Richardson seconded by Mr. Rykert,  
*Ordered*—That the petition of Wm. M. Gray, and fourteen others, be referred to a select committee to be composed of Messrs. Small and Macnab to report thereon.

Of D. Lyons and others.

On motion of Mr. Strange, seconded by Mr. Dunlop,  
*Ordered*—That the petition of Daniel Lyon, and others be referred to a select committee composed of Messrs. McDonell of Stormont, and Chisholm, with power to send for persons and papers and report thereon by bill or otherwise.

Of J Warrow and others.

On motion of Mr. Richardson, seconded by Mr. Caldwell,  
*Ordered*—That two hundred copies of the petition of Joseph Warrow, and others, be printed for the use of members.

Of A. Hayden and others and B. Flint and others.

On motion of Mr. Roblin seconded by Mr. Yager,  
*Ordered*—That the petition of Billa Flint, and others, and also of Anson Hayden, and others, be referred to the committee on roads and bridges.

Of G. Goodwillie and others.

On motion of Mr. Hopkins, seconded by Mr. Durand,  
*Ordered*—That the petition of George Goodwillie, and others, of the township of Esquising, be referred to the committee of supply.

Of C McNeilledge and others.

On motion of Mr. Walsh, seconded by Mr. Rymal,  
*Ordered*—That the petition of Collin McNeilledge, and others, praying for a loan to complete the harbor at Port-Dover, be referred to a select committee, composed of Messrs. Macnab, and Merritt, with leave to report thereon, with power to send for persons and papers.

Journals on petition of R. Bullock, read.

Pursuant to notice, Mr. Richardson, seconded by Mr. Macnab, moves, that the Journals of last session, relating to the petition of Richard Bullock, Esquire, be now read.

Which was carried, and the Journals were read accordingly.

(See printed Journals, page 101.)

Motion to refer Bullock's pet

Mr. Richardson, seconded by Mr. Macnab, moves, that the petition of Richard Bullock, Esquire, be referred to the committee of supply.

Amendment, four months.

In amendment, Mr. Perry, seconded by Mr. Shaver, moves that after the word moves, in the original, the whole be expunged and the following inserted, that the petition of Richard Bullock, Esquire, be referred to a committee of supply this day four months.

Which was carried.

The original question as amended, was then put and carried.

On motion of Mr. Perry, seconded by Mr. Cook,

*Ordered*—That it be a standing order of this House, that no petition presented to the House at a former session, shall be referred or otherwise acted upon, except in those cases, where petitions are now referred.

Standing order relating to reading petitions of former session.

Pursuant to notice, Mr. Solicitor General, seconded by Mr. Small, moves, for leave to bring in a bill to establish a Court of Equity in this Province.

Court of Equity Bill read 1st time.

Which was carried, and the bill was read a first time.

*Ordered*—That the bill to establish a Court of Equity in this Province, be read a second time to-morrow.

2nd reading tomorrow.

Pursuant to the order of the day, the address to His Majesty, on the subject of Tobacco, was read a third time and passed, and is as follows:

Address to His Majesty on subject of tobacco, read third time.

*To the King's most excellent Majesty.*

**MOST GRACIOUS SOVEREIGN:**

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent—that the Western districts of Upper Canada, though highly favored in regard to climate and soil, are, from their remote situation from the seaboard, subjected to greater difficulty and expense in the transit of their bread stuffs and other commodities to market, than the other portions of the Province.

Address.

That the disadvantages resulting from the uncertainty of a profitable market for their staple commodities necessarily depreciate their value, and tend to check the commercial and agricultural prosperity of those remote sections of the Province.

That actual experiment has proved that the climate and soil of the Western districts of this Province are well adapted to the cultivation of the article of tobacco, and could the inhabitants of those districts meet with sufficient encouragement and turn their attention to cultivate that article, the revenue to be derived from so valuable a production would be materially felt by the Province.

It has been satisfactorily ascertained that tobacco the growth of Upper Canada, cultivated as it is by a free, instead of a slave population, from its less easy access to market and other causes, cannot be imported into Great Britain on the same terms that it can be admitted from the United States of America—if the excise duty were diminished on the article of tobacco, introduced into Great Britain from Upper Canada, when taken out of the ware-house for consumption its general cultivation in the Western districts of this Province would be the result.

We beg leave most respectfully to represent to Your Majesty that the encouragement by the Parent State for the growth and manufacture of tobacco in this Province would tend to induce capitalists and the more wealthy emigrants from the Parent State to resort to the Western districts, and thus afford that enterprise and encouragement which their distance from market call for, and by bringing capital into so healthful a part of the Province, the inhabitants of those districts would shortly become the most profitable consumers of the manufactures of the Mother Country.

We are induced to hope that Your Majesty's favorable attention may be directed to an object of such vital importance to the future welfare of your Canadian subjects, and that a reduction of six pence per pound in addition to the existing duty may be granted them.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
19th February, 1836.

Mr. Caldwell, seconded by Mr. Solicitor General, moves, that a copy of the address to His Majesty on the subject of Tobacco, be transmitted to the honorable the Legislative Council, with a request that that honorable House will concur therein.

Address sent to Leg Council for concurrence.

Which was carried, and Messrs. Caldwell and Solicitor General, were ordered by Mr. Speaker to carry up the message.



Mr. Small, seconded by Mr. Rykert, moves, that the petition of the President of the Welland Canal Company, be now read, and that the 41st rule of this House be dispensed with so far as regards the same.

Petition from Pres  
Well Can Com'y read

Which was carried, and the petition of William H. Merritt, President of the Welland Canal Company, praying for a loan of two thousand pounds, was read.

On motion of Mr. Small, seconded by Mr. Rykert

Referred to com.  
of whole.

*Ordered*—That the House do now resolve itself into a committee of the whole on the said petition.

Mr. McKay was called to the chair.

Com. report reso-  
lution.

The House resumed.

Mr. McKay reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

Division on ques-  
tion.

On the question for adopting the resolution, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |   |  |   |   |
|----------|---|--|---|---|
| Yeas 28. | Boulton,<br>Caldwell,<br>Chisholm,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop, | Lewis,<br>McCrae,<br>M'Donell, <i>Glengarry</i> ,<br>M'Donell, <i>Northumb.</i><br>McKay,<br>McLean,<br>McMicking, | Macnab,<br>Merritt,<br>Norton,<br>Robinson,<br>Roblin,<br>Rykert,<br>Small, | Smith,<br>Solicitor General,<br>Strange,<br>Thorburn,<br>Walsh,<br>Wilkinson,<br>Woolverton—28. |
|----------|---|--|---|---|

NAYS—MESSIEURS,

|         |  |   |   |                                 |
|---------|--|---|---|---------------------------------|
| Nays 15 | Cook,<br>Gibson,<br>Hopkins,<br>Lount, | McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>Morrison, | Parke,<br>Rymal,<br>Shaver,<br>Shibley, | Waters,<br>Welis,<br>Wilson—15. |
|---------|--|---|---|---------------------------------|

Question carried  
majority 13.

The question was carried in the affirmative by a majority of thirteen, and the resolution was adopted as follows :

£2000 granted to  
Welland Canal Com  
pany.

*Resolved*—That the sum of two thousand pounds be loaned to the Welland Canal Company to enable them to open the said Canal early the ensuing spring.

Master in Chancery.

Mr. Boulton, Master-in-Chancery, brought down from the Honorable the Legislative Council a paper, and having delivered the same at the Clerk's table, retired.

Welland Canal re-  
solution referred.

On motion of Mr. Small, seconded by Mr. Wilkinson,  
*Ordered*—That the resolution just adopted be referred to a select committee, to be composed of Messrs. C. Duncombe and Roblin, with instructions to report thereon by bill.

Mr. Speaker reports  
message from Leg.  
Council.

Mr. Speaker reported that the Master-in-Chancery had brought down from the Honorable the Legislative Council a message.

The message was read by the Clerk as follows :

Message

MR. SPEAKER,  
The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled, "An Act to allow persons indicted for felony a full defence by Counsel, and for other purposes therein mentioned," without amendment.

JOHN B. ROBINSON,  
*Speaker.*

Legislative Council Chamber, }  
19th day of February, 1836. }

Committee to wait  
on His Excellency  
with address for des-  
patch of 16th Sep-  
1835, report answer.

Mr. Macnab, from the committee to wait upon His Excellency the Lieutenant Governor with the address of this House, requesting copy of the residue of the despatch of the 16th September, 1835,

reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

GENTLEMEN :

I must regret that I cannot (without authority from the Colonial Office) comply with the request contained in your address.

Answer.

The numerous copies of despatches, &c. which accompany my message to the House of Assembly of the 15th instant, will I trust, satisfy the House of my desire unreservedly to lay before it, as much of the correspondence between my predecessor and His Majesty's Government, as with any propriety I could be expected to divulge.

I have already given to the House, according to its request, the names of individuals whose recommendation for seats in the Legislative Council, has not even yet received the sanction of His Majesty's Government.

The only part of His Excellency Sir John Colborne's despatch of the 16th of September, 1835, which I have deliberately withheld, is that in which he confidentially expressed to His Majesty's government his high estimation of the character of the individuals he proposes and although in the particular case alluded to, no objection whatever exists to the publication of his opinion, yet I conceive it would establish a bad precedent, were I to consent to make public, descriptions, which must unavoidably always be personal, and which might occasionally be painful to the individuals (and consequently unjust towards them) to disclose.

Pursuant to notice, Mr. Solicitor General, seconded by Mr. Charles Duncombe, moves, for leave to bring in a bill for the disposal of school lands.

School lands bill

Which was carried, and the bill was read a first time.

Read 1st time.

*Ordered*—That the bill for the disposal of school lands be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Solicitor General, seconded by Mr. Charles Duncombe,

*Ordered*—That two hundred copies of the bill for the disposal of school lands be printed for the use of members.

200 copies school lands printed.

Adjourned.

**Saturday, February 20th, 1836.**

The House met.

Petitions bro't up.

The minutes of yesterday were read.

Mr. Robinson brought up the petition of Alexander Laing and two others, commissioners of the township of Medonte (Simcoe); which was laid on the table.

Of Alex Laing & others.

Mr. Robinson brought up the petition of Lewis Horning and one hundred and fifty others, of the townships of Mono, Amaranth, Mulmer and Melancthon (Simcoe); which was laid on the table.

Of Lewis Horning and others.

Mr. Morrison brought up the petition of Robert Parker and thirty-nine others, of the township of King (York); which was laid on the table.

Of R Parker and others.

Mr. Thorburn brought up the petition of John Misener and nineteen others, of the district of Niagara; which was laid on the table.

Of John Misener and others.

Mr. Norton brought up the petition of R. W. Hervey and thirty-seven others, contractors for the St. Lawrence Canal; which was laid on the table.

Of R W Hervey & others.

Mr. Mackenzie brought up the petition Alexander McCrae and one hundred and seven others, of the district of Johnstown; which was laid on the table.

Of Alex. McCrae and others.

Pursuant to the order of the day, the following petitions were read:

Petitions read.

Of James Cull, Civil Engineer, of the city of Toronto; praying for a full remuneration for his services on the Yonge Street macadamized road.

Of Jas. Cull.

- Of E H Malloy. Of Edward H. Malloy, of Port Stanley (Middlesex), praying that an inquiry may be instituted into certain charges contained in his petition against the collector of customs of said port.
- Of J L Schofield J P and others. Of J. L. Schofield, J. P. and ninety-eight others, of the district of Johnstown, praying that the district may not be divided until the general voice of the people be obtained.
- Of J Richmond & others. Of John Richmond and thirty-eight others, of the townships of Walpole and Rainham, praying that in the event of the county of Norfolk becoming a separate district, these townships may be re-annexed to said county.
- Of W Cunningham and others. Of William Cunningham and eighty others, of the county of Norfolk, praying that the said county, together with certain townships, be erected into a separate district, with Simcoe for its district town. And
- Of J Clark J P and others. Of John Clark, J. P. and one thousand five hundred and eighty-seven others, of the counties of Lincoln and Haldimand, Niagara district, praying that the county-town may be altered to a more central part of the district.
- Com. on petition of J Griffin and others report L'Original market & fair bill. Mr. Waters, from the select committee, to which was referred the petition of Joseph Griffin and others, informed the House, that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.
- Bill read 1st time. 2nd reading to-morrow. The report was received, and the bill read a first time.
- Petitions referred. next *Ordered*—That the bill to establish a market and fair at L'Original, in the district of Ottawa, be read a second time on Monday next
- Of Jas Durnan. On motion of Mr. Small, seconded by Mr. Rykert, *Ordered*—That the petition of James Durnan, be referred to a select committee, to be composed of Messrs. McIntosh and McKay, with power to send for persons and papers and to report thereon.
- Of J L Schofield J P and others. On motion of Tr. Rykert, seconded by Mr. Merrit, *Ordered*—That the petition of J. L. Schofield J. P. and ninety-eight others, of the Johnstown district, be referred to the committee on the division of districts.
- Of E Kennedy. On motion of Mr. Wilson, seconded by Mr. Gibson, *Ordered*—That the petition of Edward Kenedy, be referred to a select committee, and that Messrs. Robinson, Wells, Perry, and Lount, do compose the same, with power to send for persons and papers, and report thereon by bill or otherwise.
- Of W Devenish & others. On motion of Mr. Small, seconded by Mr. Robinson, *Ordered*—That the several petitions of William Devenish and one hundred and sixty-nine others, and of William Devenish and one hundred and twenty-eight others, be referred to the committee to whom was referred the petition of John Finch and others.
- Of A Cameron & others. On motion of Mr. Waters, seconded by Mr. Woolverton, *Ordered*—That the petition of Allan Cameron, Esq., and others, of Lochiel and Kenyon, &c., in the Eastern district, be referred to the standing committee on general division of districts, with power to report thereon.
- Of Rev T Phillips. On motion of Mr. Small, seconded by Mr. Rykert, *Ordered*—That the petition of the Rev. T. Phillips and of R. McDowell be referred to the committee to whom was referred the petition of Wm. M. Gray.
- Of G Lyon Esq. On motion of Mr. Malloch, seconded by Mr. Lewis, *Ordered*—That the petition of George Lyon, Esquire, be referred to the committee on division of districts.

On motion of Mr. Small, seconded by Mr. Robinson,  
*Ordered*—That the petition of J. W. Brent and others be referred to a select committee, composed of Messrs. Solicitor General, Charles Duncombe, Boulton, and Wells, with power to send for persons and papers, and to report thereon by bill or otherwise.

Of J W Brent and others.

On motion of Mr. Small, seconded by Mr. Robinson,  
*Ordered*—That the petition of James Cull be referred to the committee on claims.

Of James Cull.

Pursuant to notice, Mr. Small, seconded by Mr. Robinson, moves for leave to bring in a bill to amend the act incorporating the city of Toronto.

Bill to amend Toronto Incorporation Act brought in and read.

Which was granted and the bill read.

On the question for the second reading of the bill on Monday next.

In amendment, Mr. Small, seconded by Mr. Wilkinson, moves, that the question be not now put, but that the bill be referred to the committee upon the incorporation of towns and villages, with power to add thereto, and report thereon.

Bill referred to a select committee.

Which was carried.

Pursuant to the order of the day, the Clergy Reserve bill was read a second time.

Clergy Reserve bill read second time.

On the question for the House to go into committee of the whole on the bill.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves, that the House do go into committee on the bill on Monday next, and that it be the first item on the order of the day for that day.

To be committed on Monday next 1st item.

Which was carried.

Pursuant to the order of the day, the Thames mill-dam bill was read a second time.

Thames mill dam bill read 2nd time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Shibley in the chair.

The House resumed.

Mr. Shibley reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported with out amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time on Monday next.

3rd reading Monday.

Mr. Boulton, from the select committee to whom was referred the petition of Richard Hare, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Com. on petition of R Hare (last session) report Grafton harbor bill.

The report was received and the bill was read a first time.

Read 1st time.

*Ordered*—That the Grafton Harbor bill be read a second time on Monday next.

2nd reading Monday.

Mr. Boulton, chairman of the standing committee on the incorporation of towns and villages, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Com. on incorporation of towns and villages report Hallowell police bill (petition of Miller and others.)

The report was received and the bill was read a first time.

Read 1st time.

*Ordered*—That the bill to incorporate the village of Hallowell be read a second time on Monday next.

2nd reading Monday.

Pursuant to the order of the day, the Common Carriers bill was read a second time.

Common Carriers bill read 2nd time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Lewis in the chair.

The House resumed.

Committee rose.

Mr. Lewis reported that the committee had risen.  
The report was received.

Lt. Gov. will receive the House with address to His Majesty on Trade on Monday at noon.

Mr. Charles Duncombe from the committee to wait upon His Excellency the Lieutenant Governor, to know when his Excellency would be pleased to receive this House with its address to His Majesty on trade, reported that His Excellency had been pleased to name the hour of twelve o'clock noon, on Monday next.

Com. report His Excellency's answer to Home district school-house address

Mr. Charles Duncombe from the Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House on the subject of the Home district school house, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

Answer.

I shall order the information requested in your address to be transmitted to the House of Assembly without delay.

Imprisonment for debt amendment bill read 2nd time. Committed.

Pursuant to the order of the day the imprisonment for debt amendment bill was read a second time.

The House was put into a committee of the whole on the bill.  
Mr. Smith in the chair.

The House resumed.

Progress sit again on Monday.

Mr. Small reported that the committee had made some progress in the bill, and asked leave to sit again on Monday next.

The report was received and leave granted accordingly.

Com. report His Excellency's answer to address on Splitlog's petition.

Mr. Shaver from the committee to wait upon His Excellency the Lieutenant Governor with the address of this House on Indian affairs, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

Answer to address on Splitlog's petition

It is with great reluctance I feel it necessary to state, that without authority from the Secretary of State, I am unwilling to submit to the House of Assembly "the documents and other evidence in the possession of the government or its officers, relative to the Huron reserve, or to the proceedings of the government had thereon, as would enable the House to ascertain whether its interference on behalf of the Wyandott Indians is required."

My objections on this subject, are those of policy, rather than of law—and without denying the constitutional right of either of the two Houses of the Legislature to enquire into any subject in which they may consider the public interests to be involved, I am of opinion that the disclosure of documents and evidence of the character alluded to, would be attended with evil consequences to those whom it is intended to benefit, by rendering the Indians doubtful of the all-sufficient and paternal protection of His Majesty, on which they have hitherto solely relied.

Without reverting to the anomalous history of the aborigines of this land, I will merely observe, that in Upper Canada, the Indians have hitherto been under the exclusive care of His Majesty, the territories they inhabit being tracts of crown lands devoted to their sole use as "*His Allies*."

Over these lands His Majesty has never exercised his paramount right, except at their request, and for their manifest advantage.

Within their own communities, they have hitherto governed themselves by their own unwritten laws and customs—their lands and property have never been subject to tax or assessment, or themselves liable to personal service.

As they are not subject to such liabilities, neither do they yet possess the political privileges of His Majesty's subjects generally. The superintendents, missionaries, schoolmasters, and others who reside among them for their protection and civilization, are appointed and paid by the King—to his representative all appeals have until now been made, and with him has all responsibility rested. In every respect they appear to be most constitutionally within the jurisdiction and prerogative of the Crown, and as I declare myself not only ready but desirous to attend to any complaint they may offer me; I consider it would be highly impolitic (especially for the object of redressing a trifling grievance) to sanction the adoption of a new course for their internal government.

To this general view of the subject, I have only to add, that as regards the particular memorial submitted to the House of Assembly by Thomas Splitlog, Thomas Clarke and six others, of the Huron or Wyandot nation, a counter petition signed by eleven individuals of similar tribe and rank has been presented to the House, stating:

"We have the fullest confidence in the justice and fatherly protection of our beloved sovereign and his representative the Lieutenant Governor."

Mr. Richardson, seconded by Mr. Caldwell, moves, that two hundred copies of the answer of His Excellency, the Lieutenant Governor, to the address of this House on the subject of the petition of Splitlog and others, be printed for the use of members in the Journal form. Motion for printing 200 copies of above answer.

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

Caldwell, Richardson,—2.

Yeas 2.

NAYS—MESSIEURS.

|                            |                              |           |                |
|----------------------------|------------------------------|-----------|----------------|
| Boulton,                   | Gibson,                      | Morrison, | Smith,         |
| Brown,                     | Gilchrist,                   | Parke,    | Thorburn,      |
| Bruce,                     | Lewis,                       | Robinson, | Walsh,         |
| Chesser,                   | McDonell, <i>Glengarry</i> , | Roblin,   | Waters,        |
| Chisholm,                  | McDonell, <i>Stormont</i> ,  | Rymal,    | Wells,         |
| Cook,                      | Mackenzie,                   | Shaver,   | Wilkinson,     |
| Cornwall,                  | McLean,                      | Shibley,  | Wilson,        |
| Duncombe, <i>Norfolk</i> , | Malloch,                     | Small,    | Woolverton—34. |
| Dunlop,                    | Moore,                       |           |                |

Nays 34.

The question was decided in the negative by a majority of thirty-two Pursuant to the order of the day, the intestate estate bill was read a second time. Question lost majority 32.  
Intestate Estate bill read 2nd time

The House was put into committee of the whole on the bill.

Mr. McDonell, of *Glengarry*, was called to the chair.

The House resumed.

Mr. McDonell reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported

The report was received.

On the question for the third reading of the bill on Monday next, the yeas and nays being taken, were as follows: On receiving report

YEAS—MESSIEURS,

|                            |                             |             |                 |
|----------------------------|-----------------------------|-------------|-----------------|
| Bruce,                     | Gibson,                     | Moore,      | Shibley,        |
| Caldwell,                  | Gilchrist,                  | Morrison,   | Small,          |
| Chesser,                   | Hopkins,                    | Norton,     | Smith,          |
| Chisholm,                  | Lewis,                      | Parke,      | Waters,         |
| Cook,                      | McDonell, <i>Stormont</i> , | Perry,      | Wells,          |
| Cornwall,                  | McIntosh,                   | Richardson, | Wilkinson,      |
| Duncombe, <i>Oxford</i> ,  | McKay,                      | Roblin,     | Wilson,         |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Rymal,      | Woolverton,—35. |
| Dunlop,                    | Malloch,                    | Shaver,     |                 |

Yeas 35.

NAYS—MESSIEURS,

Boulton, Brown, M'Donell, *Glengarry*, Robinson,—4.

Nays 4.

The question was carried in the affirmative by a majority of thirty-one, and ordered accordingly. Question carried, majority 31.

On motion of Mr. McKay, seconded by Mr. Merritt,

*Ordered*—That Messrs. Lewis, Malloch, Roblin and Bruce, be a select committee to inquire into the amount of duties collected for timber on the Ottawa River and that they be empowered to send for persons and papers. Committee to inquire into duties collected on Ottawa river

Pursuant to the order of the day, the off-going tenants relief bill was read a second time. Off-going tenants bill read 2nd time

The House was put into committee of the whole on the bill.

Committed

Mr. Wilson in the chair.

The House resumed.

Mr. Wilson reported that the committee had made some progress in the bill, and asked leave to sit again on Monday next. Progress reported Bill referred to select committee

Chatham & Camden boundary bill read 2nd time Committed

On the question for receiving the report, In amendment Mr. Parke, seconded by Mr. Morrison, moves that the off-going tenant's bill be referred to a select committee of Messrs. Perry and Roblin, to report thereon.

Which was carried.

Progress reported

Pursuant to the order of the day, the Chatham and Camden boundary line bill was read a second time.

The House was put into committee of the whole on the bill. Mr. Morrison in the chair.

The House resumed.

Bill referred to select committee

Mr. Morrison reported that the committee had made some progress in the bill, and asked leave to sit again on Monday next.

Jury bill read 2nd time

On the question for receiving the report, In amendment Mr. Richardson seconded by Mr. Wilkinson, moves that the bill be referred to a select committee to be composed of Messrs. Perry and Cornwall.

Committed

Which was carried.

Pursuant to the order of the day, the Jury bill was read a second time.

Bill reported amended

The House was put into committee of the whole on the bill.

Mr. Gibson in the chair.

The House resumed.

On 3rd reading Division

Mr. Gibson reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

On the question for the third reading on Monday next, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|                              |                            |                             |             |                 |
|------------------------------|----------------------------|-----------------------------|-------------|-----------------|
| Yeas, 30.                    | Brown,                     | Gilchrist,                  | Moore,      | Shibley,        |
|                              | Bruce,                     | Hopkins,                    | Morrison,   | Small,          |
|                              | Chesser,                   | McDonell, <i>Stormont</i> , | Parke,      | Smith,          |
|                              | Chisholm,                  | McDonell, <i>Northumb.</i>  | Perry,      | Thorburn,       |
|                              | Cook,                      | McIntosh,                   | Richardson, | Waters,         |
| Nay, 1.                      | Duncombe, <i>Oxford</i> ,  | McKay,                      | Roblin,     | Wilson,         |
|                              | Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Shaver,     | Woolverton,—30. |
| Question carried majority 29 | Gibson,                    | McMicking,                  |             |                 |

NAYS—MESSIEURS

Robinson.—1.

The question was carried in the affirmative by a majority of twenty-nine, and ordered accordingly.

Mr. Speaker reported having received from the commissioners to examine and report upon Lunatic Asylums, &c. &c. two letters and a report.

The letters were read by the Clerk as follows :

TORONTO, 20th February, 1836.

Sir :—The undersigned having been appointed by a resolution of the Honorable, the House of Assembly, commissioners to obtain information on the best method of managing and establishing a Lunatic Asylum in this Province, at the close of the last Session, found it necessary to instruct one of the number to obtain, by travelling into other countries, the information desired; and Doctor C. Duncombe, being authorised accordingly, has at much labour succeeded, and embodied the same in the accompanying report, which we request you will lay before the House for its information, as our first report.

We have the honor to be,

Sir,

Your most obedient humble servants,  
**CHARLES DUNCOMBE,**  
**WILLIAM BRUCE,**  
**T. D. MORRISON.**

The Honorable M. S. BIDWELL,  
*Speaker of the Commons House of Assembly.*

1st report and letters from Commissioners on Lunatic Asylum, &c &c

To Doctors Morrison and Bruce, Commissioners for obtaining information upon various subjects.

Honorable Gentlemen,

In accordance with your instructions to me at the close of the last session of Parliament, I proceeded immediately to the United States and collected information upon the subject matter embraced in the accompanying report and annexed documents, which I beg leave to submit as my first report.

CHARLES DUNCOMBE,

Acting Commissioner for obtaining information.

10th February, 1836.

Report—(see Appendix.)

On motion of Mr. Small, seconded by Mr. Parke,

Ordered—That two thousand copies of the report furnished by the Commissioners appointed to obtain information upon the subject of a lunatic asylum, be printed for the use of members.

2000 copies to be printed.

Adjourned till 10 o'clock, A. M. on Monday next.

Monday, 22nd February, 1836.

The House met pursuant to adjournment.

The minutes of Saturday were read.

Petitions bro't up.

Mr. Caldwell brought up the petition of John Wilson and fifty-four others, commissioners and others, of the townships of Howard and Orford, in the county of Kent; which was laid on the table.

Of J Wilson and others.

Mr. Parke brought up the petition of George Gibb, Esq., and eight others, inhabitants of the township of Mosa, in the county of Middlesex; which was laid on the table.

Of Geo Gibb and others.

Mr. D. Æ. McDonell brought up the petition of Joshua Y. Cozens, of Cornwall, Eastern district; which was laid on the table.

Of J Y Cozens

Mr. Morrison brought up the petition of Daniel Knowles and one hundred and fourteen others of the township of Scarborough (York;) which was laid on the table.

Of Danl Knowles and others

Mr. Perry brought up the petition of Dean S. Howard, late contractor for building the bridge across the mouth of the Trent; which was laid on the table.

Of D S Howard

Mr. Charles Duncombe brought up the petition of Robert Briscoe and two hundred and seventy-eight others of the county of Oxford; which was laid on the table.

Of R Briscoe and others.

Mr. Rymal brought up the petition of Eneas Bunnell of Brantford, in the district of Gore; which was laid on the table.

Of E Bunnell

Pursuant to the order of the day the Thames mill-dam bill was read the third time and passed.

Thames mill dam bill passed.

Mr. Parke, seconded by Mr. Morrison, moves that the bill be entitled *An Act to authorise the erection of a mill-dam upon the river Thames in the London district.*

Title.

Which was carried, and Messrs. Parke and Morrison were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Sent to Leg Coun

Pursuant to the order of the day the following petitions were read:

Petitions read.

Of John Allan and two hundred and fifty-three others, of the district of Newcastle, praying an amendment to the Court of Requests Act.

Of Jas. Allan and others.

Of James Hood and eleven others, of the townships of Essa and Tosorontio, (Simcoe) praying pecuniary aid for a road.

Of Jas. Hood and others.

Of James Lesslie and eleven others, stockholders of the "Bank of the People," praying that in the event of any charters being granted to banking institutions, that one may be granted to them.

Of James Lesslie and others.



Of G. Spence and others.

Of George Spence and thirty-four others, of the township of Caledon, and places adjacent, praying that the Surveyor General be authorised to correct the survey of the town line of Caledon.

Of Harcar Lyons and others.

Of Harcar Lyons and thirty one others, freeholders of the district of Gore, praying that the Des Jardins canal may be assumed by the Province, and the work enlarged.

Of J. Hamilton & others

Of John Hamilton, and two hundred and forty-two others, of the Home district, praying for the erection of a light-house at Port Credit.

Of J. S. Cartwright and others.

Of John S. Cartwright, and one hundred and five others, of the Midland district, praying that the road between Kingston and Napanee Mills may be macadamized, and

Of A. Campbell & others.

Of Alexander Campbell, and one hundred and forty-eight others of the Midland district, praying against the exacting of toll on the road between Kingston and the Napanee Mills.

Notices

Of bill to hold certain courts in Ottawa district.

Mr. Waters gives notice, that he will, on Wednesday next, move for leave to bring in a bill, to authorise His Majesty's Justices to hold a court of Oyer and Terminer, Assize and Nisi Prius and general gaol delivery, in the Ottawa district.

Mr. Macnab gives notice, that he will, on to-morrow, move that it be

Of address to His Excellency on the appointment of J S Macaulay to be Sur. General.

*Resolved*—That an humble address be presented to His Excellency, the Lieutenant Governor; praying that His Excellency will be pleased to inform this House—by whose advice the appointment of John L. Macaulay, Esquire, to the office of Surveyor General of this Province until His Majesty's pleasure shall be known, has been made; and that it be the first item on the order of the day, after reading petitions.

Petitions referred.

Of J Richmond & others.

On motion of Mr. David Duncombe, seconded by Mr. Rymal, *Ordered*—That the petition of John Richmond and others, of the township of Walpole, praying to be re-united to the county of Norfolk, provided there should be a division of the London district, be referred to the standing committee on division of districts.

Of W Cunningham and others.

On motion of Mr. D. Duncombe, seconded by Mr. McMicking, *Ordered*—That the petition of William Cunningham and others, be referred to the standing committee on division of districts.

Of J Clarke, J P and others.

On motion of Mr. Thorburn, seconded by Mr. Walsh, *Ordered*—That the petition of John Clark, J. P. and one thousand five hundred and eighty-seven others, be referred to a special committee, and that the members for the district of Niagara—Messrs. McMicking, Rykert, Merritt, Woolverton and Richardson do compose the same, with power to send for persons and papers and leave to report from time to time by bill or otherwise, and that the 29th rule of this House be suspended so far as it would affect the same.

Of Dr W H Christeson and others

On motion of Mr. Thorburn, seconded by Mr. McMicking, *Ordered*—That a special committee be appointed to whom shall be referred the petition of Dr. William Hay Christeson and others and that Messrs. Morrison, Gilchrist, Smith and Duncombe of Norfolk, form the said committee who shall have power to send for persons and papers and to report thereon by bill or otherwise.

Committee appointed on bridge or tunnel at the Falls of Niagara.

On motion of Mr. Thorburn, seconded by Mr. C. Duncombe, *Ordered*—That a committee be appointed to take into consideration the propriety of erecting a suspension bridge across the Niagara river or of constructing a tunnel under the said river at or near the Falls, and also of corresponding with the people of the neighboring State of New York or the Legislature of that State upon the said subject, and that Messrs. Thorburn, McMicking, Wells, Richardson, and Duncombe of Oxford, do compose such committee, and that they have power to send for persons and papers and report thereon, and

that the 31st rule of this House be suspended so far as affects the same:

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,  
*Ordered*—That the petition of George Spence and others of Caledon be referred to a select committee to be composed of Messrs. Gibson and Morrison with power to report thereon by bill or otherwise.

Of G Spence and others;

On motion of Mr. Mackenzie, seconded by McIntosh,  
*Ordered*—That the petition of certain partners in the People's Bank be referred to the committee on banking.

Of J. Leslie and others " Peoples Bank "

On motion of Mr. Walsh, seconded by Mr. Rymal,  
*Ordered*—That the petition of G. S. Salmon, Esquire, Colonel of the militia, and others, be referred to a select committee to be composed of Messrs. Rykert and Caldwell, with power to send for persons and papers, and leave to report thereon.

Of G S Salmon & others

On motion of Mr. Perry, seconded by Mr. Shibley,  
*Ordered*—That the petition of John S. Cartwright and others—also the petition of Alexander Campbell and others, relative to a turnpike road from Kingston to Nepanee, be referred to the standing committee on macadamized roads and bridges.

John S. Cartwright and others  
 Of Alex. Campbell and others.

On motion of Mr. Charles Duncombe, seconded by Mr. David Duncombe,  
*Ordered*—That the petition of William Sumner and others, be referred to a committee, composed of Messrs. Parke and Alway, with power to send for persons and papers, and report thereon by bill or otherwise.

Of W. Sumner and others.

Pursuant to the order of the day, the intestate estate bill was read the third time.

Intestate estate bill read 3rd time.

On the question for passing the bill, the yeas and nays being taken, were as follows:

Question for passing.

YEAS—MESSIEURS.

|                            |                             |           |             |          |
|----------------------------|-----------------------------|-----------|-------------|----------|
| Caldwell,                  | Hopkins,                    | Moore,    | Shibley,    |          |
| Chesser,                   | McCrae,                     | Morrison, | Smith,      |          |
| Chisholm,                  | McDonell, <i>Stormont</i> , | Parke,    | Waters,     | Yeas 27. |
| Cook,                      | McIntosh,                   | Perry,    | Wilkinson,  |          |
| Duncombe, <i>Norfolk</i> . | McKay,                      | Rykert,   | Woolverton, |          |
| Dunlop,                    | Mackenzie,                  | Rymal,    | Yager,—27.  |          |
| Gilchrist,                 | Malloch,                    | Shaver,   |             |          |

NAYS—MESSIEURS.

McDonell, *Glengary*, Macnab, Robinson,—3. Nays 3.  
 The question was carried in the affirmative by a majority of twenty-four, and the bill was signed. Question carried, majority 24.

Mr. Perry, seconded by Mr. Waters, moves, that the bill be entitled, "*An Act for the more equal distribution of the property of persons dying intestate.*" Title.

Which was carried, and Messrs. Perry and Waters were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Intestate estate bill sent up to Legislative Council.

At twelve o'clock, the House waited upon His Excellency, the Lieutenant Governor, with its address, requesting His Excellency to transmit the address to His Majesty on the subject of trade and commerce and having returned. House wait upon His Excellency with address to transmit address to His Majesty on trade.

Mr. Speaker reported, that His Excellency, the Lieutenant Governor, had been pleased to make thereto, the following answer:

Mr. Speaker, and Gentlemen of the House of Assembly: Answer of His Excellency.  
 With great pleasure I will submit the address I have this day received

from you, to His Majesty's Principal Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

Jury bill read 3rd time.  
Division on question.

Pursuant to the order of the day, the Jury bill was read a third time.

On the question for passing the same, the yeas and nays were taken as follows:

YEAS—MESSIEURS.

|          |                            |                             |           |             |
|----------|----------------------------|-----------------------------|-----------|-------------|
| Yeas 31. | Brown,                     | Gilchrist,                  | Morrison, | Smith,      |
|          | Bruce,                     | Hopkins,                    | Parke,    | Thorburn,   |
|          | Chesser,                   | M'Donell, <i>Stormont</i> , | Perry,    | Waters,     |
|          | Chisholm,                  | McIntosh,                   | Roblin,   | Wells,      |
|          | Cook,                      | Mackenzie,                  | Rymal,    | Wilson,     |
|          | Duncombe, <i>Oxford</i> ,  | McMicking,                  | Shaver,   | Woolverton, |
|          | Duncombe, <i>Norfolk</i> , | Malloch,                    | Shibley,  | Yager—31.   |
|          | Gibson,                    | Moore,                      | Small,    |             |

NAYS—MESSIEURS.

|         |           |                              |           |           |
|---------|-----------|------------------------------|-----------|-----------|
| Nays 11 | Boulton,  | M'Donell, <i>Glengarry</i> , | Macnab,   | Rykert,   |
|         | Caldwell, | McKay,                       | Merritt,  | Walsh—11. |
|         | McCrae,   | McLean,                      | Robinson, |           |

Question carried majority 20.

The question was carried in the affirmative by a majority of twenty, and the bill was signed.

Title.

Mr. Perry, seconded by Mr. D. Duncombe, moves that the bill be entitled "*An Act to amend the Jury laws of this Province.*"

Sent to Leg Coun

Which was carried, and Messrs. Perry and D. Duncombe were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Petitions referred.

On motion of Mr. C. Duncombe, seconded by Mr. D. Duncombe,

Of N Gage

*Ordered*—That the petition of Nathan Gage be referred to a committee to be composed of Messrs. Rymal and Smith, with power to report thereon by bill or otherwise.

Of W F Wallace

On motion of Mr. Charles Duncombe, seconded by Mr. David Duncombe,

*Ordered*—That the petition of William F. Wallace be referred to the committee to whom was referred the petition of Nathan Gage.

Of Ven J O Stuart

On motion of Mr. Charles Duncombe, seconded by Mr. Wilson *Ordered*—That the petition of the Ven. George O'Kill Stuart be referred to a committee to be composed of Messrs. Chisholm and McDonell of *Stormont*, with power to send for persons and papers and report thereon by bill or otherwise.

On motion of Mr. Charles Duncombe, seconded by Mr. David Duncombe,

*Ordered*—That the petition of John Allen and others be referred to the committee to whom was referred the petition of the Ven. Geo. O'Kill Stuart, with power to send for persons and papers and report thereon by bill or otherwise.

On motion of Mr. Charles Duncombe, seconded by Mr. David Duncombe,

*Ordered*—That the petition of Eliakim Malcolm and others be referred to the committee on the division of districts.

Of E Malcolm

On motion of Mr. Boulton seconded by Mr. M'Lean,

Of A S Fraser

*Ordered*—That the petition of A. S. Fraser and others, be referred to the committee on roads and bridges.

On motion of Mr. McLean, seconded by Mr. Boulton,

*Ordered*—That the petition of David Van Volkenburgh praying for a pension, be referred to the committee on pensions.

Of D Vanvolkenburgh

Pursuant to the order of the day, the House was again put into a committee of the whole on the Clergy Reserve sale bill. Clergy reserve sale bill again committed.

Mr. McCrae in the chair,  
The House resumed.

Mr. McCrae reported that the committee had gone through the several clauses of the bill, amended the same and submitted it for the adoption of the House. Bill reported amended.

On the question for receiving the report,  
Mr. Solicitor General, seconded by Mr. McLean, moves that the report be not now received, but that it be On receiving report.

*Resolved.*—That whereas the Right Honorable the Secretary of State for the Colonies having in his despatch of the 5th December last, addressed to His Excellency Sir Francis Bond Head, intimated that His Majesty would consider the constitutional objections to the interposition of the Imperial Parliament in the long agitated question of the Clergy Reserves at an end, if both branches of the Legislature should unite in application to that body to interpose its paramount authority—and whereas all efforts heretofore made by the Legislative Council and House of Assembly to concur in a measure acceptable to both on this important subject have been ineffectual—and as there is no reason to suppose that the differences that exist between the Council and Assembly will be reconciled, it is therefore expedient to pray for the mediation of our Gracious Sovereign and dutifully to express our desire that he will be pleased to recommend to the Imperial Parliament, to take the matter into its consideration, and to enact such laws with respect to the future appropriation and management of the Clergy Reserves in this Province, as shall in its wisdom be thought most conducive to the peace and welfare, moral and religious instruction of the people of this Province. Amendment.

On which the yeas and nays being taken, were as follows : Division.

YEAS—MESSIEURS.

|          |         |           |                  |         |
|----------|---------|-----------|------------------|---------|
| Boulton, | McLean, | Robinson, | Sol. General,—4. | Yeas 4. |
|----------|---------|-----------|------------------|---------|

NAYS—MESSIEURS.

|                            |                              |           |             |          |
|----------------------------|------------------------------|-----------|-------------|----------|
| Bruce,                     | Gilchrist,                   | Moore,    | Shibley,    |          |
| Chesser,                   | Hopkins,                     | Morrison, | Smith,      |          |
| Chisholm,                  | Lount,                       | Norton,   | Thorburn,   |          |
| Cook,                      | McDonell, <i>Glengarry</i> , | Parke,    | Walsh,      |          |
| Duncombe, <i>Oxford</i> ,  | McDonell, <i>Stormont</i> ,  | Perry,    | Waters,     |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                    | Roblin,   | Wilson,     |          |
| Durand,                    | Mackenzie,                   | Rykert,   | Woolverton, |          |
| Dunlop,                    | McMicking,                   | Rymal,    | Yager—35.   | Nays 35. |
| Gibson,                    | Malloch,                     | Shaver,   |             |          |

The question was decided in the negative by a majority of thirty-one, and the report was received. Amendment lost. maj 31.

On the question for the third reading of the bill on Wednesday next, the yeas and nays were taken, as follows : On 3rd reading on Wednesday.

YEAS—MESSIEURS.

|                            |                             |           |             |          |
|----------------------------|-----------------------------|-----------|-------------|----------|
| Bruce,                     | Gilehrist,                  | Moore,    | Shaver,     |          |
| Chesser,                   | Hopkins,                    | Morrison, | Shibley,    |          |
| Chisholm,                  | Lount,                      | Norton,   | Smith,      |          |
| Cook,                      | McDonell, <i>Stormont</i> , | Parke,    | Thorburn,   |          |
| Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Perry,    | Waters,     |          |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Roblin,   | Wilson,     |          |
| Durand,                    | McMicking,                  | Rykert,   | Woolverton, |          |
| Dunlop,                    | Malloch,                    | Rymal,    | Yager—33.   | Yeas 33. |
| Gibson,                    |                             |           |             |          |

NAYS—MESSIEURS.

|                     |           |                    |          |         |
|---------------------|-----------|--------------------|----------|---------|
| Boulton,<br>McLean, | Robinson, | Solicitor General, | Walsh—5. | Nays 5. |
|---------------------|-----------|--------------------|----------|---------|

The question was carried in the affirmative by a majority of twenty-eight, and ordered accordingly. Question carried, majority 28.

Adjourned.

Tuesday, February 23d, 1836.

The House met.  
The minutes of yesterday were read.

Of A Cressman & others  
Mr. Durand brought up the petition of Abraham Cressman and eighty-three others, inhabitants of the district of Gore; which was laid on the table.

Of C W Page and others.  
Mr. Morrison brought up the petition Charles Wellington Page, and three hundred and seventy-four others, inhabitants of the Home district; which was laid on the table.

Of T Flemming and others.  
Mr. Roblin brought up the petition of Thomas Fleming, and two hundred and sixty others, inhabitants of the easterly part of the district of Newcastle, and western part of the Midland district; which was laid on the table.

Of C Williams and others.  
Mr. Roblin brought up the petition of Charles Williams and twenty-seven others, of the first concession, south side of East Lake, township of Hallowell; which was laid on the table.

Petitions read.  
Of A Laing and others.  
Of Lewis Horning and others.  
Of R Parker and others.  
Of John Misener and others.  
Of R W Hervey & others.  
Of Alex. McCrae and others.

Notice of Com on expen of money for roads and bridges.  
Com to search journals of Leg Council on Leeds Election bill report.

Pursuant to the order of the day the following petitions were read:  
Of Alexander Laing and two others, commissioners of the township of Medonte, (Simcoe;) praying aid for roads.  
Of Lewis Horning and one hundred and fifty others, of the townships of Mono, Amaranth, Mulmer and Melancthon, (Simcoe;) praying aid for roads.  
Of Robert Parker and thirty-nine others, of the township of King, (York,) remonstrating against the act passed at the last session of the Provincial Legislature, authorising a certain survey in the township of King, and praying relief.  
Of John Misener and nineteen others of the district of Niagara, praying that Amos C. Canby may be naturalized.  
Of R. and W. Hervey, and thirty-seven others, contractors for constructing the St. Lawrence Canal, praying relief from disappointments experienced in the prosecution of their contracts; and  
Of Alexander McCrae and one hundred and seven others, of the district of Johnstown, praying against the House entertaining the petition of Henry Burritt and others.

M. McKay gives notice, that on to-morrow, he will move that a select committee be appointed, to examine and report on the expenditure of money received by treasurers for roads and bridges.

Mr Macnab from the Committee to search the journals of the Hon. the Legislative Council, and report the proceedings had by that Hon. House, on the bill, entitled, *An Act to secure the freedom of elections in the county of Leeds*, presented a report, which was received and read as follows:

To the Honorable the Commons' House of Assembly,

The committee appointed to search the Journals of the Honorable, the Legislative Council, to learn what proceedings have been had by that Honorable Body, in and to the bill sent up from your Honorable House, entitled, "*An Act to ensure the freedom of Elections in the County of Leeds*," beg leave to report the following extracts from the Journals of that Honorable House.

Monday, 18th January, 1836.

"Deputation from Commons' House of Assembly brought up a bill, entitled, '*An Act to ensure the freedom of Elections in the County of Leeds*,' to which they requested the concurrence of this House, and then withdrew—said bill was then read.—Ordered, That the same be read a second time to-morrow."

Tuesday, 19th January, 1836.

Proceedings in Leg  
Council on Leeds  
election bill.

“ Pursuant to the order of the day, the bill, entitled, ‘ An Act to ensure the freedom of Elections in the County of Leeds,’ was read a second time same day.—Ordered, That the House be put into a committee of the whole, on to-morrow, to take the same into consideration.”

Wednesday, 20th January, 1836.

“ Pursuant to the order of the day, the House was put into a committee of the whole, on the bill, entitled, ‘ An Act to ensure the freedom of Elections in the County of Leeds.’

The Honorable Mr. Markland took the chair.

After some time the House resumed.

The Chairman reported, that the committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Friday next.—Ordered, That the report be received, and leave granted accordingly.”

Friday, 22nd January, 1836.

“ Pursuant to the order of the day, the House was again put into committee of the whole, upon the bill, entitled, ‘ An Act to ensure the freedom of Elections in the County of Leeds.’

The Honorable Mr. Elmsley took the chair.

After some time the House resumed.

The Chairman reported, that the committee had gone through the said bill, and had made some amendments thereto, which they were ready to submit, whenever the House would be pleased to receive the same.—Ordered, That the report be received to-morrow.”

Monday, 25th January, 1836.

“ Pursuant to the order of the day, the Honorable Mr. Elmsley, from the committee of the whole, upon the bill, entitled, ‘ An Act to ensure the freedom of Elections in the County of Leeds,’ presented the amendments thereto.

The amendments were then read by the Clerk as follows :

In the title, after “ to,” expunge “ ensure the freedom of Elections,” and insert “ regulate the next Election.”

Press. 1, line 15, expunge “ hereafter.”

“ 5, “ 2, after “ situated,” expunge to “ and,” in the eighth line.

“ 6, “ 16, after “ Election,” insert “ or not being exempt by law.”

“ 6, “ 20 and 21, expunge “ unnecessary noise or interruption,” after “ tumult,” insert “ or,” expunge “ or disorder.”

“ 7, “ 1, expunge “ or Justices.”

“ 7, “ 9, after “ misdemeanor,” expunge the remainder of the clause.

“ 7, “ 19, after “ shall,” expunge to “ by,” in line 20, and insert “ wilfully and corruptly swear falsely in any matter which he is required to state upon oath or affirmation.”

“ 8, line 2, after “ shall,” expunge the remainder, and insert “ not extend to any Election for the said County, except that which shall be holden next after the passing of this Act.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House, and it was—Ordered, That they be engrossed, and the said bill, as amended, read a third time to-morrow.”

Tuesday, 26th January, 1836.

“ Pursuant to the order of the day, the bill, entitled, ‘ An Act to ensure the freedom of Elections in the County of Leeds,’ was, as amended, read a third time, and it was ordered, that the bill be further amended as follows :

Press. 1, line 1, after “ Whereas,” expunge the remainder of the preamble, and insert “ It is expedient to make provision for regulating the next Election for the County of Leeds.”

“ 5, “ 8, after “ therein,” expunge “ and,” after “ provided,” expunge “ also.”

The question of concurrence being put, whether this bill, as amended, should pass, it was carried in the affirmative—whereupon, the Speaker signed the amendments, and it was—Ordered, That the Master-in-Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have passed this bill, with certain amendments, to which they desire the concurrence of the Commons’ House of Assembly.”

Wednesday, 27th January, 1836.

Proceedings in Leg  
Council on Leeds  
election bill.

" A deputation from the Commons' House of Assembly returned the bill, entitled, ' An Act to ensure the freedom of Elections in the County of Leeds,' and acquainted this House, that they had made some amendments to the amendments of the Legislative Council in and to the said bill, to which they request the concurrence of this House, and then withdrew.

The amendments were then read as follows :

Line 10 of the amendments, expunge " 2" and insert " 8." Expunge "situated" and insert " be." Expunge the words " in the eighth line."

Ordered, That the amendments to the amendments be read a second time to-morrow."

Thursday, 28th January, 1836.

" Pursuant to the order of the day, the amendments of the Commons' House of Assembly, made to the amendments of the Legislative Council, in and to the bill, entitled, ' An Act to ensure the freedom of Elections in the County of Leeds,' were read a second time, and it was—Ordered, That the House be put into committee of the whole to-morrow, to take the same into consideration.' "

Friday, 29th January, 1836.

" Pursuant to the order of the day, the House was put into committee of the whole on the amendments of the Commons' House of Assembly, made to the amendments of the Legislative Council, in and to the bill, entitled, ' An Act to ensure the freedom of Elections in the County of Leeds.'

The Honorable Mr. Allan took the chair.

After some time the House resumed.

The chairman reported, that the committee had taken the said amendments to the amendments into consideration, had made some progress thereon, and asked leave to sit again on Monday next.—Ordered, That the report be received, and leave granted accordingly.' "

Monday, 1st February, 1836.

" Pursuant to the order of the day, the House was again put into a committee of the whole, on the amendments of the Commons' House of Assembly, made to the amendments of the Legislative Council, in and to the bill, entitled, ' An Act to ensure the freedom of Elections in the County of Leeds.'

The Honorable Mr. Elmsley took the chair.

After some time the House resumed.' "

All which, is respectfully submitted.

ALLAN N. MACNAB,  
Chairman.

Committee Room, House of Assembly, }  
23rd day of February, 1836. }

Mr. Macnab, seconded by Mr. Robinson, moves, that it be

Motion to authorise  
the issuing of a new  
writ for county of  
Leeds.

*Resolved*—That the Speaker do direct the proper officer to issue a writ for the election for the return of two Members for the County of Leeds in place of Ogle R. Gowan, Esq. and Robert S. Jameson, Esq., whose election and return have been declared void.

In amendment, Mr. Perry, seconded by Mr. Wilson, moves, that after the word "moves" in the original, the whole be expunged and the following inserted :

Amendment

" That inasmuch as it was given in evidence by Adiel Sherwood, Esq. late Returning Officer for the County of Leeds, before the Committee under oath, for the trial of the contested election for the said county—that from the great number of votes in the said county, it was impossible to poll them all within the time allowed by the existing laws for holding elections, and therefore a candidate did not so much depend for success upon the support of a majority of the electors as upon their zeal and determination to elect him, and that although a candidate might have a majority of from two to four hundred of the electors of the County in his interest, yet he might not be returned for the reasons above stated—and that the said Committee before whom the said evidence of the said Returning Officer was given, not only unanimously declared the said election null and void, but also reported in favor of " the immediate passage of an act extending the

“time for holding the elections in the said county in order that all the electors may have an opportunity to exercise the elective franchise at future elections,”—that a bill was accordingly brought into the House immediately, extending the time for holding the elections in the said county to twelve days, which bill was agreed to by the Honorable the Legislative Council, but confined by their amendment to the next ensuing election for the said County and which became a law accordingly—that subsequently another committee was appointed under oath to try a controverted election for the said county, held by virtue of the said last mentioned law, which committee also not only declared the election null and void, but likewise reported as follows:

“Resolved,—That in the opinion of the committee, violence, riot, and intimidation were carried on at the late election for the County of Leeds, to so great an extent as to deter peaceable and quiet electors from going forward to give their votes at the said election, and to materially interfere with the freedom of election, and to prevent the voice of the electors of the County from being taken, and that therefore the election and return of Robert S. Jameson, Esq. and Ogle R. Gowan, Esq. to represent the said county, be declared void.”

“That in the opinion of the Committee the conduct of the Returning Officer at the said election was very extraordinary, inasmuch as he appears to have conceived it to be his duty to open and continue the poll the second day and receive votes, after two of the candidates, Messrs. Buell and Howard, had put into his hands a formal protest and had withdrawn from the contest, and then did only continue the said poll for a short time (for the space of about three hours) and finally closed the poll, while he was sure that but a very small portion of the electors had given their votes or had had an opportunity to do so.”

“That the defence of the sitting members is not frivolous or vexatious.”

“That the petition of William Buell and Matthew M. Howard, is not frivolous or vexatious.”

“That in the opinion of the committee there is no probability that a peaceable and quiet election will be held in the said county of Leeds, under the present excited feelings of a portion of the inhabitants of the said county, and under the present law for holding elections; and therefore the committee deem it proper to recommend to your honorable House, that no writ for a new election be ordered until steps are taken to secure the freedom of elections, and enable peaceable and quiet electors of the said county to exercise their elective franchise in peace and safety.”

“JOHN P. ROBLIN,  
“Chairman.”

“Committee Room,  
“House of Assembly.”

And that this House in pursuance of such recommendation, has, during the present session, passed and sent to the Legislative Council, a bill dividing the said county into four sections, and with other provisions to secure the freedom of election in the said county, which bill was amended by the honorable Legislative Council, and sent back to this House, thereby expressing their opinion in conjunction with the opinion of the House of Assembly, as on the occasion of the former bill referred to above, that some provision was actually requisite to enable the electors of the county of Leeds peaceably to exercise the elective franchise—that this House agreed to all the said amendments made by the honorable the Legislative Council, except one, which this House amended in such a way as appeared to them best calculated to effect the object intended by the said bill—and sent the said bill with the said amendments back to the honorable the Legislative Council, thereby rendering it necessary for the said Council, in order to be consistent, either to accede to the amendments made by this House, to amend them, or to dissent from them, which would have enabled this House again to express their opinion on the same. That it appears by a report of a select committee appointed by this House to search the Journals of the honorable the Legislative Council relative to the proceedings of that body, on the said bill, that the said Council, instead of proceeding as above, have been several times in committee on the said bill, and have finally risen without making a report, by which proceeding the said bill according to parliamentary usage, is thrown off from the order of the day, but remains upon the table of the House, and may be taken up at any time—that this house has shown every disposition and done every thing in their power to secure the freedom of election in the said county, and afford every facility for the representation of the said county, and therefore feel it to be a duty they owe to their constituents, and the electors of the county of Leeds, to adhere strictly to the recommendation of the two committees, as above stated, made under oath, and to the concurrent opinion expressed by this House, the Honorable Legislative Council and the Executive Government, as above stated, on the passing of the one bill into a law, and amending the other, at all events, until the Honorable the Legislative Council, shall take such Parliamentary steps on the said bill, as to enable this House to express again their opinion on the said bill, in the shape that it may finally be left by the Honorable the Legislative Council.”



Division.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |                            |                             |           |             |
|----------|----------------------------|-----------------------------|-----------|-------------|
| Yeas 30. | Bruce,                     | Gilchrist,                  | Morrison, | Smith,      |
|          | Chesser,                   | Hopkins,                    | Norton,   | Thorburn,   |
|          | Chisholm,                  | Lount,                      | Parke,    | Waters,     |
|          | Cook,                      | McDonell, <i>Stormont</i> , | Perry,    | Wells,      |
|          | Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Rymal,    | Wilson,     |
|          | Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Shaver,   | Woolverton, |
|          | Durand,                    | McMicking,                  | Shibley,  | Yager—30.   |
|          | Gibson,                    | Moore,                      |           |             |

NAYS—MESSIEURS.

|          |           |  |           |               |
|----------|-----------|--|-----------|---------------|
| Nays 18. | Boulton,  | McCrae,                                      | McLosh,   | Rykert,       |
|          | Caldwell, | M'Donell, <i>Glengarry</i> ,                 | Merritt,  | Small,        |
|          | Cornwall, | M'Donell, <i>Northumb.</i> <i>Richmond</i> , |           | Walsh,        |
|          | Dunlop,   | McKay,                                       | Robinson, | Wilkinson—18. |
|          | Lewis,    | McNab,                                       |           |               |

Amendment carried, majority 12.

The question of amendment was carried in the affirmative by a majority of twelve.

Master in Chancery.

The original question as amended was then put and carried. Mr. Boulton, Master-in-Chancery, brought down from the Honorable the Legislative Council, a paper, and having delivered the same at the Clerk's table, retired.

Bill from Legislative Council to facilitate legal remedies against corporations.

Mr. Speaker reported that the Master-in-Chancery had brought down from the Honorable the Legislative Council a bill entitled "*An Act to continue and amend An Act passed in the third year of His present Majesty's reign, entitled 'An Act to facilitate legal remedies against Corporations,'*" which that Honorable House had passed and requested the concurrence of this House thereto.

Committee on pet of E Perry and others re: Cobourg police bill.

Mr. Gilchrist, from the select committee, to which was referred the petition of E. Perry and others, informed the House, that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Read 1st time. 2nd reading tomorrow.

The report was received, and the bill read the first time. *Ordered*—That the Cobourg police bill be read a second time tomorrow.

Com report on pet of Elizabeth Thomson.

Mr. Roblin from the select committee to which was referred the petition of Mrs. Elizabeth Thomson, presented a report, which was received and read as follows :

*To the Honorable the House of Assembly.*

Your committee to which was referred the petition of Elizabeth Thomson, widow of the late Hugh C. Thomson Esq. beg leave to submit the following report :

Report..

Your committee are of opinion, that to the personal exertions of the late Mr. Thomson, the Province is mainly indebted for the establishment of its penitentiary—and that he devoted much of his time, and doubtless expended considerable from his private funds, in obtaining information relative to the erection and superintendence of the same, expecting no doubt to be compensated to a certain extent, with some situation in the future management of the institution; but his removal by death about the time of its going into operation, left his family no means of obtaining any remuneration in that way. Your committee would therefore recommend Your Honorable House to grant to his widow the sum of one hundred pounds as a remuneration to her and her family, for the services performed by Mr. Thomson, and to which sum your committee consider they are justly entitled.

All which is respectfully submitted.

JOHN P. ROBLIN  
*Chairman.*

Committee Room, House of Assembly, }  
23rd day of Feb. 1836.

- On motion of Mr. Roblin, seconded by Mr. Yager, Ref'd to supply.  
*Ordered*—That the report of the select committee on the petition of Elizabeth Thomson be referred to the committee of supply.
- On motion of Mr. Wells, seconded by Mr. Shaver, Report of com'rs of Gull Island light house ref'd to select committee.  
*Ordered*—That the report of the commissioners for erecting a light house on Gull Island be referred to the select committee to whom was referred the petition of John Brown on the same subject, and that the finance committee be discharged from the further consideration of the said report.
- On motion of Mr. Perry, seconded by Mr. Hopkins, Petitions referred.  
*Ordered*—That the petition of the Honorable John Hamilton and others, praying for a grant for the construction of a light house, be referred to a select committee with power to send for persons and papers and leave to report thereon, and that Messrs. Norton, McMicking, Smith and David Duncombe compose said committee. Of Hon J Hamilton and others
- On motion of Mr. Thorburn, seconded by Mr. McMicking, Of J Misener and others.  
*Ordered*—That the petition of John Misener and others, be referred to the committee on petitions of Aliens.
- On motion of Mr. Norton, seconded by Mr. Rykert, Of H & J Hervey and others.  
*Ordered*—That the petition of R. and J. Hervey and others, be referred to the committee on canals and internal improvements.
- On motion of Mr. Morrison, seconded by Mr. Shibley, Of R Parker and others  
*Ordered*—That the petition of Robert Parker and others, be referred to a select committee, to be composed of Messrs. Gibson and Perry, with power to send for persons and papers, and to report thereon by bill or otherwise.
- Mr. Mackenzie, seconded by Mr. Wilson, moves, that one hundred and fifty copies of the petition of Harwar Lyons, Geo. Rolph, Esq. and others, with respect to the Desjardins' canal, be printed for the use of members. Motion for print'g pet of H Lyons and others.  
 Which was lost. Lost.  
 Adjourned.

**Wednesday, 24th February, 1836.**

The House met.

The minutes of yesterday were read.

Petitions bro't up.

Mr. Wilson brought up the petition of Hugh Scanlan and fifty-seven others, of the township of Sophiasburgh; which was laid on the table. Of H. Scanlan & others.

Mr. Chesser brought up the petition of John Brady, Esq. and two hundred and thirty-one others, of the district of Ottawa; which was laid on the table. Of J. Brady and others.

Mr. Robinson brought up the petition of Thomas Cockson and two hundred and forty-one others, of the county of Simcoe; which was laid on the table. Of T Cockson and others.

Mr. Robinson brought up the petition of Richard J. Williams and twenty-four others, of the county of Simcoe; which was laid on the table. Of R J Williams & others.

Mr. Gibson brought up the petition of James M'Callum and twenty-five others, of the county of York; which was laid on the table. Of J McCallum and others.

Mr. Small brought up the petition of C. J. Baldwin and two thousand four hundred and thirty others, inhabitants of the Province; which was laid on the table. Of C J Baldwin and others;

Mr. Mackenzie brought up the petition of William Rees, surgeon, of the city of Toronto; which was laid on the table. Of Wm Rees.

Of W H Draper and others.

Mr. Solicitor General brought up the petition of William H. Draper, Esq. of the city of Toronto; which was laid on the table.

Of President Coml. Bank.

Mr. Solicitor General brought up the petition of the President of the Commercial bank, of the Midland district; which was laid on the table.

Petitions read.

Pursuant to the order of the day, the following petitions were read:

Of J Wilson and others.

Of John Willson and forty-four others, Commissioners, and others, of the townships of Howard and Orford, Western district; praying aid for roads.

Of Geo Gibb Esq. and others.

Of George Gibb, Esquire, and eight others, inhabitants of the township of Mosa, in the district of London; praying aid for roads.

Of J Y Cozens

Of Joshua Y. Cozens, of Cornwall, Eastern district; praying for an increase of pension.

Of Danl Knowles and others

Of Daniel Knowles, and one hundred and fourteen others, of the township of Scarborough, (York); praying aid for the road between Highland Creek and the River Rouge.

Of D S Howard

Of Dean S. Howard, of the town of Belleville, (Hastings); praying the payment of balance due him on contract for Trent bridge.

Of R Briscoe and others.

Of Robert Briscoe, and two hundred and seventy-eight others, of the county of Oxford; praying for the erection of a Gaol and Court House at Woodstock.—And

Of E Bunnel

Of Captain Enos Bunnell of the township of Brantford, (Oxford); praying to be reimbursed an outlay made upon a bridge over Fairchild's Creek.

Notices.

Of bill to provide wages for members of Legislative Council and increase of salaries to Speakers.

Mr. Charles Duncombe, gives notice, that he will, on to-morrow, move for leave to bring in a bill to provide for the payment of wages to the members of the Honorable, the Legislative Council, and to increase the salaries of the Speakers of both Houses, and place them upon the same footing to go into effect after the dissolution of the present Parliament.

For select committee on timber duties, Ottawa river.

Mr. McKay gives notice, that on to-morrow, he will move that a select committee be appointed to draft an address to His Majesty, praying that the duties collected for timber, on the Ottawa river, be appropriated towards the improvements of said river, to erect timber slides, and to purchase those now erected, and for other purposes, for the public benefit.

Clergy Reserve sale bill, read third time.

Pursuant to the order of the day, the Clergy Reserve sale bill was read the third time.

Division on question.

On the question for passing the bill, the yeas and nays being taken, were as follows:

YEAS—MESSIEURS.

|                    |                      |            |             |
|--------------------|----------------------|------------|-------------|
| Bruce,             | Hopkins,             | Mackenzie, | Small,      |
| Chesser,           | Lewis,               | Morrison,  | Smith,      |
| Cuisholm,          | Lount,               | Norton,    | Strange,    |
| Cornwall,          | McCrae,              | Parke,     | Waters,     |
| Duncombe, Norfolk, | McDonell, Glengarry, | Perry,     | Wells,      |
| Durand.            | McDonell, Stormont,  | Roblin,    | Wilson,     |
| Dunlop,            | McDonell, Northumb.  | Rykert,    | Woolverton, |
| Gibson,            | McIntosh,            | Shaver,    | Yager—35.   |
| Gilchrist,         | McKay,               | Shibley,   |             |

Yeas 35.

NAYS—MESSIEURS.

Boulton, Robinson, Solicitor General, Wilkinson—5.

McLean,

Nays 5  
Question carried majority 30.

The question was carried in the affirmative by a majority of thirty.

Mr. Perry, seconded by Mr. Lount, moves, that the bill be entitled, "*An Act for the disposal of the Clergy Reserves in this Province, for the purposes of General Education.*"

Title.

Which was carried, and Messrs. Perry and Lount were ordered by the Speaker to carry the bill up to the Honorable, the Legislative Council, and to request their concurrence thereto.

Clergy Reserve safe bill sent up to Legislative Council.

Mr. Small, from the committee to draft and report a bill, pursuant to the resolution of this House, loaning £2,000 to the Welland Canal Company, reported a draft, which was received and read.

Bill on resolution for loaning £2000 to Welland Canal, reported and read.

On the question for the second reading of the bill to-morrow.

In amendment, Mr. Small, seconded by Mr. Wilkinson, moves, that the bill be now read a second time, and that the 40th rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the Welland Canal loan bill was read the second time.

Read 2nd time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Duncombe, of *Norfolk*, in the chair.

The House resumed.

Mr. Duncombe reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported.

The report was received.

On the question for the third reading of the bill to-morrow, the yeas and nays being taken, were as follows :

3rd reading to-morrow.

YEAS—MESSIEURS.

|                            |                              |             |                    |
|----------------------------|------------------------------|-------------|--------------------|
| Brown,                     | McCrae,                      | Norton,     | Solicitor General, |
| Caldwell,                  | McDonell, <i>Glengarry</i> , | Richardson, | Strange,           |
| Chisholm,                  | McDonell, <i>Northumb.</i>   | Roblin,     | Thorburn,          |
| Cornwall,                  | McKay,                       | Rykert,     | Wilkinson,         |
| Duncombe, <i>Norfolk</i> , | Macnab,                      | Small,      | Wilson,            |
| Dunlop,                    | Malloch,                     | Smith,      | Woolverton,—25.    |
| Lewis,                     |                              |             |                    |

Yeas 25.

NAYS—MESSIEURS,

|          |                             |           |            |
|----------|-----------------------------|-----------|------------|
| Cook,    | Lount,                      | Morrison, | Shaver,    |
| Gibson,  | McDonell, <i>Stormont</i> , | Parko,    | Shibley,   |
| Hopkins, | McIntosh,                   | Rymal,    | Wells,—12. |

Nays 12.

The question was carried in the affirmative by a majority of thirteen, and ordered accordingly.

Question carried majority 13

On motion of Mr. Cornwall, seconded by Mr. Robinson,

Petitions referred

*Ordered*—That the petition of John Wilson and others, of the townships of Orford and Howard be referred to the committee on roads and bridges.

Of J. Willson and others.

On motion of Mr. Rymal, seconded by Mr. Durand,

*Ordered*—That the petition of Enos Bunnell be referred to the standing committee on claims.

Of Enos Bunnell.

On motion of Mr. Lount, seconded by Mr. Waters,

*Ordered*—That the petition of Gerald Alley and two others, be referred to the committee on roads and bridges.

Of Gerald Alley and others.

On motion of Mr. Lount, seconded by Mr. McIntosh,

*Ordered*—That the petition of Alexander Laing and two others, referred to the committee on roads and bridges.

Of A Laing and others.

On motion of Mr. Macnab, seconded by Mr. Wilkinson,

*Ordered*—that the item on the order of the day, for a committee of the whole on the land granting department, be the first item on the order of the day for Monday next.

Committee of whole on land granting department, 1st item Monday next.

Of Jacob Wismer and others.

On motion of Mr. Morrison seconded by Mr. Shibley,  
*Ordered*—That the petition of Jacob Wismer and others, be referred to a select committee of Messrs. Lount and McIntosh, to report thereon by bill or otherwise.

Of J. Y. Cozens.

On motion of Mr. D. Æ. McDonell, seconded by Mr. Smith,  
*Ordered*—That the petition of Joshua Young Cozens of the town of Cornwall be referred to the committee on claims of militia pensioners.

Of George Gibb & others

On motion of Mr. Parke, seconded by Mr. Gilchrist,  
*Ordered*—That the petition of George Gibb and others, be referred to the committee on roads and bridges.

Of C. Gurney.

On motion of Mr. Malloch, seconded by Mr. Lewis,  
*Ordered*—That the petition of Chester Gurney, be referred to the committee on the petition of aliens.

Bill to authorize courts in Ottawa district, brought in.

Pursuant to notice Mr. Waters, seconded by Mr. Lount, moves for leave to bring in a bill to authorize His Majesty's Justices to hold a court of Oyer and Terminer, Assize and Nisi Prius and general gaol delivery in the Ottawa district.

Bill read 1st time.

Which was granted and the bill read a first time.

*Ordered* that the bill be read a second time to-morrow.

Select committee to inquire into expense of road making.

Pursuant to notice Mr. McKay, seconded by Mr. D. Æ McDonell, moves that Messrs. McLean, Robinson and Perry, be a select committee to examine and report on the expenditure of money received by treasurers for roads and bridges, with power to send for persons and papers.

*Ordered.*

Select com to frame address to His Excellency for information on prison discipline.

Pursuant to notice Mr. Dunlop seconded by Mr. D. McDonell, moves that a committee consisting of Messrs. Morrison and Macnab be appointed, to frame an address to His Excellency, praying that he will direct all reports and documents bearing on the internal arrangement, economy and moral discipline of our prisons, to be laid before the House, particularly such reports and documents as have been transmitted by grand jurors, sheriffs and others, from the first of January 1834, till the commencement of the present session of Parliament.

*Ordered.*

30 Mile Creek harbour bill read 2d time. Committed.

Pursuant to the order of the day the thirty mile Creek harbour bill was read a second time.

The House was put into committee of the whole on the bill. Mr. Chesser in the chair.

Committee rose.

The House resumed.

Mr. Chesser reported that the committee had risen.

The report was received.

Adjourned.

Thursday, 25th February, 1836.

The House met.

The minutes of yesterday were read.

Petitions bro't up. Of W. R. Cubbitt and others.

Mr. Boulton brought up the petition of W. R. Cubitt and one hundred and one others, of the Township of Darlington, (Durham); which was laid on the table.

Of J. Howell and others.

Mr. Roblin brought up the petition of John Howell and twenty-six others, of the township of Sophiasburg, (Prince Edward); which was laid on the table.

Mr. Small brought up the petition of A. N. Bethune and twenty-four others, of Cobourg, (Durham); which was laid on the table. Of A. N. Bethune and others.

Mr. Boulton brought up the petition of Charles Lowe, Town Clerk, and three others, Commissioners, of the township of Mariposa, (Newcastle district); which was laid on the table. Of Charles Lowe and others.

Mr. Mackenzie brought up the petition of Jacob Cook and five hundred and nineteen others, inhabitants of Upper Canada; which was laid on the table. Of J. Cook and others.

Mr. Mackenzie brought up the petition of John Watson and sixty-six others, of the township of Chinguacousy, Home district; which was laid on the table. Of J. Watson and others.

Pursuant to the order of the day, the Welland Canal loan bill was read the third time, and passed. Welland Canal loan bill read 3d time and passed.

On motion of Mr. C. Duncombe, seconded by Mr. Rykert, Title.

*Ordered*—That the bill be entitled, “An Act to loan two thousand pounds to the Welland Canal Company.”

Messrs. C. Duncombe and Rykert were ordered by the Speaker to carry the bill up to the Honorable, the Legislative Council, and to request their concurrence thereto. Sent to Legislative Council.

Pursuant to the order of the day, the following petitions were read: Petitions read.

Of Abraham Cressman and eighty-three others, inhabitants of the district of Gore, praying the incorporation of a company to construct a rail road from Dundas by Preston to Goderich. Of A Cressman & others.

Of Charles Wellington Page, and three hundred and seventy-four others, inhabitants of the Home district, praying that if the macadamized road east of the city of Toronto be continued, Dundas street may be preferred. Of C W Page and others.

Of Thomas Fleming, and two hundred and sixty others, inhabitants of the easterly parts of Newcastle and the western part of the Midland district praying that certain parts of said districts be made a separate district. And— Of T Flemming and others.

Of Charles Williams and twenty-seven others, inhabitants of the first concession, south side of East Lake, township of Hallowell, (Prince Edward) praying that certain side lines may be surveyed. Of C Williams and others.

Mr. Charles Duncombe from the select committee to which was referred the petition of John Allan and others, and of George O’Kill Stuart and others, informed the house that the Committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same. Com. on petition of J. Allan & others, and G. O’Kill Stuart and others. Report court of request bill.

The report was received, and the bill was read a first time. Bill read 1st time.

On the question for the second reading of the bill to amend the court of Requests Act. On question for 2d reading to-morrow.

In amendment, Mr. Small, seconded by Mr. Boulton, moves that the bill be not read a second time to-morrow, but that the bill be referred to the committee to whom was referred the bill to amend the court of Requests Act. Amendment

On which the yeas and nays were taken as follows :

**YEAS—MESSIEURS,**

|                                 |                              |                                     |                     |          |
|---------------------------------|------------------------------|-------------------------------------|---------------------|----------|
| Boulton,<br>Caldwell,<br>Lewis, | McKay,<br>McNab,<br>Malloch, | Norton,<br>Richardson,<br>Robinson, | Small,<br>Walsh, 11 | Yeas 11. |
|---------------------------------|------------------------------|-------------------------------------|---------------------|----------|

**NAYS—MESSIEURS,**

|                  |                        |                     |                    |  |
|------------------|------------------------|---------------------|--------------------|--|
| Brown,<br>Bruce, | Gilchrist,<br>Hopkins, | Moore,<br>Morrison, | Smith,<br>Strange, |  |
|------------------|------------------------|---------------------|--------------------|--|

|                          |                              |          |                 |
|--------------------------|------------------------------|----------|-----------------|
| Chesser,                 | Lount,                       | Parke,   | Wells,          |
| Chisholm,                | McDonell, <i>Glengarry</i> , | Perry,   | Wilson,         |
| Duncombe, <i>Oxford</i>  | McDonell, <i>Stormont</i> ,  | Roblin,  | Woolverton, 26. |
| Duncombe, <i>Norfolk</i> | McIntosh,                    | Shaver,  |                 |
| Durand,                  | McMicking,                   | Shibley, |                 |

Maye 26

The question was decided in the negative by a majority of fifteen and the bill was ordered to be read a second time to-morrow.

Mr. Parke, from the select committee to which was referred the petition of John Brown, and the report of the commissioners for the erection of a light house on Gull Island presented a report which was received and read as follows :

*To the Honorable the House of Assembly.*

Report of com on  
Gull Island Lt house

The Committee to whom was referred the petition of John Brown, Esquire, as also the Report of the Commissioners for the erection of a Light House on Gull Island, beg leave respectfully to report.

That having met and taken into consideration the matters referred to them. Your Committee examined the Engineer, Mr. Hall who gave the estimate and specifications of the proposed work to the Commissioners. He estimated the work on the presumption that the water would fall materially below the level existing at the time of his estimate, and that the excavation proposed in the rock for the foundation should be eighteen inches below the then present surface of the water, which would have required the rock to be excavated six or eight inches deep for the foundation.

The Commissioners however, by their report seem to think that the excavation was intended to be eighteen inches in the rock, which your Committee learn from the Engineer was not requisite.

It appears to your Committee from the evidence they have received that the weather last summer was very unfavorable for the work, and that the contractor had many difficulties to contend with which he could not have anticipated. It also appears that an action has been commenced by the Commissioners against the contractor and his sureties for the non-fulfilment of the contract. It also appears that the contractor has expended a considerable sum in providing materials and in endeavouring to complete the work, and in erecting a house and wharf at the island necessary for carrying on the work. Your Committee think it probable that this House may with some alterations and improvements answer for a light house keeper, and as the Commissioners recommend a further grant for a house for a light house keeper—your Committee suggest the idea that the house already built by the contractor may answer the purpose. Under all the circumstances your Committee beg leave to recommend that Mr. Hall the Engineer should examine the work in the spring, and if approved of by him, the contractor is to proceed to complete the same with all reasonable despatch, and if not approved of, the contractor is to commence the work again and build it in such a substantial manner as Mr. Hall shall point out. Your Committee recommend that Mr. Hall should examine and report whether the building erected by the contractor would answer for a light house keeper and whether any alterations should be made in the same, as also what would be the value thereof, and of the wharf. Your Committee are also of opinion that the time for the completion of the light house should be extended to the last of August next, upon the contractor giving security to the Commissioners for the completion of the work at that time, and that the said action should be stopped.

Your Committee recommend that an address should be presented to His Excellency, the Lieutenant Governor, praying him to acquaint the Commissioners of the desire of this House on this subject, and to direct them to stop the said action.

All which is respectfully submitted.

THOMAS PARKE,  
*Chairman.*

*Committee Room, House of Assembly, }  
24th day of Feb. 1836. }*

On motion of Mr. Parke, seconded by Mr. Thorburn,

*Ordered*—That an humble address be presented to His Excellency, the Lieutenant Governor, on the subject contained in the report on the Gull Island light house, and that Messrs. Boulton and Roblin, be a committee to draft said address.

Address to His Excellency on Gull Island Light House—ordered.

Address reported.

Mr. Roblin from the committee to draft an address to His Excellency, the Lieutenant Governor, on the subject of Gull Island light house, reported a draft which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

On motion of Mr. Roblin, seconded by Mr. Wilson,  
*Ordered*—That the petition of Charles Williams and others, be referred to the committee to which was referred the petition of Thomas Archer and others. Petitions referred Of C. Williams and others.

On motion of Mr. Durand, seconded by Mr. Chisholm,  
*Ordered*—That the petition of Abraham Cressman and others, of the township of Waterloo, praying for a rail-road from Dundas to Goderich, on Lake Huron, be referred to the standing committee on rail ways and canals. Of Ab. Cressman and others.

On motion of Mr. Lount, seconded by Mr. Woolverton,  
*Ordered*—That the petition of James Hood and eleven others, be referred to the committee on roads and bridges. Of J. Hood and others.

On motion of Mr. Charles Duncombe, seconded by Mr. Small,  
*Ordered*—That the petition of John Chisholm, be referred to a committee, to be composed of Messrs. Macnab and Rymal, with power to report thereon. Of J. Chisholm.

Pursuant to the order of the day, the Loughborough survey bill was read a second time. Loughborough survey bill read 2d time.

The House was put into committee of the whole on the bill. Committed

Mr. McIntosh in the chair. Committee rose.

The House resumed. Committee rose.

Mr. McIntosh reported that the committee had risen.  
*Ordered*—That the report be received. Letter and report (2nd) from Welland Canal directors.

Mr. Speaker reported having received from the government directors of the Welland Canal, a letter and report; which were received.

The letter was read as follows :

*To the Honorable the Speaker.* Toronto, 24th Feb. 1836.

Sir : The undersigned have the honor to transmit the enclosed report, in order that it may be laid before the House of Assembly. Letter from Welland Canal directors.

And they remain,  
 Very respectfully,  
 Your obedient Servants,  
 DAVID THORBURN,  
 CHARLES DUNCOMBE,  
 W. L. MACKENZIE.

The report was read.

Report—(See Appendix.)

On motion of Mr. Mackenzie, seconded by Mr. Charles Duncombe,  
*Ordered*—That the report and accompanying documents relative to the Welland Canal, be referred to the select committee on the affairs of that incorporation. Second report of Welland Canal directors, referred to Welland Canal committee.

Mr. Speaker reported that he had received from the commissioners appointed by a resolution of the House at the last session, for collecting certain information, two letters, and a report on the subject of education. Mr. Speaker reports letters and a report from Commissioners appointed to obtain certain information.

The letters were read as follows :

Toronto, 24th Feb. 1836.

Sir : Doctors Duncombe, Morrison, and Bruce being by a resolution of the Hon. the House of Assembly appointed Commissioners to inquire into "the system and management of schools and colleges;" in order to report fully upon the systems of education pursued in the United States, one of our Commission, Dr. Charles Duncombe, was requested and authorised to visit that country, acquire a knowledge of the subject, and report thereon. That gentleman has done so to our most entire satisfaction, and we have the honor here-

Letter from commissioners to Mr. Speaker.



with to hand you the result of his arduous labours and minute enquiries in the documents now presented, viz: a Report upon Education, accompanied by a bill for the regulation of Common Schools in this Province; this being our second report.

We have the honor to be, Sir,

Your most obedient humble Servants,  
T. D. MORRISON,  
Wm. BRUCE.

The Honorable  
M. S. BIDWELL,  
Speaker of the Commons House of Assembly.

To the Honorable, the Commissioners for obtaining information upon certain subjects, Doctors Morrison and Bruce.

City of Toronto, }  
24th February, 1836. }

Letter from acting  
commissioner to  
Messrs. Morrison &  
Bruce. GENTLEMEN:

I have herewith the honor of submitting for your consideration and for the consideration of the Honorable the House of Assembly, the annexed report upon the subject of Education together with a bill upon and for the regulation of Common Schools in this Province—it being my second report.  
All which is most respectfully submitted.

CHARLES DUNCOMBE,  
Acting Com. for obtaining certain information, &c. &c.  
Report—(see Appendix.)

Pursuant to the order of the day the address to His Excellency on the subject of Gull Island Light House was read the third time, passed and is as follows:

To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

Address to His Ex-  
cellency on Gull Is-  
land light house read  
3rd time and passed. MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave respectfully to request Your Excellency to acquaint the Commissioners appointed under an act of last Session for the erection of a Light House on Gull Island, that it is the desire of this House that the period for the completion of such Light House should be extended to the last of August next—and moreover that the action instituted against the present contractor and his sureties should be stopped on the contractor giving security for the completion of the work by the above period.

Commons House of Assembly, }  
25th February, 1836. }

MARSHALL S. BIDWELL,  
Speaker.

On motion of Mr. Boulton, seconded by Mr. Parke,  
Ordered—That Messrs. Thorburn and Roblin be a committee to wait on His Excellency the Lieutenant Governor with the address and to present the same.

Pursuant to notice Mr. McKay, seconded by Mr. Smith, moves that Messrs. Norton, Perry, Lewis and Malloch, be a select committee to draft an address to His Majesty, praying that the duties collected for timber on the Ottawa river, be applied to the improvement of said river, for the public benefit.

Ordered.

Pursuant to the order of the day, the Home district rail road bill was read a second time.

The House was put into committee of the whole on the bill.  
Mr. Chisholm in the chair.

The House resumed.

Mr. Chisholm reported, that the committee had gone through the provisions of the bill, made some amendments to the same, and submitted it for the adoption of the House.

Committee to draft  
address to His Ma-  
jesty on timber duties

Home district rail  
road bill read second  
time.

Committed.

Bill reported a-  
mended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d read'g. to-morrow

Mr. Boulton, Master-in-Chancery brought down from the honorable the Legislative Council, a message ; which was read as follows: Message from Leg- Council.  
Mr. SPEAKER,

The Legislative Council request a conference with the Commons House of Assembly, on the subject matter of their amendments, made to the amendments of this House, in and to the bill entitled, "An Act to ensure the freedom of Elections in the County of Leeds," and have appointed the Honorable Messieurs Elmsley and Crooks, to be the Conferees on the part of this House, who will be ready to meet a Committee on the part of the Commons House of Assembly to-morrow at three of the clock, P. M., in the Committee Room of the Legislative Council, for that purpose.

JOHN B. ROBINSON,  
*Speaker.*

*Legislative Council Chamber, }  
25th February, 1836. }*

*Legislative Council requests conference on Leeds election bill.*

Mr. Thorburn, seconded by Mr. McMicking, moves, that the request of the honorable the Legislative Council for a conference be acceded to, and that Messrs. Perry, C. Duncombe, Parke, and Morrison, be the conferees on the part of this House, and that a message be sent to the honorable the Legislative Council, to inform them of the same. House appoints conferees to meet committee on part of Legislative Council.

Which was carried, and Messrs. Thorburn and McMicking were ordered by the Speaker to carry up the message.

Mr. Thorburn from the select committee on contingencies, presented a second report.

*Message sent to Legislative Council.*

*Second report of committee on contingencies.*

The report was received, and read as follows :

*To the Honorable the House of Assembly.*

The Committee upon Contingencies beg leave to submit their second Report :

Your Committee having had the account of Dr. W. J. O'Grady for printing by order of your Honorable House, presented to them, find that a balance of £537 18s 8d. is due as per account, and that the sum of £222 9s 0d. is due to Mr. Richard Brewer for binding, which sums your Committee would recommend to be paid.

Your Committee would recommend that the Post-master be required to furnish detailed Post Office accounts, daily shewing each member's account of letters and packets sent and received.

All which is most respectfully submitted.

DAVID THORBURN,  
*Chairman.*

*Committee Room, House of Assembly, }  
25th February, 1836. }*

Mr. Thorburn, seconded by Mr. McMicking moves, that the House do now resolve itself into committee of the whole on the report of the select committee on contingencies. Committee of whole on 2nd report of contingent committee.

Which was carried, and the House was put into committee of the whole.

r. Bruce in the chair.

The House resumed to receive a message.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

*Com. report resolution.*

*Ordered*—That the report be received, and the resolution was adopted as follows :

*Resolved*—That the sum of five hundred and thirty-seven pounds eighteen shillings and eight pence due to Dr. W. J. O'Grady for printing, and the sum of two hundred and Resolution—payments to printer and binder.

twenty-two pounds nine shillings to Mr. Richard Brewer for binding, be paid out of the funds now in the hands of the Speaker.

Messages, &c. from Lieutenant Governor.

Mr. Speaker reported that Mr. Secretary Joseph had brought down from His Excellency the Lieutenant Governor several messages and documents.

The messages were read by Mr. Speaker as follows :

F. B. HEAD,

Message. Report of exploring party.

The Lieutenant Governor transmits for the information of the House of Assembly, the accompanying copy of a report of the officer at the head of an exploring party appointed to examine the country on the east shore of Lake Huron, during the past season.

*Government House, 25th February, 1836.*

F. B. HEAD,

Message. Copies of despatches in compliance with address of 11th instant.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the address of the House, dated the 11th instant, copies of the public despatches from His Majesty's Secretary of State for the Colonies, to the Lieutenant Governor of this Province, during the years 1830, 1831, and 1832, relative to the independence of the Judges,—the surrender by His Majesty to the control of the Provincial Legislature of the Province of the revenue raised under the statute of the Imperial Parliament, of the 14th Geo. 3rd, Cap. 88,—and the provision for the principal officers of the Government, required by His Majesty, to be made by the Legislature, on the cession of the said revenue.

*Government House, 25th February, 1836.*

F. B. HEAD,

Message. Report of commissioners Kingston Hospital.

The Lieutenant Governor transmits to the House of Assembly, the accompanying copy of the Report of the Commissioners of the Kingston Hospital, for the year 1835.

*Government House, 25th February, 1836.*

F. B. HEAD,

Message. Accounts road commissioners, 1833 and 1834.

The Lieutenant Governor transmits to the House of Assembly, such accounts of Road Commissioners under the Provincial Acts of 1833 and 1834, as have been received since the last session of the Legislature.

*Government House, 25th February, 1836.*

Message. School reports.

F. B. HEAD,

The Lieutenant Governor transmits to the House of Assembly copies of such Reports of Trustees of District Schools, and of Boards of Education, as have been received for the year 1835.

*Government House, 25th February, 1836.*

F. B. HEAD,

Message. District Treasurers' accounts.

The Lieutenant Governor transmits to the House of Assembly, such Accounts of District Treasurers as have been received for the year 1835.

*Government House, 25th February, 1836.*

The accompanying despatches were then read.

Despatches and other Documents—(See Appendix.)

On motion of Mr. Solicitor General, seconded by Mr. Charles Duncombe,

Address of thanks for messages of this day—ordered.

*Ordered*—That an humble address be presented to His Excellency, the Lieutenant Governor, thanking him for his several messages of this day, and assuring His Excellency, that this House will take the same into their careful consideration—and that Messrs. Robinson and Rykert, be a committee to draft the same.

Motion to print 1000 copies of certain documents.

Mr. Norton, seconded by Mr. Macnab, moves, that one thousand copies of His Excellency's message of this date, relative to the civil list and the independence of the Judges—together with the correspondence between the Colonial office and their Excellencies Lord Aylmer and Sir John Colborne, with the address of this House referred to in the said message—be printed for the use of members.

In amendment—Mr. Perry, seconded by Mr. Shaver, moves that the following be added—and also the message of Sir John Colborne to this House, during the first session of last Parliament on the same subject, as also the address of the House and the answer thereto; and also the amendments proposed to the bill, and resolutions on that subject during that session, with the yeas and nays thereon, in pamphlet form.

Amendment.

Which was carried.

The original question as amended was then put and carried, as follows:

Amended question carried.

*Ordered*—That one thousand copies of His Excellency's message of this date, relative to the civil list, and the independence of the judges, together with the correspondence between the colonial office and their Excellencies Lord Aylmer and Sir John Colborne, with the addresses of this House referred to in said message, and also the message of Sir John Colborne to this House during the first session of last Parliament on the same subject, as also the address of the House and the answer thereto, and also the amendments proposed to the bill and resolutions on that subject during that session, with the yeas and nays thereon be printed in pamphlet form, for the use of members.

Original question as amended.

Adjourned.

Friday, 26th February, 1836.

The House met.

The minutes of yesterday were read.

Mr. Lount brought up the petition of William Agnew and seventy-eight others, of the South and South West parts of Tecumseth, (Simcoe); which was laid on the table.

Of Petitions bro't up. Of W. Agnew & others.

Mr. Shaver brought up the petition of James Coons and eight others inhabitants of the province; which was laid on the table.

Of James Coons and others.

Mr. McCrae brought up the petition of Alexander Chewett and seventy-three others, inhabitants of the Western district; which was laid on the table.

Of Alex. Chewett and others.

Mr. Alexander McDonell brought up the petition of John Hall and fifty others, of the townships of Otanabee and Monaghan, in the district of Newcastle; which was laid on the table.

Of John Hall and others.

Mr. Parke brought up the petition of Lewis Hartman, contractor for building Blackfriars bridge over the River Thames and fifteen others; which was laid on the table.

Of L. Hartman & others.

Mr. Parke brought up the petition of William Benson and thirty-four others, inhabitants of the district of London; which was laid on the table.

Of Wm. Benson & others.

Mr. Parke brought up the petition of James Farley and five hundred and ninety-one others, inhabitants of the province; which was laid on the table.

Of James Farley and others.

Mr. Cook brought up the petition of Christopher Markley and sixty-eight others, of the township of Williamburgh (Eastern district); which was laid on the table.

Of C. Markley & others.

Mr. Shaver brought up the petition of Michael Empey, and eighty-one others, inhabitants of the province; which was laid on the table.

Of M. Empey and others.

Mr. Strange brought up the petition of John Dormer, of the town of Kingston; which was laid on the table.

Of J. Dormer.

Mr. Boulton brought up the petition of John Logie, and sixty-two others of the township of Ops, district of Newcastle; which was laid on the table.

Of Jno. Logie and others.

Mr. Small brought up the petition of Thomas Parke and fifty-three others of the township of London, (Middlesex;) which was laid on the table.

Of Thomas Parke and others.

- Of John Fisher & others. Mr. Small brought up the petition of John Fisher, and one hundred and twenty-one others, of the county of Huron; which was laid on the table.
- Of James Wilson. Mr. Wilson brought up the petition of James Wilson; which was laid on the table.
- Of Chas. Barnhart. Mr. Small brought up the petition of Charles Barnhart, gaoler of the Home district; which was laid on the table.
- Of Capt. J. Mosier. Mr. Richardson brought up the petition of Captain John Mosier, of Cookville, (York;) which was laid on the table.
- Of J. Huttner. Mr. Morrison brought up the petition of Jacob Huttner, of the township of Vaughan (York;) which was laid on the table.
- Petitions read. Pursuant to the order of the day the following petitions were read:
- Of H. Scanlan & others. Of Hugh Scanlan and fifty-seven others, of the township of Sophiasburgh, praying for a re-survey of the line between the first and second concessions of that township, west of Green Point.
- Of Wm Rees. Of William Rees, Surgeon, praying the grant of a sum of money for the erection of a Provincial museum.
- Of J. Bradley and others. Of John Bradley, Esquire, and two hundred and thirty-one others, of the Ottawa district, praying for aid to complete a highway from Chesserville to the river Rideau.
- Of T Cockson and others. Of Thomas Cockson and two hundred and forty-one others, of the county of Simcoe, praying that said county may be set off as a separate district.
- Of R. J. Williams. Of Richard J. Williams and twenty-four others, of the county of Simcoe, praying aid for roads in the township of Vespra.
- Of J McCallum and others. Of James McCallum and twenty-five others, of the county of York, praying that plaintiffs in suits may be required to give security for costs when demanded by the defendant.
- Of W H Draper and others. Of W. H. Draper, Esq. of the city of Toronto, praying that trustees may be appointed to carry into effect the will of the late John White, Esquire.
- Of President Coml. Bank. Of the President of the Commercial Bank of the Midland district, praying the House to take into consideration the state of the currency of this Province, and to amend the same—And
- Of C. J. Baldwin and others. Of C. J. Baldwin and two thousand four hundred and thirty others, inhabitants of this Province, praying that an Act may be passed to suppress Orange processions; and to promote harmony and good will amongst all classes of His Majesty's subjects in this Province.
- Committee on pet of R Lanning report. Mr. Boulton, from the select committee to which was referred the petition of Richard Lanning, presented a report.

The report was received and read as follows:

*To the Honorable the Commons House of Assembly.*

Report.

The committee to whom was referred the petition of Richard Lanning and other inhabitants of the townships of Yarmouth and Malahide, in the county of Middlesex, praying that an Act may be passed to ratify and confirm the Will of the late William P. Shaff, as proved in the Surrogate Court of the district of London, in the year 1826,—which Will, it is stated by the petitioners, would be lawful but for want of one or more evidence to the same.

Notwithstanding the precaution necessary to be observed before the passing of an enactment such as is prayed for by the petitioners—your committee are free to admit that cases may exist, when the Legislature may properly afford relief—nevertheless inasmuch as it does not appear to your committee that the petitioners have given notice of their intention to make their present application to the Legislature, and for want of such notice those whose interests may be involved may not have had an opportunity of being heard before your Honorable House.

Your committee cannot recommend to your Honorable House to pass the Act prayed for by the petitioners at the present session of the Legislature.

All which is respectfully submitted.

Committee Room, House of Assembly, }  
26th February, 1836. }

G. S. BOULTON,  
Chairman.

Mr. Small from the committee to which was referred the petition of W. W. Baldwin and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Committee on pet of W W Baldwin report Toronto pipe water bill.

The report was received, and the bill was read the first time.

Bill read 1st time. 2nd reading to-morrow.

*Ordered*—That the Toronto pipe water company bill be read a second time to-morrow.

On the order of the day, for the third reading of the Home district rail road bill being called.

On question for 3d reading.

In amendment—Mr. Perry, seconded by Mr. Shaver, moves, that the order for the third reading of the bill, be postponed 'till to-morrow.

Amendment.

Which was ordered.

Petitions referred.

On motion of Mr. Chesser, seconded by Mr. Waters,

J Brady and others

*Ordered*—That the petition of John Brady and others, be referred to the standing committee on roads, macadamized roads, and bridges.

On motion of Mr. Perry, seconded by Mr. Yager,

Of D S Howard

*Ordered*—That the petition of Dean S. Howard, be referred to a committee, with power to send for persons and papers, and leave to report thereon, and that Messrs. Gilchrist, Roblin, Colonel Chisholm, and Boulton, form said committee.

On motion of Mr. Wilson, seconded by Mr. Parke,

*Ordered*—That the petition of Hugh Scanlan and others, be referred to a select committee, and that Messrs. Gibson and Roblin do compose the same, with power to send for persons and papers, and report by bill or otherwise.

H Scanlan and others.

On motion of Mr. Small, seconded by Mr. Parke,

*Ordered*—That the petition of C. J. Baldwin and two thousand four hundred and thirty others be referred to a select committee with power to send for persons and papers and to report thereon, and that Messrs. Wells, Parke, Mackenzie and Shaver do compose said committee.

C J Baldwin and others.

Mr. Rykert from the committee to draft an address to His Excellency the Lieutenant Governor thanking him for his messages of yesterday, reported a draft which was received, read twice, concurred in and ordered to be engrossed and read a third time this day.

Address of thanks for messages of yesterday.

Mr. Macnab from the committee to draft an address to His Excellency the Lieutenant Governor for information relating to the prison discipline of this province, reported a draft; which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Committee to draft an address for information on prison discipline report draft

Pursuant to the order of the day, the bill to naturalize certain persons was read the second time.

Naturalization bill read 2nd time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Norton in the chair.

The House resumed.

Mr. Norton reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

Progress reported.

On the question for receiving the report,

In amendment—Mr. Small, seconded by Mr. Wilkinson, moves, that the report be not now received, but that the bill be referred to the committee on the petitions of aliens, with instructions to inquire into the merits of all the parties petitioning, and to report a general bill or otherwise, and that the name of Rykert be added to the said committee.

Naturalization bill referred to committee on aliens.

*Ordered.*

On motion of Mr. Robinson, seconded by Mr. Lount,

500 copies of report of exploring party to be printed.

*Ordered*—That five hundred copies of Captain Baddeley's report of the exploring party sent to examine the country on the eastern shore of Lake Huron, be printed for the use of members.

Address of thanks read 3rd time.

Pursuant to the order of the day, the address to His Excellency, the Lieutenant Governor, thanking him for his messages of yesterday, was read a third time, and passed, and is as follows :

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY.

Address.

We, His Majesty's dutiful and loyal subjects, the Commons' of Upper Canada in Provincial Parliament assembled, thank Your Excellency for your several messages of yesterday, and we assure Your Excellency that this House will take the same into its careful consideration.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
26th February, 1836.*

On motion of Mr. Solicitor General, seconded by Mr. Malloch,  
*Ordered*—That Messrs. Rykert and Robinson, be a committee to wait on His Excellency, the Lieutenant Governor, with the address of this House, and to present the same.

Address for information on prison discipline.

Pursuant to the order of the day, the address to His Excellency, the Lieutenant Governor, for information on the subject of prison discipline, was read the third time, passed, and is as follows :

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY.

Address.

We, His Majesty's dutiful and loyal subjects, the Commons' of Upper Canada in Provincial Parliament assembled, humbly pray that Your Excellency will direct all reports and documents bearing on the internal arrangement, economy and moral discipline of our prisons to be laid before this House—particularly such reports and documents as have been transmitted by Grand Juries, Sheriffs and others, from the 1st of January, 1834, 'till the commencement of the present Session of Parliament.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
February 26th, 1836.*

On motion of Mr. Small, seconded by Mr. Richardson,  
*Ordered*—That Messrs. Dunlop and Macnab be a committee to wait upon His Excellency to know when he will be pleased to receive the address and present the same.

Bill to sell old site of court house, N.D. read second time.

Pursuant to the order of the day, the bill authorising the sale of the site of the old court house in the Newcastle district, was read the second time.

The House was put into committee of the whole on the bill.

Mr. Malloch in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3rd reading to-morrow.

Pursuant to the order of the day, the bill to increase the capital stock of the Port Hope harbour company was read a second time. Bill to increase capital of Port H. harbor Company read 2d time.  
 The House was put into committee of the whole on the bill. Committed.

Mr. Walsh in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

On the question for receiving the report, the yeas and nays were taken as follows : On receiving report.

YEAS—MESSIEURS.

- |           |                             |             |                    |          |
|-----------|-----------------------------|-------------|--------------------|----------|
| Boulton,  | McCrae,                     | Perry,      | Solicitor General, |          |
| Brown,    | McDonell, <i>Stormont</i> , | Richardson, | Strange,           |          |
| Bruce,    | McKay,                      | Robinson,   | Thorburn,          |          |
| Chesser,  | McLean,                     | Roblin,     | Walsh,             |          |
| Cook,     | McMicking,                  | Rykert,     | Wells,             |          |
| Cornwall, | Merritt,                    | Shaver,     | Wilkinson,         |          |
| Durand,   | Moore,                      | Shibley,    | Woolverton,        | Yeas 35. |
| Hopkins,  | Morrison,                   | Small,      | Yager—35.          |          |
| Lewis,    | Parke,                      | Smith,      |                    |          |

NAYS—MESSIEURS,

- |           |           |         |
|-----------|-----------|---------|
| McIntosh, | Waters—2. | Nays 2. |
|-----------|-----------|---------|

The question was carried in the affirmative by a majority of thirty-three, and the report was received. Question carried, majority 33.

*Ordered*—That the bill to increase the capital &c. of the Port Hope harbour company, be engrossed and read a third time to-morrow. 3rd reading to-morrow.

Pursuant to the order of the day, the bill sent down from the Honorable the Legislative Council entitled "*An Act to amend the law respecting Bills of Exchange and Promissory Notes,*" was read the second time. Bill from Legislative Council on bills of exchange, &c. read 2d time.

The House was put into committee of the whole on the bill. Committed.

Mr. Roblin in the chair.

The House resumed.

The chairman reported that the committee had risen. Committee rose.

The report was received.

Mr. Perry from the committee of conference with the honorable the Legislative Council on the subject matter of the amendments made by this House, in and to the amendments made by the honorable the Legislative Council, in and to the bill entitled, "*An Act to ensure the freedom of elections in the county of Leeds,*" presented the following report : Committee of conference on Leeds Election bill—report.

*Ordered*—That the committee of conference on the part of this House on the subject matter of the amendments made by the Commons House of Assembly in and to the amendments of the Legislative Council, made in and to the bill entitled, "*An Act to ensure the freedom of elections in the county of Leeds,*" be instructed to represent:

That the Legislative Council sees no reason for making any provision for enabling electors to vote in any other section provided for in the bill, than that in which they reside or have their freehold ; on the contrary, if retained, the Legislative Council is of opinion it would lead to many difficulties, to obviate which the bill is specially framed



Committee of whole on increased bounty for destruction of wolves.

Mr. Shaver, seconded by Mr. Cook, moves, that the House resolves itself into a committee of the whole, to take into consideration the giving an increased bounty for the destruction of wolves in this Province.

Which was carried, and the House was put into a committee of the whole on that subject

Mr. Boulton in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

*Ordered*—That the report be received.

The resolution was adopted as follows :

*Resolved*—That in the opinion of this committee that the bounty for the destruction of Wolves should be increased to one pound ten shillings per head, to be paid in the same manner and from the same funds that the bounty for purpose is at present paid.

On motion of Mr. Shaver, seconded by Mr. Perry,

*Ordered*—That Messrs. Boulton and Cook be a committee to prepare and report a bill on the foregoing resolution.

On motion of Mr. Perry, seconded by Mr. Yager,

*Ordered*—That the report of the committee of conference relative to the Leed's election bill, be referred to a select committee, with leave to report thereon, and that Messrs. C. Duncombe, Parke, Morrison, and Thorburn, do compose said committee.

Pursuant to the order of the day, the bill sent down from the honorable the Legislative Council, entitled, "*An Act for the further amendment of the law, and the better advancement of justice;*" was read a second time.

The House was put into committee of the whole on the bill.

Mr. Brown in the chair.

The House resumed.

The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

On the question for receiving the report.

In amendment, Mr. Boulton, seconded by Mr. Rykert, moves, that the bill for the amendment of the law and the better advancement of justice be referred to a select committee, to consist of Messieurs McLean, Wells, Perry, Solicitor General and Richardson, to report thereon.

Which was ordered.

Pursuant to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "*An Act to appoint the time and place for holding the court of general quarter sessions of the peace in each of the several districts of this province, and to repeal the several laws now in force for that purpose;*" was read the second time.

The House was put into committee of the whole on the bill.

Mr. Rykert in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill with the amendments made thereto be read a third time to-morrow.

Mr. Perry from the select committee to which was referred the petition of Edward Kennedy, reported the draft of an address, which

Com. report a resolution.

Resolution. £1 10s. for each wolf scalp.

Committee to report bill on resolution.

Report of committee of conference on Leeds election bill referred to select committee.

Bill from Legislative Council on amendment of law, &c read 2nd time.

Committed.

Progress reported.

Bill referred to a select committee.

Bill from Legislative Council on holding courts of quarter sessions, &c. read 2d time.

Committed.

Bill reported.

2nd reading to-morrow.

Com. on petition of E. Kennedy rept ad dress.

was received, read twice, concurred in, read third time and passed, and is as follows :

To His Excellency Sir Francis Bond Head, Knight, Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled—humbly request that your Excellency will cause to be laid before this House as early as possible, copies of all orders in Council or of the Home or the executive governments relative to the forwarding and settling emigrants in the township of Nattawasaga, and employing them in making roads, erecting buildings, and chopping and clearing lands, and also all official instructions or orders given by the government to Mr. Hawke, the Emigrant Agent, Mr. Young, or any thing or any other person, on the same subject, also all official instructions given by Mr. Hawke, the Emigrant Agent, or correspondence between him and Mr. Young, or any other person relating thereto, as also all official reports made by the said Mr. Hawke, the Emigrant Agent, Mr. Young, the Rev. Mr. Myerhoffer, or any other person relative to the said settlement, the distress and sufferings of the settlers, and the conduct of Mr. Young, or any other person employed in the said settlement, as also a full and detailed account of the receipts and expenditure of all monies or provisions employed for the said settlement, together with proper vouchers for the same.

Address.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
26th February, 1836. }

On motion of Mr. Perry, seconded by Mr. Chisholm,  
*Ordered*—That Messrs. Lount and Shaver be a committee to present the said address.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Wilson, moves for leave to bring in a bill to repeal the usury laws of this Province.

Usury law repeal bill brought in.

Which was granted, and the bill read.

*Ordered*—That the bill to repeal the usury laws of this Province be read a second time to-morrow.

2nd reading to-morrow.

On motion of Mr. Solicitor General, seconded by Mr. Robinson

*Ordered*—That when this House adjourns, it stand adjourned, until Monday next.

House adjourns till Monday.

The House then adjourned 'till 10 o'clock, A.M., on Monday next.

Monday, 29th February, 1836.

The House met, pursuant to adjournment.

The minutes of Friday were read.

Mr. Richardson brought up the petition of D. McDougall, and one hundred and three others, of the town of Niagara; which was laid on the table.

Petitions bro't up. Of D. McDougall and others

Mr. Gilchrist brought up the petition of James Matchett, and thirty-two others, of the township of Otanabee; which was laid on the table.

Of James Matchett and others.

Mr. Macnab brought up the petition of Andrew Geddes, and two others, of the township of Woolwich, (Halton;) which was laid on the table.

Of A. Geddes, and others

Mr. Wells brought up the petition of H. G. Stearns, and sixty-six others, inhabitants of the Province; which was laid on the table.

Of H. G. Stearns and others.

Mr. McIntosh brought up the petition of Arad Smalley, and thirty-eight others, of the township of North Gwillimbury, Home district; which was laid on the table.

Of A. Smalley and others.

Of F. Arnold and others. Mr. Cornwall brought up the petition of Frederick Arnold, and one hundred and fourteen others, of the county of Kent; which was laid on the table.

Of W. Cosgrave and others. Mr. Cornwall brought up the petition of William Cosgrave, and sixty-eight others, of the county of Kent; which was laid on the table.

Of D. Warren and others. Mr. Walsh brought up the petition of Duncan Warren, and sixty-eight others, of the Western district; which was laid on the table.

Of Presbytery, Toronto. Mr. McLean brought up the petition of the Presbytery of Toronto, in connexion with the church of Scotland; which was laid on the table.

Of B. Gregory and others. Mr. Thorburn brought up the petition of Barnabas Gregory, and one hundred and eleven others of the township of Louth (Niagara which was laid on the table.

Of President, &c. Commercial bank. Mr. Norton brought up the petition of the President, Directors and company of the Commercial Bank of the Midland district; which was laid on the table.

Of Gad Weller and others. Mr. Small brought up the petition of Gad Weller, and seventy-four others, of the Home district; which was laid on the table.

Of do. do. Mr. Small brought up the petition of Gad Weller, and twenty-one others, of the Home district; which was laid on the table.

Home district rail road bill Read 3rd time. Pursuant to the order of the day the Home district rail road bill was read the third time.

Mr. Solicitor General, seconded by Mr. McIntosh, moves that the following be added as a rider to the bill :

Rider. *Provided always, and be it further enacted by the authority aforesaid*—That the said double or single rail-road or way shall be commenced within three years from the date hereof, and be completed within ten years after the passing of this Act, otherwise this Act and every matter and thing herein contained shall be utterly null and void.

Division. On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |            |           |                     |                    |
|----------|------------|-----------|---------------------|--------------------|
| Yeas 21. | Boulton,   | Lount,    | Malloch,            | Solicitor General, |
|          | Brown,     | McDonell, | Glengarry, Merritt, | Strange,           |
|          | Caldwell,  | McIntosh, | Rykert,             | Wilkinson,         |
|          | Cornwall,  | McKay,    | Small,              | Wilson,            |
|          | Dunlop,    | McLean,   | Smith,              | Woolverton,—21.    |
|          | Gilchrist, |           |                     |                    |

NAYS—MESSIEURS.

|   |           |            |             |            |
|---|-----------|------------|-------------|------------|
| Nays 17<br>Question carried majority 4. | Bruce,    | McMicking, | Parke,      | Shibley,   |
|   | Chesser,  | McNab,     | Perry,      | Thorburn,  |
|   | Chisholm, | Moore,     | Richardson, | Waters,    |
|   | Durand,   | Norton,    | Shaver,     | Wells,—17. |
|   | McDonell, | Stormont,  |             |            |
|   |           |            |             |            |

The question was carried in the affirmative by a majority of four, and the rider was read twice.

On the question for the third reading of the rider.

In amendment—Mr. Norton, seconded by Mr. Thorburn, moves, that the following be added—

Amendment. *And be it further enacted by the authority aforesaid*—That at any time after forty years after the making and completing the said rail road or way, His Majesty, his heirs, and successors, may assume the possession and property of the same, and of all and every the works and dependencies thereto belonging, upon paying to the said company, for the use of the stockholders thereof, the full amount of their respective shares, or of the sums furnished and advanced by each subscriber towards the making and completing the said double or single iron or wooden rail-road or way, together with such further sum as will amount to twenty per cent. upon the monies so advanced and paid, as a full indemnification to such company; and the said double or single iron or wooden rail-road or way shall, from the time of such assumption in manner aforesaid, appertain and belong to His Majesty, his Heirs and Successors, who shall from thenceforth be substituted in the place and stead of the said Com-

pany, upon the conditions and subject to the provisions of any Act of the Legislature of this Province, that may be passed respecting the same.

On which the yeas and nays being taken, were as follows : Division.

YEAS—MESSIEURS,

|                              |                             |             |            |          |
|------------------------------|-----------------------------|-------------|------------|----------|
| Bruce,                       | McDonell, <i>Stormont</i> . | Norton,     | Sibley,    |          |
| Chisholm,                    | McMicking,                  | Perry,      | Thorburn,  |          |
| Cook,                        | Macnab,                     | Richardson, | Waters,    | Yeas 17. |
| Durand,                      | Moore,                      | Shaver,     | Wells,—17. |          |
| McDonell, <i>Glengarry</i> . |                             |             |            |          |

NAYS—MESSIEURS,

|           |           |          |                    |          |
|-----------|-----------|----------|--------------------|----------|
| Boulton,  | Dunlop,   | Malloch, | Solicitor General, |          |
| Brown,    | Lewis,    | Merritt, | Walsh,             |          |
| Caldwell, | Lount,    | Rykert   | Wilkinson          | Nays 20. |
| Chesser,  | McIntosh, | Small,   | Wilson,            |          |
| Cornwall, | McLean,   | Smith,   | Woolverton,—20.    |          |

The question was decided in the negative by a majority of three, and the rider was ordered to be engrossed and read a third time this day. Amendment lost, majority 3. 3rd reading—rider —to-day.

Pursuant to the order of the day, the bill to authorise the sale of the old site of the Newcastle district court house, was read the third time, and passed. Newcastle district old site court house. bill read 3a time and passed.

Mr. Boulton, seconded by Mr. Gilchrist, moves, that the bill be entitled, "*An Act to authorise the sale of the old site of the gaol and court house, in the district of Newcastle.*" Title.

Which was carried, and Messrs. Boulton and Gilchrist were ordered by Mr. Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent up to Legislative Council.

Pursuant to the order of the day, the Port Hope harbor amendment bill was read a third time and passed. Port Hope Harbor bill passed.

Mr. Boulton seconded by Mr. Brown, moves that the bill be entitled "*An Act to amend the Charter of the Port Hope Harbor and Wharf Company.*" Title.

Which was carried, and Messrs. Boulton and Brown were ordered by Mr. Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Sent to Legislative Council.

Pursuant to the order of the day the bill sent down from the Honorable the Legislative Council, entitled, "*An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace in each of the several Districts of this Province, and to repeal the several laws now in force for that purpose,*" as amended, was read a third time and passed. Bill to regulate courts of quarter session read 3rd time & passed.

Messrs. Solicitor General and Norton were ordered by Mr. Speaker to carry the bill up to the Honorable the Legislative Council to inform that Honorable House that this House had passed the bill with some amendments, and to request thereto concurrence thereto. Bill as amended—sent to Leg. Council

Pursuant to the order of the day, the following petitions were read : Petitions read.

Of W. R. Cubitt and one hundred and one others, of the township of Darlington, district of Newcastle; praying that the petition presented by the inhabitants of Whitby for the formation of a new district, may not be entertained. Of W. R. Cubitt and others.

Of John Howell and twenty-six others, of the township of Sophiasburgh, district of Prince Edward; praying that the Act of last Session, abolishing imprisonment for debt, may be amended. Of J. Howell and others.

- Of A. N. Bethune and others. Of A. N. Bethune and twenty-four others, of Cobourg, district of Newcastle; praying relief for the destitute, and that means may be devised to suppress the use of ardent spirits.
- Of Charles Lowe and others. Of Charles Lowe, town clerk and three others, commissioners, of the township of Mariposa, district of Newcastle; praying aid for roads.
- Of J. Cook and others. Of Jacob Cook and five hundred and nineteen others, inhabitants of Upper Canada; praying that the improvement of the roads in the vicinity of Toronto, by being macadamized, may be extended.
- Of J. Watson and others. Of John Watson and sixty-six others, of the township of Chinguacousy, Home district; praying aid for roads.
- Of W. Agnew and others. Of William Agnew and seventy-eight others, of the south and south west parts of Tecumseth (Simcoe); praying aid for a certain road.
- Of J. Coons and others. Of James Coons and eight others, inhabitants of the Province; praying for the construction of a tow-path on the Saint Lawrence from the Long Sault to Prescott.
- Of Alex. Chewett and others. Of Alexander Chewett and seventy-three others, inhabitants of the Western district; praying for the erection of a light house at the mouth of the river Thames.
- Of John Hall and others. Of John Hall and fifty others of the townships of Otonabee and Monaghan, district of Newcastle; praying for the grant of £300 to repair a bridge between said townships.
- Of L. Hartman & others. Of Lewis Hartman, contractor for building Black Friars' bridge over the river Thames, and fifteen others; praying that the said Lewis Hartman may be allowed certain extra expenses incurred in performing said contract.
- Of Wm. Benson & others. Of William Benson and thirty-four others, of the district of London; praying that the provision made for the support of common schools in said district may be more equally divided among the teachers of said schools.
- Of James Farley and others. Of James Farley and five hundred and ninety-one others, inhabitants of the Province; praying for the passing of an Act to amend the London and Gore Rail Road Act.
- Of C. Markley & others. Of Christopher Markley and sixty-eight others, of the township of Williamsburgh, Eastern district; praying that no petition for a tow-path from the Long Sault to Prescott, may be entertained.
- Of M. Empey and others. Of Michael Empey and eighty-one others, inhabitants of the Province; praying for the construction of a tow-path on the St. Lawrence from the Long Sault to Prescott.
- Of J. Dormer. Of John Dormer of the town of Kingston, Surgeon, praying to be remunerated for his services during the cholera of 1834.
- Of Jno. Logie and others. Of John Logie and sixty-two others, of the township of Ops, district of Newcastle, praying aid for a certain road.
- Of Thomas Parke and others. Of Thomas Parke and fifty-three others, of the township of London (Middlesex). praying for the suppression of Orange processions.
- Of John Fisher & others. Of John Fisher and one hundred and twenty-one others, of the county of Huron, praying the same as last petition.
- Of James Wilson. Of James Wilson, Esquire, praying for the erection of a light house on the Eastern-most point of Presquise.
- Of Chas. Barnhart. Of Charles Barnhart, keeper of the Home district gaol, praying to be remunerated for certain expenses incurred by him.
- Of Capt. J. Mosier. Of captain John Mosier, of Cooksville, in the township of Toronto, praying compensation for the loss of his steam-boat Niagara, And, of Jacob Huttner, of the township of Vaughan, praying to be naturalized.
- Of J. Huttner.

Pursuant to the order of the day, the rider to the Home district rail-road bill was read a third time. Rider to Home district rail road bill read 3rd time.

Mr. Richardson, seconded by Mr. Smith, moves, that the following be added as a rider to the bill :

And be it further enacted by the authority aforesaid, that at any time after fifty years after making and completing the said rail road or way, His Majesty, his Heirs and Successors may assume the possession and property of the same, and all and every the works and dependencies thereto belonging upon payment to the said Company for the use of the stockholders thereof the full amount of their respective share or shares or of the sums furnished and advanced by each subscriber, towards the making and completing the said rail road or way, together with such further sum as will amount to 20 per cent upon the monies so advanced and paid, as a full indemnification to such company, and the said rail road shall, from the time of such assumption in manner aforesaid, appertain and belong to His Majesty His Heirs and successors, who shall from thenceforth be substituted in the place and stead of the said company, upon the conditions and subject to any act of the Legislature of this Province, that may be passed respecting the same.

Additional rider.

On which the yeas and nays beng taken, were as follows :

Division.

NAYS—MESSIEURS

|  |  |   |  |          |
|--|--|---|--|----------|
| Chisholm,<br>Cook,<br>Durand,<br>Hopkins,<br>McDonell, <i>Stormont</i> , | McMicking,<br>McNab,<br>Moore,<br>Parke,<br>Perry, | Richardson,<br>Rykert,<br>Shaver,<br>Shibley,<br>Smith, | Thorburn,<br>Wells,<br>Woolverton,—18. | Nays 18. |
|--|--|---|--|----------|

NAYS—MESSIEURS.

|   |  |   |                                    |          |
|---|--|---|------------------------------------|----------|
| Boulton,<br>Brown,<br>Chesser,<br>Gibson,<br>Lewis, | Lount,<br>McIntosh,<br>McKay,<br>Mackenzie,<br>McLean, | Merritt,<br>Norton,<br>Robinson,<br>Small,<br>Sol. General, | Walsh,<br>Wilkinson,<br>Wilson—18. | Yeas 18. |
|---|--|---|------------------------------------|----------|

The question was decided in the negative by the casting vote of the Speaker. Question lost, casting vote.

On the question for passing the bill,

In amendment Mr. Durand, seconded by Mr. Hopkins, moves that the bill do not now pass, but that it be referred back to a committee to amend the same, to be composed of Messrs. Thorburn, Richardson, Norton and Solicitor General, Amendment to refer the bill to select committee.

On which the yeas and nays were taken as follows :

Division

YEAS—MESSIEURS,

|   |   |   |  |           |
|---|---|---|--|-----------|
| Bruce,<br>Chisholm,<br>Cook,<br>Durand,<br>Gilchrist, | Hopkins,<br>McDonell, <i>Stormont</i> .<br>Macnab,<br>Norton,<br>Parke, | Perry,<br>Richardson<br>Shaver,<br>Shibley, | Smith,<br>Thorburn,<br>Wells,<br>Woolverton,—18. | Yeas, 18. |
|---|---|---|--|-----------|

NAYS—MESSIEURS.

|  |   |   |  |          |
|--|---|---|--|----------|
| Boulton,<br>Brown,<br>Chesser,<br>Dunlop,<br>Gibson,<br>Lewis, | Lount,<br>McDonell, <i>Northumb</i> .<br>McIntosh,<br>McKay,<br>Mackenzie,<br>McLean, | McMicking,<br>Malloch,<br>Merritt,<br>Robinson<br>Rykert, | Small,<br>Sol. Genera.,<br>Strange,<br>Walsh—5.<br>Wilson,—22. | Nay, 22. |
|--|---|---|--|----------|

The question was decided in the negative by a majority of four. Question lost, majority 4.  
Mr. Macnab, seconded by Mr. Perry, moves that the following be added as a rider to the bill :

And be it further enacted by the authority aforesaid, that nothing herein contained shall extend to authorise the said company to carry on the business of banking. Additional rider.

Division.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |  |  |   |   |
|----------|--|--|---|---|
| Yeas 24. | Bruce,<br>Chesser,<br>Chisholm,<br>Cook,<br>Durand,<br>Dunlop, | Gilchrist,<br>Hopkins,<br>M'Donell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking, | Macnab,<br>Moore,<br>Norton,<br>Parke,<br>Perry,<br>Richardson, | Shaver,<br>Shibley,<br>Smith,<br>Thorburn,<br>Wells,<br>Woolverton,—24. |
|----------|--|--|---|---|

NAYS—MESSIEURS.

|          |  |  |  |   |
|----------|--|--|--|---|
| Nays 20. | Boulton,<br>Brown,<br>Caldwell,<br>Gibson,<br>Lewis, | Lount,<br>McCrac,<br>M'Donell, <i>Northumb.</i><br>McKay,<br>McLean, | Malloch,<br>Merritt,<br>Robinson,<br>Rykert,<br>Small, | Sol. General,<br>Strange,<br>Walsh,<br>Wilkinson,<br>Wilson—20. |
|----------|--|--|--|---|

Question carried, majority 4.

The question was carried in the affirmative by a majority of four, and the rider was read the second time.

3d reading, rider, this day.

*Ordered*—That the rider be engrossed and read a third time this day.

Notices.  
For address to His Excellency for the book, &c.

Mr. Mackenzie gives notice, that he will, on to-morrow, move a resolution for an address to His Excellency, to send down the rest of the accounts of the receipts and expenditure of the Province, and of certain information connected therewith, including the blue books not yet sent down.

For reading Journals on subject of boundary line.

Mr. McLean gives notice, that he will, on to-morrow, move for the reading of that part of the Journals of last session which contains the message of His Excellency Sir John Colborne, on the subject of the boundary line between this Province and Lower Canada.

Of bill to charter company for rail road from Sandwich to Bertie.

Mr. Walsh gives notice, that he will, on to-morrow, move for leave to bring in a bill to charter a joint stock company, to construct a rail road from the river Detroit, at Sandwich, in the Western district, to the river Niagara, at Bertie, in the district of Niagara.

Home D. rail road bill read 3rd time.

Pursuant to the order of the day, the rider to the Home district rail road bill was read the third time.

Mr. Norton, seconded by Mr. Richardson, moves, that the following be added as a rider to the bill.

Rider.

*And be it further enacted by the authority aforesaid*, that at any time after fifty years after the passing of this act, His Majesty His Heirs and Successors, may assume the possession and property of the same, and all and every the works and dependencies thereto belonging, upon paying to the said company, for the use of the stockholders thereof, the full amount of their respective share or shares of the sums furnished and advanced by each subscriber, towards the making and completing the said rail road, together with such further sum as will amount to fifty per cent upon the monies so advanced and paid, as a full indemnification to such company, and the said rail road and every part thereof, shall from the time of such assumption in manner aforesaid, appertain and belong to His Majesty His Heirs and Successors, who shall from thenceforth be substituted in the place and stead of the said company, upon the conditions and subject to any Act of the Legislature of this Province, that may be passed for or respecting the same.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |   |   |  |  |
|----------|---|---|--|--|
| Yeas 19. | Bruce,<br>Chisholm,<br>Cook,<br>Durand,<br>Gilchrist, | Hopkins,<br>McDonell, <i>Stormont</i> ,<br>Macnab,<br>Moore,<br>Norton, | Parke,<br>Perry,<br>Richardson,<br>Shaver,<br>Shibley, | Smith,<br>Thorburn,<br>Wells,<br>Woolverton,—19. |
|----------|---|---|--|--|

NAYS—MESSIEURS,

|                           |                            |            |               |          |
|---------------------------|----------------------------|------------|---------------|----------|
| Boulton,                  | Lewis,                     | McLean,    | Sol. General, |          |
| Brown,                    | Lount,                     | McMicking, | Strange,      |          |
| Caldwell,                 | McCrae,                    | Malloch,   | Walsh,        |          |
| Chesser,                  | McDonell, <i>Northumb.</i> | Merritt,   | Wilkinson,    | Nays 26. |
| Duncombe, <i>Norfolk,</i> | McIntosh,                  | Robinson,  | Wilson—26.    |          |
| Dunlop,                   | McKay,                     | Rykert,    |               |          |
| Gibson,                   | Mackenzie,                 | Small,     |               |          |

The question was decided in the negative by a majority of seven. On passing the bill  
 On the question for passing the bill, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|                          |                            |            |               |          |
|--------------------------|----------------------------|------------|---------------|----------|
| Boulton,                 | Lewis,                     | McLean,    | Sol. General, |          |
| Brown,                   | Lount,                     | McMicking, | Strange,—8.   |          |
| Caldwell,                | McCrae,                    | Malloch,   | Walsh,        |          |
| Chesser,                 | McDonell, <i>Northumb.</i> | Merritt,   | Wells,        |          |
| Duncombe, <i>Oxford,</i> | McIntosh,                  | Robinson,  | Wilkinson,    | Yeas 27. |
| Dunlop,                  | McKay,                     | Rykert,    | Wilson,—27.   |          |
| Gibson,                  | Mackenzie,                 | Small,     |               |          |

NAYS—MESSIEURS.

|            |                            |             |                |          |
|------------|----------------------------|-------------|----------------|----------|
| Bruce,     | Hopkins,                   | Parke,      | Smith,         | Nays 18. |
| Chisholm,  | McDonell, <i>Stormont,</i> | Perry,      | Thorburn,      |          |
| Cook,      | Macnab,                    | Richardson, | Woolverton,—18 |          |
| Durand,    | Moore,                     | Shaver,     |                |          |
| Gilchrist, | Norton,                    | Shibley,    |                |          |

The question was carried in the affirmative by a majority of nine and the bill was passed. Question carried majority 9.

Mr. Solicitor General, seconded by Mr. McIntosh, moves, that the bill be entitled, "*An Act to incorporate the city of Toronto and lake Huron rail-road company.*" Bill passed. Title.

Which was carried, and Messrs. Solicitor General and McIntosh were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

Mr. Merritt, seconded by Mr. Wilkinson, moves, that when this House adjourns, it do stand adjourned until four o'clock each day after Wednesday for the remainder of the week, and that it be a standing order that the Welland canal committee meet at ten o'clock each day during that period. Motion on adjournment.

On which the yeas and nays being taken were as follows : Division.

YEAS—MESSIEURS,

|           |                            |             |                    |         |
|-----------|----------------------------|-------------|--------------------|---------|
| Boulton,  | Lewis,                     | Macnab,     | Shibley,           |         |
| Bruce,    | Lount,                     | Malloch,    | Smith,             |         |
| Caldwell, | McCrae,                    | Moore,      | Solicitor General, |         |
| Chesser,  | McDonell, <i>Stormont,</i> | Norton,     | Strange            |         |
| Chisholm, | McDonell, <i>Northumb.</i> | Parke,      | Thorburn,          |         |
| Cook,     | McIntosh,                  | Perry,      | Walsh,             |         |
| Cornwall, | McKay,                     | Richardson, | Waters,            | Yeas 39 |
| Durand,   | Mackenzie,                 | Robinson,   | Wells,             |         |
| Gibson,   | McLean,                    | Rykert,     | Woolverton,—39.    |         |
| Hopkins,  | McMicking,                 | Shaver,     |                    |         |

NAYS—MESSIEURS,

|           |        |
|-----------|--------|
| Wilson—1. | Nay 1. |
|-----------|--------|

The question was carried in the affirmative by a majority of thirty eight, and ordered accordingly. Carried, majority 38.



Committee on petition of R. Murphy, report.

Mr. Parke from the select committee to which was referred the petition of Richard Murphy and others, presented a report which was received and read.

Report—(see Appendix.)

On motion of Mr. Parke, seconded by Mr. Macnab,

Ref'd to supply.

*Ordered*—That the report on the petition of the president and members of the Mechanics' Institute of the town of London, be referred to the committee of supply.

Committee on petitions of C. Hill and R. Graham, report Humberstone and Bertie line bill.

Mr. McMicking from the committee to which were referred the petitions of Charles Hill and others, and of Richard Graham and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Read 1st time.

The report was received, and the bill was read the first time.

2nd reading to-morrow.

*Ordered*—That the Humberstone and Bertie boundary line bill, be read a second time to-morrow.

Adjourned.

Tuesday, 1st March, 1836.

Petitions bro't up.

The House met.

Of T. Bates.

The minutes of yesterday were read.

Mr. Smith brought up the petition of Theodore Bates, of the township of Nelson (Halton); which was laid on the table.

Of C. W. B. TenEyck and others.

Mr. Smith brought up the petition of Casper W. B. TenEyck and twenty-one others, of the township of Binbrook, (Wentworth); which was laid on the table.

Of D. Thompson and others.

Mr. Thorburn brought up the petition of David Thompson and seventy-one others, inhabitants of the Province of Upper Canada; which was laid on the table.

Of Geo. Moore & others.

Mr. Parke brought up the petition of George Moore and one hundred and twenty others, of the townships of London, Westminster, Nissouri, &c. (Middlesex); which was laid on the table.

Of R. Murphy and others.

Mr. Parke brought up the petition of Richard Murphy and one hundred and fifty-eight others, inhabitants of the county of Middlesex; which was laid on the table.

Of Israel Reed and others.

Mr. Alway brought up the petition of Israel Reed and seventy-nine others, of the township of Zorra (Middlesex); which was laid on the table.

Of W. Hale and others.

Mr. Macnab brought up the petition of William Hale and eleven others, of the Province of Upper Canada; which was laid on the table.

Of G. O'Brien and others.

Mr. Robinson brought up the petition of G. O'Brien and fourteen others, of the county of Simcoe; which was laid on the table.

Of M. McDonogh

Mr. Robinson brought up the petition of Michael McDonogh, of the township of Mara, (Simcoe); which was laid on the table.

Of C. Rankin.

Mr. Robinson brought up the petition of Charles Rankin, of the township of Collingwood, on Lake Huron; which was laid on the table.

Committee on geological survey, report.

Mr. Dunlop from the committee to which was referred the subject of a geological survey of this Province, presented a report.

The report was received and read.

Report—(See Appendix.)

On motion of Mr. Dunlop, seconded by Mr. Small,  
*Ordered*—That three hundred copies of the geological report be printed for the use of members. 300 copies of geological report, printed.

On motion of Mr. Macnab, seconded by Mr. Dunlop,  
*Ordered*—That the report of the geological committee be referred to the committee on supply. Report referred to supply.

Mr. Boulton from the select committee to which was referred the petition of John D. Smith, Esqr.; informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Committee on petition of J. D. Smith, report Wilcocks' estate bill.

The report was received, and the bill to vest in His Majesty the real estate of the late Joseph Wilcocks, was read the first time. Bill read 1st time

On the question for the second reading of the bill to-morrow. On question for reading.

In amendment—Mr. Perry, seconded by Mr. McMicking, moves, that the bill be read a second time this day three months. Amendment. (three months.)

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

|                   |                     |            |                 |          |
|-------------------|---------------------|------------|-----------------|----------|
| Brown,            | Durand,             | McIntosh,  | Shaver,         |          |
| Bruce,            | Gibson,             | McMicking, | Thorburn,       |          |
| Chesser,          | Hopkins,            | Malloch,   | Waters,         |          |
| Chisholm,         | Lount,              | Norton,    | Wells,          |          |
| Cook,             | McCrae,             | Parke,     | Wilson,         |          |
| Duncombe, Oxford, | McDonell, Stornont, | Perry,     | Woolverton,—24. | Yeas 24. |

NAYS—MESSIEURS.

|           |                     |             |                |          |
|-----------|---------------------|-------------|----------------|----------|
| Boulton,  | Gilchrist,          | Macnab,     | Rykert,        |          |
| Caldwell, | Lewis,              | Richardson, | Strange,       |          |
| Cornwall, | McDonell, Northumb. | Robinson,   | Wilkinson,—14. | Nays 14. |
| Dunlop,   | McKay,              |             |                |          |

The question was carried in the affirmative by a majority of ten, and ordered accordingly. Question carried, majority 10.

Mr. Robinson from the select committee to which was referred the petitions of John Finch and others; W. B. Crew and others; Moses White and others; W. Williamson and others; John Murphy and others; J. Hogg and others; Cornelius Van Ostrand and others; John Montgomery and others; W. Devenish and 169 others; W. Devenish and 128 others; Ketchum and others; D. McLeod and others, and of Jacob Laing and others;—presented a report which was received and read. Committee on petitions of J. Finch and others, W. B. Crew and others, M. White and others, W. Williamson & others, Murphy and others, Hogg and others, Van Ostrand and others, Montgomery & others, Devenish and others, Devenish and others, Ketchum and others, McLeod and others, Laing & others report.

Report—(See Appendix.)

On motion of Mr. Robinson, seconded by Mr. Small,

*Ordered*—That the report of the select committee on the York roads, be referred to a committee of the whole House on to-morrow. Report of com. on York roads, referred to com'tee of whole

Mr. Boulton from the select committee appointed to draft and report a bill in pursuance to a resolution of this House, granting an additional bounty for the destruction of wolves, reported a draft which was received and read the first time. Wolf bounty bill reported and read 1st time.

*Ordered*—That the wolf bounty bill be read a second time to-morrow.

Mr. Gilchrist, chairman of the standing committee on canals and internal improvements, laid upon the table a report on construction of rail-road from London to Davenport, and also reported a bill, which was received and read the first time. London and Davenport rail road bill reported. (J. Zavitz, petition.)

*Ordered*—That the London and Davenport rail-road and harbor bill, be read a second time to-morrow. 2nd reading to-morrow.

200 copies of Engineer's report on London and Davenport rail road to be printed.

On motion of Mr. Parke, seconded by Mr. Merritt,  
*Ordered*—That two hundred copies of the report of the Engineer on the construction of a rail-road from the town of London, in the London district, to the village of Davenport, on the Catfish creek in said district, laid upon the table, be printed for the use of members.

Committee to wait on His Excellency with address on Gull Island report answer

Mr. Lewis from the select committee to wait upon His Excellency the Licutenant Governor, with the address of this House, in relation to Gull Island light house, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Answer.

GENTLEMEN :

The request contained in your address shall immediately be complied with.

Petitions referred

On motion of Mr. Richardson, seconded by Mr. Bruce,

Of Capt. J. Mosier

*Ordered*—That the petition of John Mosier be referred to a select committee, to be composed of Messrs. Bruce, Perry, McLean, and Morrison, with power to send for persons and papers, and to report thereon.

Of James Wilson.

On motion of Mr. Wilson, seconded by Mr. Mackenzie.

*Ordered*—That the petition of James Wilson, on the subject of a light house on Presque Isle, be referred to the committee on canals and internal improvements, with power to send for persons and papers, and report thereon by bill or otherwise.

Of J. Dormer.

On motion of Mr. Strange, seconded by Mr. Wilson,

*Ordered*—That the petition of Dr. John Dormer, be referred to a select committee, composed of Messrs. Wilson and Wells, with leave to send for persons and papers, and report by bill or otherwise.

Of M. Empey and others.

On motion of Mr. Wells, seconded by Mr. Shaver,

*Ordered*—That the petition of Michael Empey and others, be referred to a select committee, to be composed of Messrs. Bruce, Cook, and Norton, with leave to report thereon by bill or otherwise.

Of J. Coons and others.

On motion of Mr. Shaver, seconded by Mr. Perry,  
*Ordered*—That the petition of James Coon and others, be referred to the committee to whom was referred the petition of Michael Empey and others.

Of C. Markley & others.

On motion of Mr. Shaver, seconded by Mr. Perry,  
*Ordered*—That the petition of Christopher Markley and others, be referred to the committee to whom was referred the petition of Michael Empey and others.

Of W. R. Cubbitt and others.

On motion of Mr. Boulton, seconded by Mr. Dunlop,  
*Ordered*—That the petition of W. R. Cubitt and others, be referred to the committee on division of districts.

Of Wm. Benson & others.

On motion of Mr. Parke, seconded by Mr. Moore,  
*Ordered*—That the petition of William Benson and others, be referred to the committee on education.

Of James Farley and others.

On motion of Mr. Parke, seconded by Mr. Wilson,  
*Ordered*—That the petition of James Farley and five hundred and ninety-one others, be referred to the committee on canals and internal improvements.

Of L. Hartman & others.

On motion of Mr. Parke, seconded by Mr. Moore,  
*Ordered*—That the petition of Lewis Hartman and others, be referred to the committee on roads and bridges.

Of Jno. Logie and others.

On motion of Mr. Boulton, seconded by Mr. Richardson,  
*Ordered*—That the petition of John Logie, Esqr. and others, be referred to the committee on roads and bridges.

On motion of Mr. Solicitor General, seconded by Mr. Strange,  
*Ordered*—That the petition of the President, directors, and  
 company of the Commercial Bank, on the subject of currency, be  
 referred to the committee on currency. Of President, &c.  
Commercial bank.

On motion of Mr. Lount, seconded by Mr. McIntosh,  
*Ordered*—That the petition of William Agnew and others, of the  
 township of Tecumseth, be referred to the committee on roads and  
 bridges. Of W. Agnew and  
others.

Mr. Dunlop from the committee to wait upon His Excellency  
 the Lieutenant Governor, with the address of this House, request-  
 ing information on the subject of prison discipline, reported deliver-  
 ing the same, and that His Excellency had been pleased to make  
 thereto the following answer: Com to wait on  
his Ex'y with ad-  
dress on prison dis-  
cipline report answer

**GENTLEMEN,** I shall have great pleasure in directing that the reports and documents re-  
 quested in your address, be forwarded to the House of Assembly, without delay. Answer to address  
on prison discipline.

Pursuant to notice, Mr. Macnab, seconded by Mr. Rykert,  
 moves, that the House do now resolve itself into a committee of the  
 whole on the land granting department of this Province. House in commit-  
tee on land granting  
department.

Which was carried, and the House was put into committee ac-  
 cordingly.

Mr. Cornwall in the chair.

The House resumed, Black Rod being at the door.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had made some pro-  
 gress, and asked leave to sit again to-morrow. Progress reported.

On the question for receiving the report.

In amendment Mr. Durand, seconded by Mr. Thorburn, moves,  
 that the report be not now received, but the subject of the land grant-  
 ing department of this province be referred to a select committee to  
 consider the same and report thereon, to be composed of Messrs.  
 Macnab, Norton, Shaver, Hopkins, Gibson, Gilchrist, Charles Dun-  
 combe, Perry and Chisholm, and that the twenty-ninth rule of this  
 House be dispensed with so far as relates to this motion. On receiving re-  
port.  
  
Amendment.

Which was lost. Lost.

In amendment—Mr. Robinson, seconded by Mr. Small, moves,  
 that the report be not now received, but that the subject of the land  
 granting department of this Province, be referred to a select com-  
 mittee, with power to send for persons and papers, and that Messrs.  
 Macnab, Norton, Perry, Dunlop, and Rykert, do compose said com-  
 mittee. Report referred to  
select committee.

Which was carried.

Mr. Speaker reported that the Master-in-Chancery had brought  
 down from the honorable the Legislative Council, a message; which  
 was read as follows: Mr. Speaker re-  
ports message from  
Legislative Council.

**MR. SPEAKER,** The Legislative Council has passed the bill sent up from the Commons  
 House of Assembly, entitled, "*An Act to authorise the erection of a mill-dam upon  
 the river Thames, in the London district,*"—without amendment. Thames mill dam  
Bill reported with  
out amendment.

JOHN B. ROBINSON,  
*Speaker.*

Legislative Council Chamber, }  
 1st day of March, 1836. }

Adjourned.

Wednesday, 2d March, 1836.

The House met.

The minutes of yesterday were read.

Petitions bro't up.

Of D. Burger.

Mr. Richardson brought up the petition of George Burger, confined in the gaol at Niagara; which was laid on the table.

Petitions referred.

Pursuant to the order of the day the following petitions were read:

Of D. McDougall and others

Of D. McDougall and one hundred and three others, of the town of Niagara; praying for the establishment of a police in the said town.

Of James Matchett and others.

Of James Matchett and thirty-two others, of the township of Otanabee, district of Newcastle; praying aid to open a certain road.

Of A. Geddes: and others

Of Andrew Geddes and two others; of the township of Woolwich, (Halton); praying aid for the main road through said township.

Of H. G. Stearns and others.

Of H. G. Stearns and sixty-six others, inhabitants of the Province; praying for the construction of a tow-path on the St. Lawrence from the Longue Sault to Prescott.

Of A. Smalley and others.

Of Arad Smalley and thirty-eight others, of the township of North Gwillimbury, in the Home district; praying for aid for a certain road.

Of F. Arnold and others.

Of Frederick Arnold and one hundred and fourteen others, of the county of Kent; praying for the improvement of the river Thames.

Of W. Cosgrave and others.

Of William Cosgrave and sixty-eight others, of the same place; praying the same.

Of D. Warren and others

Of Duncan Warren and sixty-eight others, of the Western district; praying for the incorporation of a company to construct a railroad from Bertie (Niagara district), to Sandwich (Western district).

Of Presbytery, Toronto.

Of the Presbytery of Toronto, in connexion with the church of Scotland; praying relief for the destitute, and that means may be devised to suppress the use of ardent spirits.

Of B. Gregory and others.

Of Barnabas Gregory and one hundred and eleven others, of the township of Louth (Lincoln); praying for the more equitable distribution of school money.

Of President, &c. Commercial Bank

Of the President, directors and company, of the Commercial bank of the Midland district; praying a further increase of their capital stock.

Of Gad Weller and others.

Of Gad Weller and twenty-four others, of the Home district; praying that Dundas street, east of Toronto, may be macadamized, in preference to Cornell's road.

Of do. do.

Of Gad Weller and twenty-one others, of the Home district; praying that the system of macadamizing roads may be continued, and statute labor commuted.

Committee on report of committee of conference on Leeds election bill, report.

Mr. Perry from the select committee to which was referred the report of the committee of conference, with the honorable the Legislative Council, on the subject matter of the amendment made by this House, to the amendments made by the honorable the Legislative Council, in and to the bill entitled, "*An Act to insure the freedom of elections in the county of Leeds*,"—presented a report, which was received, and read as follows:

*To the Honorable the House of Assembly in Provincial Parliament assembled.*

Your Committee to whom was referred the report of the Committee of Conference on the subject of the Leeds Election Bill have met and considered the same, and beg leave to recommend to Your Honorable House to request of the Legislative Council another Conference, in order that the reasons of the House of Assembly for adopting

the amendment in question may be stated—and Your Committee would recommend that the Conference on the part of the House of Assembly, be instructed to deliver the following as the reasons of this House for adopting the said amendment, and also to express the hope of the House of Assembly that the Honorable the Legislative Council may yet accede to the said amendment for the said reasons.

“The House of Assembly adopted the amendment to the amendments made by the Honorable the Legislative Council, in and to the bill entitled “An Act to ensure the freedom of Elections in the County of Leeds,”—in the full belief that it was a most important improvement, inasmuch as it would enable honest, peaceable and quiet electors, who might be in fear of receiving personal injury if they attempted to give in their votes in the section where they resided, to resort to the poll in any of the other sections where they had reason to apprehend less danger, and there tender their votes for the candidates of their choice upon making oath “that they apprehend personal injury or insult if they attempt to vote in the section in which they are so resident.”

“That the House of Assembly in adopting the said amendment thus guarded, did not apprehend that any difficulties or inconvenience could arise by it, or any improper advantage be extended or held out to one party more than another.

“That the House of Assembly has taken into its consideration the report of their Committee of Conference on the subject, by which they observe the Honorable the Legislative Council states that—“The Legislative Council sees no reason for making any provision for enabling electors to vote in any other section provided for in the bill than that in which they reside or have their freehold; on the contrary, if retained the Legislative Council is of opinion it would lead to many of the difficulties to obviate which the bill is specially framed,”—notwithstanding which opinion so stated by the Honorable the Legislative Council, and in the absence of any reasons advanced by that Honorable House for their said opinion—the former deliberate opinion of the House of Assembly in regard to the beneficial effect likely to accrue to the electors of the County of Leeds should the amendment in question be retained (for the reasons above stated) remains unchanged, and when it is considered that it may possibly be the means of securing to some, if not many of His Majesty’s faithful subjects, the peaceful and quiet enjoyment and exercise of that most valuable birthright and constitutional privilege, the elective franchise, who without such provision may be deterred from doing so, and as it does not appear that the Honorable the Legislative Council have expressly rejected the said amendment, the House of Assembly are not without an anxious hope that the Honorable the Legislative Council will, upon more full and mature deliberation, accede to the same; nevertheless the House of Assembly consider it right frankly to state, that in the event of the Honorable the Legislative Council expressly declining to agree to said amendment, that the House of Assembly actuated by the strongest and most anxious desire to see the County of Leeds represented in Parliament, and having used every constitutional means according to the best of their judgment, to make provision whereby a fair, free, peaceable and independent election might be had in the said county will feel itself in a great measure relieved from the great responsibility which might attach to the House of Assembly, in the event of any difficulty arising from the want of such a provision, and will feel bound to take into its serious and favorable consideration the urgent necessity for receding from the said amendment in order that so desirable an object may be attained.”

All which is respectfully submitted,

PETER PERRY,  
Chairman.

Committee Room, House of Assembly,  
2nd March, 1836.

Mr. Perry, seconded by Mr. Thorburn, moves, that the report just read, be adopted.

Motion for adoption of report.

In amendment—Mr. Boulton, seconded by Mr. Robinson, moves, that the report be not now adopted, but that the House do go into committee forthwith on the same.

Amendment.

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

|                     |                     |                    |               |
|---------------------|---------------------|--------------------|---------------|
| Boulton,<br>Dunlop, | McNab,<br>Robinson, | Strange,<br>Walsh, | Wilkinson,—7. |
|---------------------|---------------------|--------------------|---------------|

Yeas 7.

NAYS—MESSIEURS,

|                              |                                   |                                 |                                 |
|------------------------------|-----------------------------------|---------------------------------|---------------------------------|
| Alway,<br>Bruce,<br>Chesser, | Gibson,<br>Gilchrist,<br>Hopkins, | McMicking,<br>Moore,<br>Norton, | Shibley,<br>Smith,<br>Thorburn, |
|------------------------------|-----------------------------------|---------------------------------|---------------------------------|

Nays 31

|                           |                             |             |                 |
|---------------------------|-----------------------------|-------------|-----------------|
| Chisholm,                 | Lewis,                      | Parke,      | Waters,         |
| Cook,                     | Lount,                      | Perry,      | Wells,          |
| Cornwall,                 | McDonell, <i>Stormont</i> , | Richardson, | Wilson,         |
| Duncombe, <i>Oxford</i> , | McIntosh,                   | Rykert,     | Woolverton,—31. |
| Durand,                   | McKay,                      | Shaver,     |                 |

Question lost, majority 24.

The question was decided in the negative by a majority of twenty-four.

On the original question, the yeas and nays were taken, as follows :

YEAS—MESSIEURS.

|          |                           |                             |             |                |
|----------|---------------------------|-----------------------------|-------------|----------------|
| Yeas 33. | Alway,                    | Gibson,                     | McMicking,  | Shaver,        |
|          | Bruce,                    | Gilchrist,                  | Macnab,     | Shibley,       |
|          | Caldwell,                 | Hopkins,                    | Moore,      | Smith,         |
|          | Chesser,                  | Lewis,                      | Norton,     | Thorburn,      |
|          | Chisholm,                 | Lount,                      | Parke,      | Waters,        |
|          | Cook,                     | McDonell, <i>Stormont</i> , | Perry,      | Wells,         |
|          | Cornwall,                 | McIntosh,                   | Richardson, | Wilson,        |
|          | Duncombe, <i>Oxford</i> , | McKay,                      | Rykert,     | Woolverton—33. |
|          | Durand,                   |                             |             |                |

NAYS—MESSIEURS.

|         |           |          |        |               |
|---------|-----------|----------|--------|---------------|
| Nays 5. | Dunlop,   | Strange, | Walsh, | Wilkinson,—5. |
|         | Robinson, |          |        |               |

Question carried majority 28.

The question was carried in the affirmative by a majority of twenty-eight, and the report was adopted.

Messrs. Perry and Thorburn, were ordered by Mr. Speaker to carry up to the honorable the Legislative Council, a message, requesting a conference on the subject of the last conference, in accordance with the report.

Message sent to Legislative Council.

Mr. Speaker reported having received a letter from the Clerk of the Crown-in-Chancery.

The letter was read by the Clerk as follows :

*Clerk Crown Chancery Office, }  
2nd March, 1836. }*

Letter from Clerk Crown-in-Chancery, announcing the return of A. Thom, Esquire.

The Clerk of the Crown-in-Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly that he has received the return to the writ lately sued out for the election of a member to represent the County of Lanark in the present Parliament, in the room of the Honorable William Morris, summoned to the Legislative Council, and that Alexander Thom, Esquire, has been duly returned to represent that county.

SAMUEL P. JARVIS,  
C. C. Chancery.

The Honorable M. S. BIDWELL,  
*Speaker of the Commons House of Assembly.*

Committee to wait on His Excellency with address for information on settlement in Nottawasaga report answer.

Mr. Durand from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House, requesting information respecting the settlement of emigrants in Nottawasaga, reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

Answer.

GENTLEMEN : I will direct that copies of the documents requested in your address, shall (so far as they can be obtained) be transmitted to the House of Assembly without delay

Select committee on petition of Jno. Lee, report.

Mr. Macnab from the select committee to which was referred the petition of John Lee, presented a report which was received and read as follows:

*To the Honorable the Commons' House of Assembly,*  
The committee to whom was referred the petition of John Lee, of the city of Toronto, plumber, beg leave to report :  
That your Committee have read the papers and heard the statements of John Lee.

and would respectfully recommend that a loan of five hundred pounds be made to him for five years, to enable him to carry on his mining operations in a mine of Lead Ore, lately discovered in the township of Clinton, on his assigning the bond he holds for the purchase of the land, and giving such other security as he may be enabled to do.

That the money on loan be placed in the hands of commissioners to be expended on the property under the direction of Mr. Lee.

ALLAN N MACNAB.  
Chairman.

Committee Room, House of Assembly, }  
2d day of March 1836. }

- On motion of Mr. Macnab, seconded by Mr. Robinson,  
*Ordered*—That the report of the select committee on the petition of John Lee, be referred to the committee of supply. Report referred to committee of supply.
- On motion of Mr. Wells, seconded by Mr. Cook,  
*Ordered*—That the petition of H. G. Stearns and others, relative to a tow-path in connexion with the Saint Lawrence canal, be referred to the committee to whom was referred the petition of Michael Empey and others. Petitions referred.  
Of H. G. Stearns and others.
- On motion of Mr. Perry, seconded by Mr. Alway,  
*Ordered*—That the Assessment returns of 1835, when sent down to this House, be referred to the standing committee on the division of districts. Assessment returns of 1835.
- On motion of Mr. Norton, seconded by Mr. McKay,  
*Ordered*—That the petition of J. S. Cartwright, President of the Commercial bank of the Midland district, be referred to the committee on chartering banks and insurance companies. J. S. Cartwright.
- On motion of Mr. Thorburn, seconded by Mr. McMicking,  
*Ordered*—That the petition of Barnabas Gregory and others, be referred to the standing committee on education. Of B. Gregory.
- On motion of Mr. Gilchrist, seconded by Mr. McDonell, of Northumberland,  
*Ordered*—That the petition of James Matchett and others, be referred to the committee on roads and bridges. Of Jas. Matchett.
- On motion of Mr. McIntosh, seconded by Mr. Lount,  
*Ordered*—That the petition of Arad Smalley and others, of North Gwillimbury, be referred to the committee on roads and bridges to report thereon. Of Arad Smalley and others.
- On motion of Mr. C. Duncombe, seconded by Mr. Alway,  
*Ordered*—That the committee to whom was referred the petition of John Weir, be discharged from the further consideration of that subject, and that the same be referred to the committee upon internal improvements. Of Jno. Weir, transferred.
- Pursuant to the order of the day, the Hawkesbury division bill was read the second time. Hawkesbury division bill read second time.
- The House was put into committee of the whole on the bill. Committed.
- Mr. Gibson in the chair.
- The House resumed.
- The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House. Bill reported.
- The report was received.
- Ordered*—That the bill be engrossed and read a third time tomorrow. 3rd reading tomorrow.
- Pursuant to the order of the day, the bill for the sale of old roads was read the second time. Bill to sell old roads read 2nd time.
- The House was put into committee of the whole on the bill. Committed.
- Mr. McMicking in the chair.



The House resumed.

Progress, 3 months. The Chairman reported that the committee had made some progress in the bill and asked leave to sit again this day three months. The report was received, and leave granted accordingly.

A. Thom, Esquire, takes his seat. Alexander Thom, Esquire, was introduced by Messrs Lewis and Malloch, and having been sworn, took his seat as member for Lanark, in room of William Morris, Esq. called to the Honorable the Legislative Council.

Farmers' Store house bill read 2nd time. Pursuant to the order of the day, the Farmers Store House bill was read the second time.

Committed. The House was put into committee of the whole on the bill. Mr. Hopkins in the Chair. The House resumed, Black Rod being at the door. The Master-in-Chancery brought down from the honorable the Legislative Council a message, which was read as follows:

Message from Leg. Council. Mr. SPEAKER, The Legislative Council accedes to the request of the Commons House of Assembly for a conference on the subject matter of their last conference and have appointed on the part of this House the honorable Messrs. Elmsley and Adamson, who will be ready to meet the conferees on the part of the Assembly this day at three o'clock in the committee room of the Legislative Council.

Leeds election bill. JOHN B. ROBINSON, Speaker.

Legislative Council; Chamber, }  
2nd, day of March 1836. }

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Conferees appointed. Mr. Perry, seconded by Mr. Thorburn, moves, that the members of the last conference, be the conferees on the part of this House to meet the conferees on the part of the Honorable, the Legislative Council. Which was carried. The committee of the whole on the Farmer's Store House bill resumed. Mr. Hopkins in the chair. The House resumed.

Progress reported. Mr. Hopkins reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow. On the question for receiving the report, In amendment, Mr. Gibson, seconded by Mr. Waters, moves, that the report be not now received, but that the subject be referred to a select committee, to consist of Messrs. Norton, Rykert, & Perry, and that the said committee have power to send for persons and papers and report thereon by bill or otherwise. Which was carried.

Farmers' store house bill referred. Pursuant to the order of the day, the L'Original fair bill was read the second time. The House was put into committee of the whole on the bill. Mr. Woolverton in the chair. The House resumed. The chairman reported, that the committee had made some progress in the bill, and asked leave to sit again to-morrow. On the question for receiving the report. In amendment Mr. Waters, seconded by Mr. Bruce, moves that the report be not now received, but that the bill be referred to a committee consisting of Messrs. Solicitor General, Macnab, Chesser and Shaver, to report thereon, Which was carried.

L'Original fair bill read 2nd time. Committed.

Progress. L'Original fair bill referred.

Mr. Thorburn, chairman of the standing committee on bank charters &c. presented a report and the drafts of several bills which were received. Committee on bank charters, report.

The report was read as follows :

*To the Honorable the Commons of Upper Canada in Provincial Parliament assembled.*

Your committee appointed to take into consideration the incorporation and alteration of the charters of banking and insurance companies, beg leave to submit the following report :

Your committee after due consideration of the subject came to a decision that it was expedient to grant additional charters for banks, and that the bills submitted for charters for banks at St. Catharines, Niagara, Prescott, Cobourg and Prince Edward, should be reported to your Honorable House for adoption.

Your committee have also had under consideration a bill for a charter for the Peoples' Bank, and a bill submitted by the Farmers' Bank, having for its object the regulation of private banking, both of which your committee beg to recommend to the favorable consideration of your Honorable House.

Your committee are further of opinion that the charter of the Gore Bank, should be increased to two hundred thousand pounds.

All which is respectfully submitted.

DAVID THORBURN.  
Chairman.

Committee Room, House of Assembly, }  
March 2nd, 1836. }

The Saint Catharines' bank bill was read the second time.

*Ordered*—That the bill be referred to a committee of the whole House on to-morrow.

St. Catharines' bank Bill read 2d time. To be committed to-morrow.

The Niagara bank bill was read the second time.

*Ordered*—That the bill be referred to a committee of the whole House on to-morrow.

Niagara bank bill read 2d time. To be committed to-morrow.

The Prescott bank bill was read the first time.

*Ordered*—That the bill be read a second time to-morrow.

Prescott bank bill read 1st time. 2nd reading to-morrow.

The bill to incorporate the bank of the People, was read the first time.

*Ordered*—That the bill be read a second time to-morrow.

Bank of the People Read 1st time. 2nd reading to-morrow.

The general joint stock banking bill, was read the first time.

*Ordered*—That the bill be read a second time to-morrow.

Joint Stock bank bill Read 1st time. 2nd reading to-morrow.

On motion of Mr. Perry, seconded by Mr. Chisholm,

*Ordered*—That two hundred copies of the bill be printed for the use of members.

Motion for printing 200 copies of last bill.

The House then adjourned till 4 o'clock, P. M. tomorrow.

**Thursday, 3d March, 1836.**

The House met, pursuant to adjournment.

The minutes of yesterday were read.

Mr. Wells brought up the petition of Daniel Ferguson and ninety-five others, inhabitants of the township of Osgoode, in the Ottawa district; which was laid on the table.

Petitions bro't up. Of Dan. Ferguson and others

Mr. Macnab brought up the petition of William Chisholm, Esq. of Oakville; which was laid on the table.

Of Wm. Chisholm Esquire.

Mr. Macnab brought up the petition of J. M. Whyte, Esquire, President of the Gore bank; which was laid on the table.

J. M. Whyte.

Mr. Merritt brought up the petition of Lewis Willson, and thirty-three others, of the township of Pelham, (Niagara district); which was laid on the table.

Of Lewis Willson and others.

Mr. D. McDonell brought up the petition of the Right Rev'd. R. Gaulin, Bishop of Trabacca, and two hundred and one others, inhabitants of the county of Glengarry; which was laid on the table.

Of Bishop Gaulin and others.

Of L. Smith.

Mr. Macnab brought up the petition of Luther Smith, of the town of Hamilton, (Wentworth); which was laid on the table.

Of R. Wilkins.

Mr. Macnab brought up the petition of Richard Wilkins, of the town of Hamilton aforesaid; which was laid on the table.

Of R. Reid and others.

Mr. Alexander McDonell brought up the petition of R. Reid and one hundred and forty-seven others, of Peterborough and vicinity; which was laid on the table.

Of J. Nichols and others.

Mr. Parke brought up the petition of John Nichols and one hundred and ten others, inhabitants of the townships of Ekfrid and Carradoc, (London district); which was laid on the table.

Of S. Ransom and others

Mr. Mackenzie brought up the petition of S. Ransom and sixty-seven others, of the township of Toronto, (York); which was laid on the table.

Message and Address to His Majesty on subject of tobacco, bro't down from Legislative Council.

Mr. Boulton, Master-in-Chancery, brought down from the honorable the Legislative Council, two messages; and the address to His Majesty on the subject of a reduction of the duties on the article of Tobacco, sent up from this House; to which that honorable House had made an amendment, and requested the concurrence of this House thereto.

The messages were read as follows:

MR. SPEAKER:

Leeds election bill passed Legislative Council.

The Legislative Council has adopted the amendments of the Commons House of Assembly, made to the amendments of this House, in and to the bill sent up from the Assembly, entitled, "*An Act to ensure the freedom of Elections in the County of Leeds.*"

JOHN B. ROBINSON,  
*Speaker.*

Legislative Council Chamber, }  
3rd day of March, 1836. }

MR. SPEAKER,

Conference requested on the amendments to court of quarter sessions' bill.

The Legislative Council request a conference with the Commons House of Assembly, on the subject matter of their amendments, made in and to the bill sent down from this House, entitled, "*An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several laws now in force for that purpose,*" and have appointed the Honorable Messieurs Baldwin and Stewart to be the conferees on their part, who will be ready to meet a committee on the part of the Commons' House of Assembly, to-morrow, at the hour of two of the clock, P. M., in the committee room of the Legislative Council, for that purpose.

JOHN B. ROBINSON,  
*Speaker.*

Legislative Council Chamber, }  
3rd day of March, 1836 }

Amendment of Legislative Council to address to His Majesty on Tobacco—passed.

The amendment made by the honorable the Legislative Council in and to the address to His Majesty, on the subject of duties on Tobacco, was read twice, concurred in, read third time and passed, and is as follows:

Amendment made by the Legislative Council, in and to the address of the Commons House of Assembly to His Majesty on the subject of duties upon tobacco.

Amendment.

Page 1. Line 4.—After "Subjects," expunge the remainder of the address and insert, "The Legislative Council and Assembly of the Province of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent to Your Majesty that in the year of our Lord one thousand eight hundred and twenty four, the Legislative Council and Assembly of this Province united in a representation to His late Majesty humbly setting forth that the Western Districts of the Province though highly favored in regard to climate and soil are from their remote situ-

ation subjected to greater difficulty and expense than the other portions of Upper Canada in transporting their productions to market—that the uncertainty of a profitable market for their staple commodities necessarily depreciates their value and tends to check the commercial and agricultural prosperity of those remote sections of the province; that actual experiment had proved that the climate and soil of the Western Districts are well adapted to the cultivation of Tobacco, and that if the inhabitants of those districts were sufficiently encouraged to turn their attention to that article, the Province must derive great advantages from its culture.

Upon this prayer of the Legislative Council and Assembly His Majesty's Government obtained from Parliament such an abatement of the duty upon Tobacco grown in this Province as it was supposed would enable the growers of the article to obtain a remunerating price and to compete in the English market with the producers of Tobacco in the Southern States of America.

Experience however has shewn that the abatement of three-pence per pound which was then conceded is not sufficient to afford that decisive encouragement which was intended by the government and desired by this Legislature.

Besides the greater distance from the sea, and the expense of free labour the growers of Tobacco in Upper Canada are exposed to the further disadvantage as compared with the growers of the same article in the Southern States—that altho' in ordinary seasons the climate admits of the production of Tobacco of a superior quality and the soil is exceedingly favorable, yet there is always a risque of a total loss of crop from an early frost—and altho' this may occur but once in several years the apprehension of such a failure operates as a discouragement to the investing of capital, and increases the necessity for such protection as the government of the Parent State can extend.

We beg further to represent that the experience acquired since the abatement of duty was obtained has greatly confirmed our hope that the article of Tobacco may be raised in Upper Canada of an excellent quality, and to such an extent as to form a most considerable branch of our export trade, thereby contributing most essentially to the wealth of the Province, and to the ability of its inhabitants to supply themselves with the manufactures of Great Britain.

We earnestly hope that from these considerations Your Majesty may be graciously pleased to recommend to parliament a further abatement of three-pence per pound upon the duty chargeable upon the Tobacco of this Province when taken out of the warehouse for consumption, making the whole amount of abatement of duty six-pence per pound in favor of the Tobacco grown in Upper Canada.

Legislative Council Chamber, }  
3rd day of March, 1836. }

JOHN B. ROBINSON,  
Speaker.

Commons House of Assembly, }  
3rd day of March, 1836. }

MARSHALL S. BIDWELL,  
Speaker.

Messrs. Caldwell and Wilkinson were ordered by the Speaker to carry the address up to the Honorable, the Legislative Council, and to inform that honorable House, that this House had concurred in the amendment.

Pursuant to the order of the day, the Hawkesbury division bill was read a third time and passed.

Mr. Waters, seconded by Mr. Gibson, moves, that the bill be entitled, "An Act to divide the township of Hawkesbury, in the Ottawa district, into two separate and distinct townships, of East and West Hawkesbury."

Which was carried, and Messrs. Waters and Gibson, were ordered by Mr. Speaker, to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day the following petitions were read :

Of Theodore Bates, of the township of Nelson, (Halton;) praying to be naturalized.

Hawkesbury division bill passed.

Title.

Petitions read.

Of T. Bates.

- Of C. W. B. Ten Eyck and others. Of Casper W. B. Ten Eyck, and twenty-one others, inhabitants of the township of Bimbrook, (Wentworth,) praying that their lands may not be encroached upon by survey unless remunerated.
- Of D. Thompson and others. Of David Thompson, and seventy-one others, inhabitants of the Province of Upper Canada, praying that all persons may be under certain restraints in the issuing of bank notes.
- Of Geo. Moore & others. Of George Moore, and one hundred and twenty others, inhabitants of the townships of London, Westminster, Nissouri &c. (Middlesex;) praying aid to erect a bridge over the River Thames.
- Of R. Murphy and others. Of Richard Murphy, and one hundred and fifty-eight others, inhabitants of the county of Middlesex, praying for the improvement of the River Thames, by slack water navigation.
- Of Israel Reed and others. Of Israel Reed, and seventy-nine others, of the township of Zorra, (Middlesex;) praying that means may be used to compel certain road Commissioners to expend the money committed to them.
- Of W. Hale and others. Of William Hale, and eleven others, of the Province of Upper Canada; praying that the Act incorporating the London and Gore rail road company be amended.
- Of G. O'Brien and others. Of Edward G. O'Brien, and fourteen others, inhabitants of the county of Simcoe; praying that means be adopted to restrain the sale of ardent spirits.
- Of M. McDonogh. Of Michael McDonogh, of the township of Mara (Simcoe); praying aid to build a bridge over the river Talbot.
- Of C. Rankin. Of C. Rankin, in behalf of the settlers in the townships of Collingwood and St. Vincent on Lake Huron; praying aid for the roads in said townships.
- Com on petition of G. C. Salmon & others Report. Mr. Walsh from the select committee, to which was referred the petition of George C. Salmon and others, presented a report, which was received and read as follows:

*To the Honorable the Commons House of Assembly.*

The committee to whom was referred the petition of George C. Salmon, Colonel of the Militia, and others, praying that this House would order pay for their attendance at a Court-martial held at St. Thomas, in the month of March, in the year of our Lord 1830—beg leave to report:

That it appears by the statements contained in the said petition, as well as from documents which have been under the notice of your committee, that the petitioners have heretofore submitted their claim for remuneration to the consideration of the House of Assembly; but received only an intimation or answer that they should apply to the Lieutenant Governor, Sir John Colborne, for relief in the premises—That accordingly they did apply to the then Lieutenant Governor, Sir John Colborne, and received a reply—that he had no funds, out of which he could pay them.

That many of the members of the Court-martial had to travel a distance of fifty miles and upwards, to attend the same, at a season of the year when the roads were almost impassable, and that their expenses during fourteen days attendance at the Court-martial, exceeded very considerably the amounts which they are entitled to receive.

How far it may be desirable that there should exist any provision by law for assembling and holding Militia Courts-martial in time of peace, your committee might not by your honorable House be considered as justifiable in offering any opinion on the present occasion.—It is however but right and reasonable in the opinion of your committee—that those who composed the said Court-martial, not having been paid, shall receive pay for their services according to their respective ranks; inasmuch as the duty was performed in compliance with the provisions of the Act of the Legislature in that behalf.

All which, is respectfully submitted.

F. L. WALSH,  
Chairman.

Committee Room, House of Assembly, }  
27th February, 1836. }

Motion to refer report to committee of whole.

Mr. Walsh, seconded by Mr. Rymal, moves, that this House do now resolve itself into a committee of the whole on the report of the select committee on the petition of Col. Geo. C. Salmon and others.

In amendment, Mr. Perry, seconded by Mr. Chesser, moves, that after the word "moves" the whole be expunged, and the following inserted: "that the report be referred to a committee of the whole, this day three months."

Amendment.

On which the yeas and nays were taken as follows :

Division

YEAS—MESSIEURS,

|                            |            |          |             |
|----------------------------|------------|----------|-------------|
| Alway,                     | Hopkins,   | Parke,   | Waters,     |
| Bruce,                     | Lount,     | Perry,   | Wells,      |
| Chesser,                   | McIntosh,  | Shaver,  | Wilson,     |
| Cook,                      | McMicking, | Shibley, | Woolverton, |
| Duncombe, <i>Norfolk</i> , | Moore,     | Smith,   | Yager—21.   |
| Gilchrist,                 |            |          |             |

Yeas, 21.

NAYS—MESSIEURS.

|           |                              |         |               |
|-----------|------------------------------|---------|---------------|
| Caldwell, | Gibson,                      | McKay,  | Sol. General, |
| Chisholm, | McCrae,                      | Macnab, | Thom,         |
| Cornwall, | M'Donell, <i>Glengarry</i> , | Rykert, | Walsh,        |
| Dunlop,   | McDonell, <i>Northumb.</i>   | Rymal,  | Wilkinson—16. |

Nay, 16.

The question of amendment was carried in the affirmative by a majority of five, and ordered accordingly.

Amendment carried, majority 5

Mr. Thorburn, chairman of the standing committee on Bank Charters and Assurance Companies, presented the draft of a bill, which was read a first time.

Prince Edward bank bill reported and read.

*Ordered*—That the Prince Edward Bank Bill be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Richardson, seconded by Mr. Dunlop,

*Ordered*—That the petition of Daniel McDougall Esq. and one hundred and three others, be referred to a select committee to be composed of Messrs. Rykert and Thorburn, to report thereon by bill or otherwise.

Petitions referred. Of D. McDougall and others.

On motion of Mr. Smith, seconded by Mr. Rymal.

*Ordered*—That the petition of Theodore Bates be referred to the standing committee on aliens.

Of T. Bates.

On motion of Mr. McDonell, seconded by Mr. Gilchrist,

*Ordered*—That the petition of John Hall and others, be referred, to the committee of supply.

Of John Hall and others.

On motion of Mr. Walsh, seconded by Mr. McCrae,

*Ordered*—That the petition of Duncan Warren, Esq. and other be referred to a select committee, with power to send for persons and papers, and leave to report thereon by bill or otherwise; and that Messrs. Merritt, Rykert and Caldwell compose said committee.

Of D. Warren and others.

Mr. Macnab, seconded by Mr. Wilkinson, moves, that the petitions of Luther Smith and Richard Wilkins be now read—and that the 41st rule of this House be dispensed with, so far as relates to this motion.

Petitions of L. Smith & R. Wilkins read.

Which was carried, and the petitions of L. Smith and Richard Wilkins, praying to be naturalized were read.

*Ordered*—That the petitions of Richard Wilkins and Luther Smith, be referred to the standing committee on aliens.

Above petition referred.

Mr. Macnab, seconded by Mr. Wilkinson, moves, that the petition of the President and Directors of the Gore Bank be now read, and that the 41st rule of this House be dispensed with, so far as relates to the same.

Petition of President Gore bank, read

Which was carried, and the petition of J. M. Whyte, Esq. President of the Gore Bank, praying that the capital stock of the said bank may be increased, was read.

Referred.

On motion of Mr. Macnab, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of the President and Directors of  
 the Gore Bank, be referred to the committee on banking.

Of Israel Reed and  
 others.

On motion of Mr. Alway, seconded by Mr. Parke,  
*Ordered*—That the petition of Israel Reed and others, be refer-  
 red to the committee on roads and bridges.

Of R. Murphy and  
 others.

On motion of Mr. Parke, seconded by Mr. Moore,  
*Ordered*—That the petition of Richard Murphy and others, be  
 referred to the committee on canals and internal improvements.

Of G. Moore and  
 others.

On motion of Mr. Parke, seconded by Mr. Moore,  
*Ordered*—That the petition of George Moore and others, be re-  
 ferred to the committee on roads and bridges.

Of C. Arnold and  
 others.

On motion of Mr. Cornwall, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Christopher Arnold and others,  
 inhabitants of the township of Howard, be referred to the committee  
 on canals and internal improvements.

Of W. Cosgrave  
 and others.

On motion of Mr. Cornwall, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of William Cosgrave and others,  
 inhabitants of the township of Chatham, be referred to the committee  
 on canals and internal improvements.

Belleville police  
 bill read 2d time.

Pursuant to the order of the day, the Belleville police bill, was  
 read the second time.

Committed.

The House was put into committee of the whole on the bill.  
 Mr. Dunlop in the chair.  
 The House resumed.

Bill reported with-  
 out amendment.

Mr. Dunlop reported. that the committee had gone through the  
 provisions of the bill, agreed to the same without amendment, and  
 submitted it for the adoption of the House.

3rd reading to-mor-  
 row.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-  
 morrow.

Ottawa court bill  
 Read 2d time.

Pursuant to the order of the day, the Ottawa court bill was read  
 a second time.

Committed.

The House was put into committee of the whole on the bill.  
 Mr. Thorburn in the chair.  
 The House resumed.

Bill reported.  
 3d reading to-mor-  
 row.

The chairman reported that the committee had gone through the  
 provisions of the bill, agreed to the same, and submitted it for the  
 adoption of the House.

The report was received.  
*Ordered*—That the bill be engrossed and read a 3d time tomorrow.

Committee on ca-  
 nals, &c. report.

Mr. Gilchrist, chairman of the standing committee on canals and  
 internal improvements, presented a report on the internal navigation  
 of the district of Newcastle.

The report was received, and read as follows :

*To the Honorable the Commons House of Assembly in Provincial Parliament Assembled.*  
 The committee on canals and internal improvements, respectfully present the fol-  
 lowing report:

Having taken into consideration the improvements of the navigation on the inland  
 waters through the Newcastle and part of the Home districts, are of opinion that the  
 immediate construction of the works on the scale recommended by N. H. Baird Esq.,  
 civil engineer, from the head of Heeley's Falls in Seymour, to Peterboro' and from  
 Hall's Mills at the outlet of Buckhorn Lake, to Scugog Lake, is advisable. Thus for  
 the comparatively trifling sum of £16000, a free and uninterrupted navigation (with the  
 exception only of six miles from Peterboro' to Mud Lake, which will probably be con-  
 nected with Peterboro' by a rail road) will be effected for an extent of more than 170  
 miles, through the centre of this fertile region containing a numerous population. This  
 improvement would be attended with great and immediate benefit to this part of the coun-

try, and would amply repay the Province for the outlay. The agricultural products as well as the Iron from the Marmora works would find a cheap and speedy transit over land by a rail road from Cobourg, or a canal from Port Hope, to a market or place of shipment to a more distant market, and merchandise might be brought back in return at a cheap rate. The completion of the works on the upper section of the Trent, will, it appears by the Engineer's report, greatly lessen the expense, and facilitate the improvements on the lower sections when it may be considered expedient to commence the same.

Your committee therefore recommend that the sum of £16,000 be granted to complete the before mentioned works. Your committee think it would be expedient to invest the Commissioners appointed to carry these works into effect, with power to take such lands as may be required at or adjoining any works to be constructed for the use of the public by paying a reasonable price therefor, which if not otherwise agreed upon to be settled by arbitration. Your Committee also recommend that an address be presented to His Excellency the Lieutenant Governor to retain all lands adjoining the contemplated line of improvements which still remain unconveyed, to be given up to the disposal of the Legislature and appropriated for this particular object.

All which is most respectfully submitted,

JOHN GILCHRIST, *Chairman*,  
G. S. BOULTON,  
JOHN McINTOSH,  
PETER PERRY,  
THOMAS PARKE,  
R. G. DUNLOP,  
DAVID THORBURN,  
ALLAN N. MACNAB.

Committee Room, House of Assembly, }  
2nd March, 1836.

On motion of Mr. Gilchrist, seconded by Mr. Parke,  
*Ordered*—That the report of the committee on canals and internal improvements be referred to a committee of the whole House on to-morrow.

Referred to committee of whole, to-morrow.

On motion of Mr. Perry, seconded by Mr. Wilson,  
*Ordered*—That the several messages of His Excellency, the Lieutenant Governor sent down to this House on the 30th January, and on the 15th and 25th February last, together with all documents accompanying the same be referred to a committee, with power to send for persons and papers, and leave to report thereon by bill or otherwise, and that Messrs. Charles Duncombe, Thorburn, Cook and Lount do compose said committee, and that the committee be instructed to inquire relative to those matters which have engaged the attention of this House, and have been brought to the notice of His Majesty, but not referred to in the despatch sent down on the 30th January last.

Certain messages and documents transmitted to House by Lieutenant Governor—referred.

Mr. Wells, seconded by Mr. Shaver, moves, that four thousand copies of the report on education of the commissioners appointed by this House during the late session, with the additions to the appendix and index, be printed in pamphlet form for the use of members, and also that two hundred copies of the bill be printed immediately.

Motion for printing 4000 copies of education report

In amendment, Mr. M'Nab, seconded by Mr. Walsh, moves, that after the word "moves" in the original motion, the whole be expunged and the following inserted, "that three hundred copies of the bill accompanying the report on education of the Commissioners appointed by this House during its last session, be printed for the use of members."

Amendment.

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

Caldwell,  
Lewis.

M'Donell, *Northumb.* Macnab,  
McKay,

Walsh—6.

Yeas 6.



NAYS—MESSIEURS,

|          |                            |                             |             |           |
|----------|----------------------------|-----------------------------|-------------|-----------|
|          | Alway,                     | Dunlop,                     | Malloch,    | Shaver,   |
|          | Bruce,                     | Gibson,                     | Moore,      | Shibley,  |
|          | Chesser,                   | Gilchrist,                  | Parke,      | Smith,    |
| Nays 29. | Chisholm,                  | Hopkins,                    | Perry,      | Thorburn, |
|          | Cook,                      | Lount,                      | Richardson, | Wells,    |
|          | Duncombe, <i>Oxford</i> ,  | McDonell, <i>Stormont</i> , | Roblin,     | Wilson,   |
|          | Duncombe, <i>Norfolk</i> , | McMicking,                  | Rymal,      | Yager—29. |
|          | Durand,                    |                             |             |           |

Amd't. lost maj. 23. The question of amendment was decided in the negative by a majority of twenty-three.

2d Amendment. In amendment to the original question, Mr. Macnab, seconded by Mr. Walsh, moves, that four thousand be expunged, and one thousand inserted.

Lost. Which was lost.

3d Amendment. In amendment to the original question, Mr. Roblin, seconded by Mr. Yager, moves, that four thousand be expunged, and two thousand inserted.

Division. On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|         |         |         |        |          |
|---------|---------|---------|--------|----------|
| Yeas 7. | Lewis,  | Perry,  | Smith, | Yager—7. |
|         | Macnab, | Roblin, | Walsh, |          |

NAYS—MESSIEURS.

|          |                            |            |             |                 |
|----------|----------------------------|------------|-------------|-----------------|
|          | Alway,                     | Durand,    | McMicking,  | Shaver          |
|          | Bruce,                     | Dunlop,    | Malloch,    | Shibley,        |
|          | Chesser,                   | Gibson,    | Moore,      | Thorburn,       |
|          | Chisholm,                  | Gilchrist, | Parke,      | Wells,          |
|          | Cook,                      | Hopkins,   | Richardson, | Wilson,         |
| Nays 26. | Duncombe, <i>Oxford</i> ,  | Lount,     | Rymal,      | Woolverton,—26. |
|          | Duncombe, <i>Norfolk</i> , | Mackenzie, |             |                 |

Amd't. lost maj. 19. The question of amendment was decided in the negative by a majority of nineteen.

Original question. On the original question being put, the yeas and nays were taken, as follows:

YEAS—MESSIEURS,

|          |                            |            |             |             |
|----------|----------------------------|------------|-------------|-------------|
|          | Alway,                     | Dunlop,    | Malloch,    | Shibley,    |
|          | Bruce,                     | Gibson,    | Moore,      | Smith,      |
|          | Chesser,                   | Gilchrist, | Parke,      | Thorburn,   |
|          | Chisholm,                  | Hopkins,   | Perry,      | Wells,      |
|          | Cook,                      | Lount,     | Richardson, | Wilson,     |
| Nays 29. | Duncombe, <i>Oxford</i> ,  | Mackenzie, | Rymal,      | Woolverton, |
|          | Duncombe, <i>Norfolk</i> , | McMicking, | Shaver,     | Yager—29.   |
|          | Durand,                    |            |             |             |

NAYS—MESSIEURS,

|         |         |         |           |
|---------|---------|---------|-----------|
| Yeas 3. | Macnab, | Roblin, | Walsh,—3. |
|---------|---------|---------|-----------|

Question carried, majority 26. The question was carried in the affirmative by a majority of twenty-six, and ordered accordingly.

The House then adjourned till 4 o'clock P. M. to-morrow.

Friday, 4th March, 1836.

Petitions bro't up. The House met pursuant to adjournment.

The minutes of yesterday were read.

Of J. P. Buell and others. Mr. Wells brought up the petition of J. P. Buell, and eighty-one others, inhabitants of the township of Elisabethtown, district of Johnstown; which was laid on the table.

|  |   |
|--|---|
| Mr. Morrison brought up the petition of John Lawrie, and two hundred and fifty others; which was laid on the table.  | Of J. Lawrie and others.  |
| Mr. Morrison brought up the petition of Justin Alvord, of the city of Toronto; which was laid on the table.  | Of J. Alvord.   |
| Mr. Mackenzie brought up the petition of James Sleightham, and fifty-eight others, inhabitants of the Gore of Toronto; which was laid on the table.  | Of J. Sleightham.   |
| Mr. Durand brought up the petition of Merrick Thomas and seventy two others of Oakville; which was laid on the table.  | Of M. Thomas & others.  |
| Mr. Durand brought up the petition of James Lockart, and fourteen others, masters of vessels, & others; which was laid on the table.   | Of J. Lockart and others.   |
| Mr. Durand brought up the petition of George Chalmers, and four hundred and nineteen others, of the township of Trafalgar, (Halton;) which was laid on the table.  | Of G. Chalmers and others.  |
| Mr. Durand brought up the petition of Adam Ker, and three hundred and twenty-one others, freeholders and inhabitants of the district of Gore; which was laid on the table.   | Of A. Ker and others.   |
| Mr. Small brought up the petition of C. R. Denham of the city of Toronto; which was laid on the table.   | Of C. R. Denham   |
| Mr. Small brought up the petition of James Byrnes, city of Toronto; which was laid on the table.   | Of J. Byrnes.   |
| Pursuant to the order of the day, the Belleville police bill was read a third time and passed.   | Belleville police bill passed.  |
| Mr. Roblin, seconded by Mr. Yager, moves, that the bill be entitled, " <i>An Act to repeal an Act passed in the fourth year of His present Majesty's reign, entitled an Act to establish a Board of Police in the town of Belleville, and to make further provisions for the establishment of a Police in said town.</i> " | Title.  |
| Which was carried, and Messrs. Roblin and Yager were ordered by the Speaker to carry the same up to the Honorable, the Legislative Council, and to request their concurrence thereto.  |   |
| Pursuant to the order of the day, the Ottawa court bill was read a third time and passed.  | Ottawa court bill passed.   |
| Mr. Waters, seconded by Mr. Gibson, moves, that the bill be entitled, " <i>An Act to authorise His Majesty's Justices to hold a Court of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery in the Ottawa District.</i> "   | Title.  |
| Which was carried, and Messrs. Waters and Gibson were ordered by the Speaker, to carry the same up to the Honorable, the Legislative Council, and to request their concurrence thereto.  |   |
| Pursuant to the order of the day, the petition of George Burger, confined in the Jail at Niagara, praying that the law of Capias may be amended, was read.   | Petition of G. Burger read.   |
| Mr. Richardson gives notice, that he will to-morrow, move for leave to bring in a bill to amend the militia laws of this Province.   | Notice of militia law amendment bill.   |
| Mr. Wells from the committee to which was referred the petition of David Ballentyne and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.   | Committee on petition of D. Ballentyne and others, report Prescott police amendment bill. |
| The report was received, and the bill was read the first time.   | Bill read 1st time.   |
| <i>Ordered</i> —That the Prescott police amendment bill be read a second time to-morrow.   | 2nd reading to-morrow.  |
| Mr. Merritt from the committee to which was referred the petition of Colin McNeill, Esq. and others, presented a report, which was received and read as follows:   | Committee on petition of C. McNeill, Esq. and others, report.                             |

To the Honorable the Commons House of Assembly of the Province of Upper Canada.

The Committee to whom was referred the petition of Colin McNeillidge, Esquire, President and of the Directors and Company of the Port Dover Harbor,

RESPECTFULLY REPORT :

That it appears by the said petition that an important section of this improvement consisting of the principal pier has been put under contract and that considerable progress has been made in the work—That besides the said pier when completed, it will be necessary to sink another short pier to complete the harbor in such manner as to admit of the ingress and egress of the different crafts upon the lakes.

The petitioners pray that an act be passed authorising a loan to the President, Directors and Company of the Port Dover Harbour, of the sum of two thousand pounds for a term not exceeding ten years.

Considering the importance of finishing the said harbour as early as possible, inasmuch as it is situated at the termination of the rail road which is being made from the town of Hamilton to Lake Erie; and is also admitted to be of manifest utility to the commerce of one of the oldest and most flourishing settlements in the province. Your Committee (would therefore) recommend the prayer of the petitioners to the favourable consideration of Your Honorable House.

All which is most respectfully submitted.

WM. HAMILTON MERRITT,  
Chairman.

House of Assembly, Committee Room, }  
4th March, 1836.

On motion of Mr. Merritt, seconded by Mr. MacNab,

*Ordered*—That the report of the committee on the petition of Colin McNeillidge and others, be referred to the committee on supply.

Ref'd to supply.

Committee on petition of D. Warren and others, report Bertie & Detroit rail road bill.  
Bill read 1st time.

Mr. Walsh, from the select committee, to which was referred the petition of Duncan Warren and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

2nd reading to-morrow.

The report was received, and the bill was read a first time.  
*Ordered*—That the Bertie and Detroit rail road bill be read a second time to-morrow.

Petitions referred. Of D. Thompson and others

On motion of Mr. Thorburn, seconded by Mr. McMicking,  
*Ordered*—That the petition of David Thompson and others, be referred to the standing committee on banking.

Of Alex. Chewett and others.

On motion of Mr. McCrae, seconded by Mr. Walsh,  
*Ordered*—That the petition of Alexander Chewett and others, be referred to the select committee, to whom was referred the petition of John Hamilton and others, and to report thereon.

House in committee on assessment laws of city of Toronto.

Pursuant to notice, Mr. Small, seconded by Mr. Wilkinson, moves that this House do now resolve itself into a committee of the whole upon the subject of the assessment laws of this Province, so far as they relate to or affect the city of Toronto.

Which was carried, and the House was put into committee of the whole on the same.

Mr. Alexander McDonell in the chair.

The House resumed.

The chairman reported that the committee had agreed to a series of resolutions, which he was directed to submit for the adoption of the House.

Resolution reported.

*Ordered*—That the report be received.

Resolutions carried.

The resolutions were then severally put and carried as follows :

1.—*Resolved*,—That it is expedient to pass a law repealing the 59th Geo. 3d. Chap. 7.; the 6th Geo. 4th, Chap. 9.; the 9th Geo. 4th. Chap. 8.; the 4th Geo. 4th. Chap. 9.; and the 4th Geo. 4th. Chap. 10. so far as the

said Acts relate to or affect land, or other ratable property, within the City of Toronto, and the liberties thereof; and the rates or assessments to be rated, levied or collected therein; or the performance of road or statute labor, or the composition thereof, within the said city and liberties; save and except only so far as the same Acts respectively may have repealed any prior Act or Acts affecting the rates and assessments upon land or other property within the said city or liberties, or the road or statute labor, or the composition thereof, within the said city and liberties; and that it is also expedient to repeal so much of the twenty-second section, and fifty-fifth section, and the whole of the fifty-sixth of the Act incorporating the City of Toronto, so far as the same relate to the rates and assessments to be raised, levied and collected within the said city and liberties thereof.

Resolutions reported from Committee of whole on assess'ts of City of Toronto.

2.—*Resolved*—That for carrying the several purposes of the Act incorporating the City of Toronto into execution, and for securing the raising and paying any monies which shall or may be borrowed under the authority of the same Act, and the interests of such monies, it is expedient to provide by law for making, levying and assessing, under the authority of the Mayor, Aldermen and Commonalty of the city, in Common Council assembled, at yearly periods, upon all and every person who shall inhabit, hold, use or occupy any house, shop, warehouse, workshop, manufactory, or piece or parcel of land, being a separate tenement, situate lying and being within the said city, or liberties thereof, according to the following valuation, viz:—Every dwelling house built with wood, of one story in height, and not two stories, with not more than two fireplaces £10. for every additional fireplace not exceeding five, £4.; for every additional fireplace over five, £8. Every dwelling-house built with wood, of two stories in height, and not three stories, with not more than two fireplaces, £30.; for every additional fireplace not exceeding five, £8.; every additional fireplace over five, £15. Every dwelling-house built with wood, of three stories in height and upwards, and not more than two fireplaces, £45.; for every additional fireplace not exceeding five, £10.; every additional fireplace over five, £20. Every brick or stone house of one story in height, and not two stories, with not more than two fireplaces, £20.; every additional fireplace not exceeding five, £8.; for every additional fireplace over five, £12. Every brick or stone house of two stories, and not three stories, with not more than two fireplaces, £50.; every additional fireplace not exceeding five, £12.; every additional fireplace over five, £20. Every brick or stone house of three stories and upwards, with not more than two fireplaces, £60.; every additional fireplace not exceeding five, £15.; every additional fireplace over five, £25. Every grist mill worked by wind, steam or water, with one pair of stones, £150.; every additional pair of stones, £50. Every saw mill, £100.; every Merchant's shop not exceeding 250 square feet in the clear, £50.; every Merchant's shop above 250, and not exceeding 300 feet, £100.; every Merchant's shop above 300, and not exceeding 350 feet, £150.; every Merchant's shop over 350 feet, £200. Every store house owned or occupied for receiving or forwarding goods, &c. for hire or gain, £200. Every Brewery and Distillery, £100. Every manufactory of soap and candles, £100. Every tannery for the manufactory of leather, £200. Every lot or parcel of land within the city, whereon any dwelling-house or other building to be valued as aforesaid, is situate, and being held therewith as the same tenement, not exceeding one-eighth of an acre in extent, £10; every such lot exceeding one-eighth, and not exceeding one-fourth of an acre, £20; every such lot not exceeding three-eighths of an acre, £25; every such lot not exceeding half an acre, £30; every such lot not exceeding three-fourths of an acre, £35; every such lot not exceeding one acre, £50; every such lot exceeding one acre, and not exceeding two acres, £100; every such lot exceeding two and not exceeding three acres, £150; every such lot exceeding three and not exceeding four acres, £200; and every subsequent acre above four acres, £10.—*Provided always*, that within the liberties of the said city not more than one acre shall be assessed as attached to any dwelling-house or other building, and held therewith as the same tenement, and that every acre of land within the liberties of the said city over and above one acre, so assessed as aforesaid, shall be valued at £5 per acre; and that the following personal property be rated and assessed as follows, viz:—Every stone horse kept for covering mares for hire or gain, at £100; every horse, mare or gelding, above the age of three years, at £10. Every milch cow, at £8. Every close carriage with four wheels, kept for pleasure only, at £100; every two horse phaeton, or other open carriage with four wheels, kept for pleasure only, £75; every one horse do. do. £30; every gig, or other carriage of two wheels, kept for pleasure only, £15. Every covered two horse sleigh, kept for pleasure only, £40; every two horse sleigh, not covered, kept for pleasure only, £20, every covered one horse sleigh, kept for pleasure only, £5. And that every stove erected and used in a room where there shall be no fire place in common use, shall be deemed and taken to be a fire place, and rated and assessed as such.

3.—*Resolved*—That it is not expedient that any dwelling-house or building hereinbefore mentioned as liable to be rated and assessed, which shall have remained unoccupied for three calendar months next before taking the rates and assessments in any year, should be returned by the Assessors as liable to assessment for the year wherein such re-

turn is made, and within which year such house or building has been vacant and unoccupied.

4.—*Resolved*—That it is expedient that the tax on the real and personal property in the said city and liberties thereof should not exceed in any one year six pence in the pound upon the assessed value of the property lying or being within the city, and three pence in the pound upon the assessed value of property, other than personal, lying or being within the liberties of the said city; and upon personal property within the said liberties, six pence in the pound.

5.—*Resolved*—That every male inhabitant of the said city and liberties, of the age of 21 years and upwards, and under 60 years, and not otherwise rated or assessed, should be rated and assessed in the sum of five shillings, yearly, for the general uses of the city and liberties thereof; and that all such persons should be held liable to work on the highways or streets thereof one day, or commute for the same at the rate of 2s. 6d. per day, and that every person rated on the assessment roll at a sum not exceeding £25, should be liable for two days statute labour, to be commuted for at 2s. 6d. per day; if rated more than £25, and less than £50, three days;

|  |       |         |
|--|-------|---------|
| If more than £50, and not more than..... | £ 75, | 4 days; |
| If more than 75, and not more than.....  | 100,  | 5 "     |
| If more than 100, and not more than..... | 150,  | 6 "     |
| If more than 150, and not more than..... | 200,  | 7 "     |
| If more than 200, and not more than..... | 250,  | 8 "     |
| If more than 250, and not more than..... | 300,  | 9 "     |
| If more than 300, and not more than..... | 350,  | 10 "    |
| If more than 350, and not more than..... | 400,  | 11 "    |
| If more than 400, and not more than..... | 500,  | 12 "    |

And for every £100 above £500, till it amounts to £1,000, one day; and for every £200 above £1,000, till it amounts to £2,000, one day; and for every £300 above £2,000, till it amounts to £3,000, one day; and for every £500 above £3,000, one day.

On motion of Mr. Small, seconded by Mr. Wilkinson,

*Ordered*—That the resolutions just adopted be referred to a select committee to be composed of Messrs. Morrison, McIntosh and Robinson, with power to report thereon by bill, and that five hundred copies of the same be printed for the use of members.

Pursuant to the order of the day, the mutual assurance bill was read the second time.

The House was put into committee of the whole on the bill.

Mr. Chisholm in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

The House then adjourned 'till four o'clock, P. M. to-morrow.

**Saturday, March 5th, 1836.**

The House met pursuant to adjournment.

The minutes of yesterday were read.

Mr. Mackenzie brought up the petition of Stephen H. Merrick and one hundred and seventy-nine others, of the district of Johnstown; which was laid on the table.

Mr. Wells brought up the petition of James King, Esq. barrister-at-law, of the city of Toronto; which was laid on the table.

Mr. Roblin brought up the petition of Daniel Gilbert and one hundred and forty-nine others, inhabitants of the township of Sophiasburgh (Prince Edward); which was laid on the table.

Mr. McMicking brought up the petition of J. H. Johnson and one hundred and eighty-seven others, of the township of Bertie (Lincoln); which was laid on the table.

Resolutions referred to select committee.

Mutual assurance bill read 2nd time.

Committed.

Bill reported amended.

3rd reading to-morrow.

Petitions bro't up.

Of S. H. Merrick and others.

Of J. King, Esq.

Of D. Gilbert and others.

Of J. H. Johnson and others.

Mr. McMicking brought up the petition of Hiram Slate and 22 others, of the township of Humberstone (Lincoln); which was laid on the table. Of H. Slate and others.

Mr. Morrison brought up the petition of William Proudfoot and one hundred and seventy-four others, inhabitants of the city of Toronto; which was laid on the table. Of W. Proudfoot and others.

Mr. C. Duncombe brought up the petition of Charles Green, of the township of Harvey, in the Newcastle district; which laid on the table. Of C. Green.

Mr. Small brought up the petition of James McCague, of the township of York (York); which was laid on the table. Of J. McCague.

Pursuant to the order of the day, the mutual assurance bill was read the third time. Mutual assurance bill read 3d time.

Mr. Roblin, seconded by Mr. Yager, moves, that the eighth clause of the bill be amended by expunging all the said clause after the words "amounting to" and inserting the following: "one hundred pounds, one vote; four hundred pounds, two votes; nine hundred pounds, three votes, and one vote for every six hundred pounds above nine hundred." Amendment.

Which was carried, and the amendment was read twice, and ordered to be engrossed and read a third time this day. Carried, read twice.

Mr. Merritt, seconded by Mr. Rykert, moves, that the fifth clause of the bill be amended by adding the following words after the words "for which it is established," in said clause, "or in any other district within this Province." Further amendment.

On which the yeas and nays being taken, were as follows: Division.

YEAS—MESSIEURS,

|                       |         |          |            |         |
|-----------------------|---------|----------|------------|---------|
| Boulton,<br>Caldwell, | Dunlop, | Merritt, | Rykert,—5. | Yeas 5. |
|-----------------------|---------|----------|------------|---------|

NAYS—MESSIEURS,

|  |   |   |   |          |
|--|---|---|---|----------|
| Alway,<br>Chisholm,<br>Cook,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Durand,<br>McDonell, <i>Northumb.</i><br>McIntosh,<br>McKay,<br>McMicking,<br>Macnab, | Morrison,<br>Roblin,<br>Shibley,<br>Small,<br>Strange,<br>Thorburn, | Thom,<br>Waters,<br>Wells,<br>Wilkinson,<br>Wilson,<br>Yager,—24. | Nays 24. |
|--|---|---|---|----------|

The question was decided in the negative by a majority of nineteen. Amendment lost, majority 18.

Pursuant to the order of the day, the following petitions were read: Petitions read.

Of D. Ferguson and ninety-five others, inhabitants of the township of Osgoode, in the Ottawa district; praying that in the event of a new district being formed, Kemptville may be the district town. Of Dan. Ferguson and others

Of William Chisholm, Esquire, of Oakville; praying that the interest of the money, borrowed by him, from the Province, may be reduced from six to four per cent. Of Wm. Chisholm Esquire.

Of Lewis Willson and thirty-three others, of the township of Pelham, (Lincoln); praying for the erection of a bridge across the river Welland. Of Lewis Willson and others.

Of the Right Reverend R. Gaulin, Bishop of Trabacca, and two hundred and one others, inhabitants of the county of Glengarry; praying aid for a certain road. Of Bishop Gaulin and others.

Of R. Reid and one hundred and forty-seven others of Peterboro' and vicinity; praying that a bounty be given for the destruction of Wolves. Of R. Reid and others.

Of J. Nichols and others.

Of J. Nichols and one hundred and ten others, inhabitants of the townships of Ekfrid and Carradee, (London district); praying aid to erect a bridge over the river Thames.

Of S. Ransom and others

Of S. Ransom and sixty-seven others, of the township of Toronto, (York); praying aid for roads.

Notices.  
Committee of whole to tax bank stock for improvement of roads

Mr. Cock gives notice, that he will, on Monday next, move, that this House do go into committee of the whole to enable him to submit a resolution for the taxing of bank stock for the improvement of roads and bridges, in the several districts of this Province.

Mr. Waters gives notice, that he will, on Friday next, move, that the House resolve itself into a committee of the whole, to consider the expediency of imposing a tax on all the lands of the Upper Canada Land Company, held by them by right of pre-emption or otherwise, in this Province—for the purpose of improving the roads and bridges, in the several townships where such lands are situated, and which lands are not now returned for assessment under the existing laws.

Committee on bank charters, &c. report two bills.

Mr. Thorburn, chairman of the select committee on bank charters and insurance companies, reported the drafts of two bills—which were received.

Fire and life assurance bill, read first time.

The fire and life assurance act amendment bill was read the first time.

2d reading Monday.

*Ordered*—That the bill be read a second time on Monday next.

Bill to increase stock of Gore bank, Read 1st time.

The bill to increase the capital stock of the Gore Bank was read the first time.

2d reading Monday.

*Ordered*—That the bill be read a second time on Monday next.

Petitions referred. Of M. McDonogh

On motion of Mr. Robinson, seconded by Mr. Wilkinson,

*Ordered*—That the petition of Michael McDonough be referred to the committee on roads.

Of J. Nichols and others.

On motion of Mr. Parke, seconded by Mr. Alway,

*Ordered*—That the petition of John Nichols and others be referred to the standing committee on roads and bridges.

Committee on L'O. rignal fair bill, report L'Original market bill.

Mr. Shaver from the committee to which was referred the bill for the establishment of a fair at L'Original, informed the House that the committee had agreed to the draft of a bill for the establishment of a market at that place, which he was ready to submit whenever the House would be pleased to receive the same.

Bill read 1st time 2d reading Monday

The report was received and the bill was read a first time.

*Ordered*—That the bill be read a second time on Monday next.

Members' wages bill brought in.

Pursuant to notice, Mr. Boulton moves for leave to bring in a bill to provide in a different manner for wages to members.

Which was granted, and the bill read.

On 3d reading on Monday.

On the question for the second reading of the bill on Monday next.

Amendment.

In amendment—Mr. Charles Duncombe, seconded by Mr. Richardson, moves, that the bill be not read a second time on Monday next, but that it be read a second time this day three months.

Division.

On which the yeas and nays being taken were as follows :

YEAS—MESSIEURS.

|         |                                     |                          |        |          |
|---------|-------------------------------------|--------------------------|--------|----------|
| Yeas 6. | Alway,<br>Duncombe, <i>Oxford</i> , | Richardson,<br>Thorburn, | Wells, | Yager—6. |
|---------|-------------------------------------|--------------------------|--------|----------|

NAYS—MESSIEURS,

|                                    |   |                      |                                 |
|------------------------------------|---|----------------------|---------------------------------|
| Boulton,<br>Caldwell,<br>Chisholm, | Lewis,<br>McDonell, <i>Glengarry</i> ,<br>McDonell, <i>Stormont</i> , Morrison, | Malloch,<br>Merritt, | Shaver,<br>Shibley,<br>Strange, |
|------------------------------------|---|----------------------|---------------------------------|

|                           |                            |           |            |
|---------------------------|----------------------------|-----------|------------|
| Cook,                     | McDonell, <i>Northumb.</i> | Norton,   | Thom,      |
| Cornwall,                 | McIntosh,                  | Parke,    | Walsh,     |
| Duncombe, <i>Norfolk,</i> | McKay,                     | Robinson, | Waters,    |
| Durand,                   | McMicking,                 | Roblin,   | Wilkinson, |
| Dunlop,                   | Macnab,                    | Rykert,   | Wilson—33. |
| Hopkins,                  |                            |           |            |

Nays 33

The question was decided in the negative by a majority of twenty-seven, and the bill was ordered to be read a second time on Monday next.

Amendment lost, majority 27.  
2d reading Monday.

Mr. Speaker reported that he had received intimation that His Excellency the Lieutenant Governor intends to come down at the hour of two P. M. on Monday next, for the purpose of assenting in His Majesty's name to certain bills.

His Excellency to come down on Monday to assent to certain bills.

The amendment to the mutual insurance bill was read the third time.

Amendment to mutual insurance bill read 3rd time.

On the question for passing the bill, the yeas and nays being were taken, as follows:

Question for passing.

YEAS—MESSIEURS.

|                           |                             |             |            |
|---------------------------|-----------------------------|-------------|------------|
| Alway,                    | Dunlop,                     | Malloch,    | Rykert,    |
| Boulton,                  | Hopkins,                    | Merritt,    | Shaver,    |
| Caldwell,                 | Lewis,                      | Morrison,   | Shibley,   |
| Chisholm,                 | McDonell, <i>Glengarry,</i> | Norton,     | Small,     |
| Cook,                     | McDonell, <i>Stormont,</i>  | Parke,      | Strange,   |
| Cornwall,                 | McDonell, <i>Northumb.</i>  | Perry,      | Wells,     |
| Duncombe, <i>Oxford.</i>  | McIntosh,                   | Richardson, | Wilkinson, |
| Duncombe, <i>Norfolk,</i> | McKay,                      | Robinson,   | Wilson,    |
| Durand,                   | McMicking,                  | Roblin,     | Yager—36.  |

Yeas 36.

NAYS—MESSIEURS.

|       |           |         |
|-------|-----------|---------|
| Thom, | Walsh,—2. | Nays 2. |
|-------|-----------|---------|

The question was carried in the affirmative by a majority of thirty-four, and the bill was passed.

Question carried majority 34.

Mr. Wilkinson, seconded by Mr. Roblin, moves that the bill be entitled "*An Act to authorise the establishment of mutual Insurance Companies in the several districts of this Province.*"

Title.

Which was carried, and Messrs. Wilkinson and Roblin were ordered by Mr. Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to notice Mr. Morrison, seconded by Mr. Parke, moves that so much of the Journals of last session as relates to the report on the Windsor Harbor be now read.

Motion for reading Journals on Windsor harbor.

Which was carried and the report was read accordingly (No. 93, Vol. 2. App'e's. 1835.)

On motion of Mr. Morrison, seconded by Mr. Perry,

Ordered—That the report of the select committee of last session on the report of the commissioners on the survey of Windsor Harbor in the township of Whitby—the petitions of Abner Nash and others, and S. Hilliard and others, be referred to a committee of the whole on Thursday next.

Windsor harbor report and petitions of A. Nash & others and S. Hilliard and others, referred.

On motion of Mr. Macnab, seconded by Mr. Walsh,

Ordered—That the petition of Marcus Blair and others be referred to a select committee consisting of Messrs Merritt and Rykert, with power to send for persons and papers, and to report thereon by bill or otherwise.

Petition of Marcus Blair & others, referred.

The House then adjourned 'till ten of the clock, A. M. on Monday next.



Monday, 7th March, 1836.

The House met, pursuant to adjournment.

The minutes of Saturday were read.

Petitions bro't up.  
O. F. C. Capreol.

Mr. Thorburn brought up the petition of F. C. Capreol, of the city of Toronto; which was laid on the table.

Of P. Anderson and others.

Mr. Strange brought up the petition of Patrick Anderson and fifty-eight others, inhabitants of the county of Leeds, which was laid on the table.

Petitions read.

Pursuant to the order of the day the following petitions were read.

Of J. P. Buell and others.

Of J. P. Buell, and eighty-one others, inhabitants of the township of Elizabethtown, district of Johnstown, praying aid for roads.

Of J. Lawrie and others.

Of John Lawrie, and two hundred and fifty others, praying for the improvement of Windsor Harbor.

Of J. Alvord.

Of Justin Alvord, city of Toronto, praying for a patent.

Of J. Sleightham and others.

Of James Sleightham, and fifty-eight others, inhabitants of the Gore of Toronto, praying aid for roads.

Of M. Thomas & others.

Of Merick Thomas, and seventy-two others, praying for the erection of a light house at Oakville.

Of J. Lockart and others.

Of James Lockart and fourteen others, masters of vessels and others, praying the same.

Of G. Chalmers and others.

Of George Chalmers and four hundred and nineteen others, freeholders and others of the township of Trafalgar, praying for the formation of a new district.

Of A. Ker and others.

Of Adam Kerr and three hundred and twenty-one others, freeholders and inhabitants of the district of Gore, praying that the Province may take stock in the canal from Burlington Bay to Dundas.

Of C. R. Denham

Of Christopher R. Denham, city of Toronto, smith, &c.; praying for payment of balance due him for work done at the Parliament House.

Of J. Byrnes.

Of James Byrnes, city of Toronto; praying remuneration for services performed as a labourer at the building of the Don bridge.

Notice of resolution on the subject of a second circuit.

Mr. Macnab gives notice, that he will, on to-morrow, move that it be resolved—That the great increase of the population of the Province has augmented the number of criminal offences, and has occasioned the confinement for trial in the gaols of the Province, of a greater number of accused persons than at any time heretofore—that the dictates of humanity as well as the necessity of relieving the inhabitants of the country from the great expense of supporting the accused persons for so long a time, before they can be brought to trial, imperatively demand a second Assizes annually in each district—that the appointment of two additional Judges, in the Court of King's Bench in this Province, is indispensably requisite to enable the Executive government to accomplish so important an object, and one so much desired by the great majority of the people of the Province.

Committee of whole St. Catharines' bank bill.

Pursuant to the order of the day, the House was put into committee of the whole on the St. Catharines' bank bill.

Mr. McKay in the Chair.

The House resumed, Black Rod being at the door.

Mr. Speaker reported that the Master-in-Chancery had brought down from the honorable the Legislative Council a message, which was read as follows:

Message from Legislative Council.

Mr. SPEAKER,

The Legislative Council has passed the bill sent up from the Com-

mons House of Assembly, entitled, "An Act to authorise the sale of the old site of the Gaol and Court House in the district of Newcastle" without amendment.

Bill to sell old site of gaol and court house, N. D., passed Legislative Council.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
4th day of March, 1836. }

Mr. Speaker left the chair.

House in committee again on the bill.

The Chairman resumed the chair.

The House resumed.

The chairman reported, that the committee had made some progress in the bill, and asked leave to sit again this day.

Ordered—That the report be received and leave granted accordingly.

The Gentleman Usher of the Black Rod, came to the bar of the House, and delivered His Excellency's commands for the immediate attendance of the House at the bar of the Legislative Council Chamber.

Black Rod.

In obedience to His Excellency's commands, the House attended; and having returned, Mr. Speaker reported that His Excellency, the Lieutenant Governor, had been pleased to assent, in His Majesty's name, to the following bills—viz :

House attends at bar of Legislative Council.

"An Act to regulate the next election in the county of Leeds.

Bills receive the royal assent.  
Leeds election,

"An Act to provide for the payment of wages to members representing cities and incorporated towns within this Province."

Members' wages,

"An Act to authorise the erection of a mill-dam upon the river Thames, in the London district."

Thames mill dam,

"An Act to authorise the sale of the old site of the gaol and court house, in the district of Newcastle."—And was pleased to reserve for the signification of His Majesty's pleasure, the bill entitled,

Sale of old site,

"An Act to allow persons indicted for felony a full defence by counsel, and for other purposes therein mentioned."

Felon's counsel bill reserved.

Mr. Perry, seconded by Mr. Roblin, moves, that the Speaker do direct the proper officer to issue a writ of election for the return of two members for the county of Leeds, in place of Robert S. Jameson, and Ogle R. Gowan, Esquires, whose election and return have been declared void.

Warrant for writ of election, county of Leeds.

Which was ordered.

Pursuant to the order of the day, the House was again put into committee of the whole on the Saint Catharines' bank bill.

Committee resume on St. Catharine's bank bill.

Mr. McKay in the chair.

The House resumed to receive a message.

The Speaker left the chair.

The chairman resumed the chair of committee:

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, made some amendments to the same, and submitted it for the adoption of the House.

Bill reported, amended.

The report was received.

Ordered—That the bill be engrossed and read a 3d time tomorrow.

3rd reading tomorrow.

Mr. Speaker reported that Mr. Secretary Joseph had brought down from His Excellency, the Lieutenant Governor, several messages and documents.

Mr. Speaker reports messages from Lieutenant Governor

Mr. Speaker then read the messages as follows :

F. B. HEAD,

The Lieutenant Governor transmits to the House of Assembly, with

Message with despatch, on duties at Quebec.

reference to an address of the House at the last Session, the accompanying copy of a despatch from the Secretary of State for the Colonies, relative to certain duties collected at the Port of Quebec, and not accounted for to this Province.

*Government House, 7th March, 1836.*

F. B. HEAD,

Message, with despatch on address to King on Legislative Council

The Lieutenant Governor transmits to the House of Assembly, the accompanying copy of a despatch from His Majesty's Secretary of State for the Colonies, with reference to an address of the House to the King, at the last Session, respecting the Legislative Council.

*Government House, 7th March, 1836.*

F. B. HEAD,

Message, with despatch on Kingston and Toronto Hospitals.

The Lieutenant Governor transmits to the House of Assembly, the accompanying copy of a despatch from His Majesty's Secretary of State for the Colonies with reference to an address of the Assembly passed in the Session of the year 1834, respecting an endowment, by a grant of Crown Land, for each of the Hospitals at Toronto and Kingston.

*Government House, 7th March, 1836.*

F. B. HEAD,

Message, with despatches on U. E. claims.

The Lieutenant Governor transmits to the House of Assembly the accompanying copies of despatches from His Majesty's Secretary of State for the Colonies, with reference to the addresses of the Assembly on the subject of the claims to land of the United Empire Loyalists, passed in the Sessions of the years 1834 and 1835, respectively.

*Government House, 7th March, 1836.*

Message, with despatch and documents on prison discipline.

F. B. HEAD,

The Lieutenant Governor transmits to the House of Assembly the accompanying copy of a despatch from His Majesty's Secretary of State for the Colonies on the subject of prison discipline, together with the copy of an Act recently passed by the Imperial Parliament relative thereto.

The Lieutenant Governor also forwards to the Assembly, copies of reports of the Chief Justice and Judges, and of the Magistrates of several districts, respecting the condition of the Gaols and the treatment of prisoners, to which important subject he invites the attentive consideration of the House.

*Government House, 7th March, 1836.*

Message, with despatch on subject of crown revenue.

F. B. HEAD,

The Lieutenant Governor transmits to the House of Assembly the accompanying copy of a despatch from His Majesty's Secretary of State for the Colonies, with reference to the resolutions of the Assembly at the last Session respecting the control of the Crown revenue.

*Government House, 7th March, 1836.*

F. B. HEAD,

Message, with despatch on subject of Clergy Reserves.

The Lieutenant Governor transmits to the House of Assembly the accompanying copy of a despatch from His Majesty's Secretary of State for the Colonies, with reference to a resolution of the Assembly at the last session, on the subject of the Clergy Reserves.

*Government House, 7th March, 1836.*

F. B. HEAD,

Message, with despatches on certain banks &c.

The Lieutenant Governor transmits to the House of Assembly the accompanying copies of despatches from His Majesty's Secretary of State for the Colonies respecting the bills passed by the Legislative Council and the House of Assembly at the last session, for altering the charter of the Commercial Bank of the Midland district,—for establishing a Bank in the Gore district,—and for incorporating a Life Assurance and Trust Company.

*Government House, 7th March, 1836.*

F. B. HEAD,

The Lieutenant Governor transmits to the House of Assembly the

accompanying population and assessment returns of the several districts of the Province for the year 1835.  
*Government House, 7th March, 1836.*

Message, with population and assessment returns of 1835.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly the accompanying report of the Trustees appointed by an act of the Provincial Legislature passed in the year 1833, to make and improve the three principal approaches to the City of Toronto.

Message, with report of Toronto roads commissioners

*Government House, 7th March, 1836.*

F. B. HEAD,

The Lieutenant Governor transmits to the House of Assembly with reference to his message of the 8th ultimo, on the subject of the Post Office Department in British North America, the accompanying copy of a letter from the Deputy Post-master General, with its enclosures, for the further information of the House.

Message with documents on post office affairs.

*Government House, 7th March, 1836.*

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly the accompanying copy of a report from the Commissioners appointed to superintend the erection of a bridge across the River Trent.

Message with Trent bridge commissioners' report.

*Government House, 7th March, 1836.*

F. B. HEAD,

The Lieutenant Governor transmits to the House of Assembly, the accompanying copy of a report of the Commissioners of the late pretended bank at Kingston.

Message, with Kingston bank commissioners' report.

*Government House, 7th March, 1836.*

Copy.

No. 22.

*Downing Street, 21st July, 1835.*

SIR,

I have the honor to acknowledge the receipt of your despatch of the 22nd June, No. 31, transmitting an address from the House of Assembly of Upper Canada, respecting the claim of that Province to a portion of the duties collected at the Ports of Lower Canada, under certain Acts of the Imperial Parliament, and you refer me to the previous addresses of His Majesty's Government upon this subject, forwarded with your despatches Nos. 18 and 26, of 1834.

Despatch in relation to duties levied at the port of Quebec

In reply I have to inform you, that the subject to which these despatches refer has not escaped the notice of His Majesty's Government. The Commissioners who have been deputed by His Majesty to proceed to Quebec, have been instructed, among other subjects, to inquire into the system under which duties collected in the ports of Lower Canada are at present divided between the two Provinces; and it would, therefore be premature, pending that enquiry, to take any steps upon the subject to which the address of the House of Assembly refers.

I have, &c.

Signed, GLENELG.

Major General,

Sir John Colborne

&c. &c. &c.

A true copy,

J. JOSEPH.

Copy.

No. 24.

*Downing Street, 23rd July, 1835.*

SIR :

I have to acknowledge the receipt of your despatch, of the 15th May, No. 15, transmitting an address to His Majesty from the House of Assembly of Upper Canada, and in reply, I have to inform you that I have had the honor of laying this address at the Foot of the Throne.

Despatch acknowledging the receipt of a certain address of assembly.

I have, &c.

(Signed) GLENELG.

Major General

Sir J. Colborne, K. C. B.

&c. &c. &c.

A true copy,

J. JOSEPH.

Despatch on the  
hospitals at Toronto  
and Kingston.

No. 27.

Downing Street, 11th March, 1835.

SIR :

I have had the honor to receive Your despatch No. 80, of the 23rd December last, transmitting reports upon the state of the Hospitals at Toronto and Kingston, in aid of which a grant of land was prayed for by the House of Assembly of Upper Canada. From these reports, the copiousness and perspicuity of which I have to acknowledge, it is impossible not to derive a conviction of the beneficial and praiseworthy nature of those establishments, and it would, therefore, be with extreme reluctance that I should withhold any aid which might be essential to their support. At the same time I cannot hide from myself that assistance by means of a grant of land is open to very serious objection. The difficulties attending the arrangement of a landed estate, by an institution not of sufficient magnitude to employ a regular agent for that purpose, are at all times great, but they must be much enhanced in a country like Upper Canada, where tenants cannot be found to accept leases, and where, consequently, a large estate thrown into the hands of one owner, is liable to lie waste, unprofitable to its possessor and injurious to the district in which it is situated. I need hardly remind you how much inconvenience has heretofore been felt from such appropriations, and I am unwilling to risk a renewal of them, but at the same time I am equally unwilling to refuse assistance to institutions of this benevolent nature; more especially since it would appear, that the advantage derived from them by the inhabitants of Kingston and Toronto is small, in comparison with that conferred upon the emigrants who frequent those towns on their passage to more distant locations. I consider, therefore, that the best mode of meeting the wishes of the House of Assembly would be by making a pecuniary grant from the Crown revenues of the province; and although the Casual and Territorial revenue does not afford the means of doing so immediately, yet as many of the charges upon it are terminable, while the receipts are growing you will inform the Assembly that I trust, at no distant period, to be enabled to comply with their wishes by recommending to the Lords Commissioners of the Treasury to sanction such a grant as will be adequate to the assistance of these Hospitals. What the amount of that grant should be must of course depend upon the means at the disposal of the Crown, and upon the necessities of the institutions, and it is, therefore unnecessary for me to express any immediate opinion upon that point; but I must request that you will again bring the subject under my notice, whenever the circumstances of the Casual and Territorial Revenue shall be such as to enable me to meet the petition of the House of Assembly with a more satisfactory answer.

I have, &c.

(Signed) ABERDEEN.

A true copy,

J. JOSEPH.

Major General

Sir John Colborne, K. C. B. &c. &c. &c.

Copy.

No. 17.

Downing Street, 18th February, 1835.

SIR :

I have had under my consideration your despatch, No. 23, of the 8th of April last, accompanied by an address from the Assembly, respecting the rights enjoyed by the class of persons, entitled, "United Empire Loyalists."

The Assembly represent that whereas these rights had always been regarded in the light of a debt due by the government to the claimants, yet they were limited by an order of the Executive Council, passed in October 1818, and have since been subjected to other restrictions, all of which ought now in justice to be abrogated.

Upon this statement I have to observe, that the grants of land promised to United Empire Loyalists were never held out to them free from all obligation on their part. By the General Land regulations of 1789, which have formed the basis of all subsequent rules on the same subject, it was made an indispensable condition of every grant that the party should reside upon it; it was also provided that the temporary assignments of land, which it was customary to issue before the formal grants, should not be transferable. Both these conditions were expressly applicable to United Empire Loyalists, and they were less favorable in some respects than the terms substituted for them by subsequent orders of Council.

They fell, however, into some neglect, nor perhaps was it desirable that they should be strictly observed, in the early periods of the colony; but in 1818 it became apparent that great injury was arising from the intermixture of uncultivated lots in the improving parts of the province, and that an effort was necessary to check the too easy acquisition of land. Hence arose the order of October 1818, directing not with regard to United Empire Loyalists only, but to all grantees whatever, that no grant should be finally conceded until a habitable house were erected on the allotment, and certain settle-

Despatch on the  
subject of the rights  
of United Empire  
Loyalists.

ment duties performed. A later order, dated 24th of May, 1832, abolished these rules, and provided instead that no patent should issue for land unless a resident settler had been established on some part of the grant.

The regulations thus established in 1818 and 1832, were as I have already observed, more indulgent in some respects than those for which they were substituted. Even had they not been so, they were demanded by the interest of the Province, and on that ground alone were amply justified.

The United Empire Loyalists must of course be understood to have received their promises of grants subject to the same conditions or restrictions which it might from time to time be found necessary, for the public welfare, to impose on all grants of land from the Crown; there is no trace to be discovered of any exception in their favour from the effect of any future regulation on the subject, nor indeed would it seem credible that so extraordinary a principle should have been inserted in the midst of rules which were to operate in a new and rapidly changing country. When therefore too great a facility in the alienation of the Crown lands was found to produce the pernicious effect of leaving large tracts uncultivated in the midst of growing settlements, and thus to obstruct the prosperity of the colony, the government was not merely at liberty, but was imperatively bound to take proper steps for resisting the evil as well in the case of United Empire Loyalists as of all other grantees.

Unfortunately the measures that were adopted were not adequate to all the exigencies of the case, and a new cause of injury to the province soon demanded the attention of the Colonial Government. In defiance of the rule against transferring certificates of location (a prohibition which had never been withdrawn) there sprung up an extensive and mischievous traffic in United Empire Loyalists rights, converting the bounty of the Crown into a mere subject for the enterprizes of persons who were disposed to speculate in land. To have suffered this trade to go on unchecked would have been to betray the most important interests of the Province. The free circulation of titles to land in the vast numbers corresponding with the amount of United Empire Loyalists' claims must have depreciated the value of land throughout Upper Canada. It would have endangered the public territorial revenue, which is at present devoted to so many colonial objects of high moment; and it would have constituted a sort of unauthorized paper currency, calculated materially to affect the general transactions of the Colony. Besides these consequences, the worst effect of all perhaps would have been the stimulus to the acquisition of land, tempting individuals prematurely to quit the condition of labourers for that of land owners, and thus to augment the scarcity of hands which is at any rate the inconvenience most to be apprehended in a country in the circumstances of Upper Canada.

Threatened by evils of this magnitude, you proceeded with the advice of the Executive Council, to issue an order dated 8th November, 1833, and explained by the subsequent order of 7th December 1833) declaring that the actual residence of the party himself should in future be the sole, but indispensable condition of every grant to a United Empire Loyalist, unless he could prove himself to be unavoidably prevented from such residence; in which case a lot should be nominally assigned to him and its proceeds be paid to him whenever it should be disposed of at any of the government sales.

I certainly approve of this order, so far as its provisions are restrictive of the rights to be obtained in the character of United Empire Loyalists; my only objection to it is that it does not go sufficiently far in its limitations.

When I advert to the terms of the promises held out in 1789, by which, without regard to the probable rise in the value of land, and with scarcely any security against fraudulent claims, it was provided that every child of every person who was a Loyalist in 1789, should be entitled to a grant of 200 acres in coming to the age of twenty-one years, I cannot but deeply feel the necessity of guarding against abuse of a liberality so wide and indefinite: and the more so when I perceived that, in performance of the engagements thus contracted, a million and a half of acres have already been pledged, thus setting aside for United Empire Loyalists, without payment of any kind in return, more than one-seventh of the surveyed portion of the colony. Impressed by these considerations and looking to the circumstances under which the United Empire Loyalists' grants were originally promised, I cannot see any ground for the proviso, that if a Loyalist can prove himself unable to reside on an allowance he shall have the price of it instead of the land itself. This seems to me uncalled for by the terms of the engagement under which Government acts on this subject. If an individual is in such easy circumstances as not to desire to live on the land placed at his disposal, the public ought to be saved the value of a boon which may be presumed to have been designed for those who required it for their own use. The grants to loyalists were promised at a time when they were newly banished from their native farms, and it is far more natural to suppose that they were considered as a most indispensable allowance to those who were ejected from their homes, than as a mere gratuitous gift, which if the parties did not take it in kind, they might receive it in value. For these reasons I am unable to concur in the exception allowed in the order

Despatch on the subject of the rights of U. E. Loyalists.

Despatch on subject of U. E. Loyalist rights.

of the 8th November, 1833, and I am disposed to require that residence may be made the entirely unqualified condition of all future grants to United Empire Loyalists.

I am unwilling, without a further reference to the Province, to convey to you instructions so different from those which the Assembly would appear to have been desirous to obtain, by drawing attention to the subject in their address of the 4th of March last. You are yourself, I observe, disposed to think that the practical inconveniences of some relaxation in the rules respecting Loyalists might be less serious now than they would have been some time ago. But the objections to any indulgence which could admit of a traffic in United Empire Loyalists' Rights appear to be insurmountable; and I feel myself imperatively called upon in this grave matter not to recede from what seems to me my duty towards the interests of the Province. I can only trust that the facts I have recapitulated, together with the reflections which they have suggested, if properly represented to the Assembly, as I have no doubt they will be by you—will induce them to concur in the view of the subject which I have felt myself called upon to take, and to modify the sentiments originally expressed by them on the subject.

With respect to the presentation of the very numerous papers for which the Assembly applied in their address of 17th February, 1834, and which you could not communicate without authority from Home,—I have to state that so far as regards the question of divulging them, I have no objection whatever to their production; I must remark however, that the demand for all correspondence between the local government and the Secretary of State, "from the first settlement of the Colony, relating to the granting or sale of lands to any person or persons whatever," is one to which the return could not be otherwise than most inconveniently bulky, nor be made without great labour and possibly expense, especially as there was a time when it was common to authorise the most ordinary Grants to individuals by a distinct despatch from the Secretary of State. This circumstance alone is enough to indicate the multitude of documents which would be required, in order to comply precisely with the terms of the application made last year.—I should therefore wish you to ascertain whether it might not equally meet the object of the Assembly to present copies of all despatches laying down any principles respecting the disposal of land; and merely to furnish an abstract of the rest shewing the number of individuals who had been allowed land and the quantity assigned to each.

I throw this out as a suggestion that may be useful; but should the Assembly, after receiving an explanation from you on the subject, continue to press its original request, I would rather that you should cause all the voluminous documents in question to be transcribed, than admit of any doubt upon the readiness of His Majesty's government to supply whatever information the Assembly may deem important to the discharge of their high functions.

I have, &c.

(Signed)

ABERDEEN.

Major General

Sir John Colborne, K. C. B.

&c. &c. &c.

A true copy,

J. JOSEPH.

Copy.

No. 40.

Downing Street, 18th August, 1835.

Despatch on subject of U. E. Loyalist rights.

SIR,

I have the honor to acknowledge the receipt of your despatch of the 23rd June No. 32, enclosing a report from the Executive Council of Upper Canada with reference to my predecessor's despatch of the 18th February last, on the subject of the claim to lands of the persons denominated U. E. Loyalists.

At the present moment I do not think that it would be expedient to adopt any new regulation in regard to these claims. The general subject of the system, by which the estate of the Crown in the North American Provinces, may most fitly be managed, is under the consideration of His Majesty's Government, and the measures to be adopted with reference to U. E. claims, will form no inconsiderable part of any arrangement which may be contemplated in Upper Canada. I have only, therefore, in acknowledging your despatch to express my thanks to the Executive Council for the information contained in their report.

It is of course superfluous for me to remark, that no relaxation of the precautions at present in force against fraudulent claims, should be permitted, in expectation of the further instructions which it will be my duty to address to you upon this subject.

I have, &c.

(Signed)

GLENELG.

Sir J. Colborne,

&c. &c. &c.

A true copy,

J. JOSEPH.

Copy.

No. 41.

Despatch on subject of U. E. L. rights.

Downing Street 31st August, 1835.

Sir,

I have received your despatch of the 25th June last, No. 33, and I have had the honor to lay at the foot of the Throne the address enclosed in it from the House of Assembly to His Majesty, on the subject of the claims to Land of U. E. Loyalists.

For the reasons stated in my despatch No. 40, of the 18th instant, I am unwilling at the present moment to enter into a discussion of the various topics suggested in this address. The subject is one, to the great importance of which I am fully alive, and I entirely appreciate the claims of the U. E. Loyalists on the consideration of His Majesty's Government. But the very magnitude of the question, must prevent my coming to any decision upon it, pending the deliberations upon the system under which Land is at present disposed of in His Majesty's Colonial possessions, I can only, therefore, at present desire you to assure the House of Assembly, that in any measures which it may be proposed to adopt, with reference either to the management of the Crown Lands, or to the claims of the U. E. Loyalists, the addresses from them which have been forwarded to this department, will receive, from His Majesty's Government, a respectful and serious consideration.

The Assembly, I observe, allude to a former address upon this subject, to which they state that no answer had been returned. I conclude that the address referred to, is that which was transmitted in your despatch of 8th April, 1834, and that my predecessor's despatch of 18th February, 1835, in answer to it, had not been received in the Province at the time of the prorogation of the Assembly on the 16th April. But if such be the case, I can only refer you to that despatch as an evidence, that far from neglecting the representations of the Assembly, my predecessor had devoted to the consideration of them, great attention and research, and that the delay which occurred, was the necessary consequence of the extensive nature of the subject. For my predecessor, no less than for myself, I feel entitled to assert, that nothing could be less intentional, than an appearance of disregarding the representations of the Provincial Assembly upon that or upon any other subject, and I beg to remind you, with reference to the application in their present address for documents bearing upon the question, that you have already received instructions to furnish them with every information regarding it, which they may require.

The explanation given by Mr. Markland, relative to that part of the address of the Assembly which refers to his report of the 15th May, 1834, appears to be satisfactory, since from your silence upon the subject, I conclude that you see no reason to question the accuracy of his statements.

I have, &c.

(Signed)

GLENELG.

Sir J. Colborne,  
&c. &c. &c.

A true copy,

J. JOSEPH.

Copy.

CIRCULAR,

Downing Street, 28th Nov. 1835.

Sir,

Among the subjects which have recently engaged the public attention in this country, none has occupied a more prominent place, or is more intrinsically important, than the establishment of proper regulations for securing an effective prison discipline.

During the last session of Parliament, a committee of the House of Lords was appointed to enquire into the state of the Gaols and Houses of Correction in England and Wales. After a minute and laborious investigation, their Lordships adopted a series of reports, of which copies are herewith enclosed, for your information, and an Act of which a copy is also enclosed, was subsequently passed by the Imperial Parliament, for the purpose of carrying out the principles elicited by their enquiries. It is the object of my present despatch to call your attention to the general subject of Prison discipline, as far as regards the Colony under your government.

From the nature of the investigation undertaken by the committee of the House of Lords, some of the observations in their Reports, and of the recommendations embodied in their resolutions, are necessarily of a local and exclusive nature. But there are many others which are of general application, and which with such modifications only as are demanded by local circumstances, might probably be advantageously introduced into the colony, under your government.

I have therefore to desire, that you will bring the enclosed documents under the consideration of the Legislature of Upper Canada, and solicit their early attention to this important subject.

I have also to request that you will at your early convenience procure and transmit to me a Report upon the state of the prisons in the colony under your government.

The principal heads into which it is desirable that this Report should be divided are,  
1st.—The number of Gaols or Houses of Correction actually existing in the colony.



Despatch on the subject of Prison discipline.

- 2d.—The number of prisoners which each is capable of containing, and the average number of prisoners confined in each.
- 3d.—The regulations adopted for maintaining the internal discipline of the prison—the authority by which such regulations are established or revised—the nature and extent of the punishments permitted to be inflicted on prisoners—by what authority the general rules for punishments are made—and also by what authority the punishment appropriate in each case is appointed.
- 4th.—Whether any, and what species of compulsory labour is enforced.
- 5th.—In those cases where compulsory labour is used, the average amount of the earnings of each prisoner and its application.
- 6th.—The amount of the daily allowance of food to each prisoner, the allowance of clothes or bedding—under what authority provided, and the average annual expense of such supplies.
- 7th.—What provision is made for the medical treatment of sick prisoners, and for holding inquisitions in cases of death.
- 8th.—The nature and extent of classification which is established; more especially with reference to the separation of men from women; of the young from the older prisoners; of criminals from debtors, and of persons committed for trial from those who have been convicted.
- 9th.—The provision made for the instruction of the prisoners; whether a chaplain is appointed, and whether bibles or other books are furnished to the prisoners.
- 10th.—What means are adopted for securing the visitation of the prisons by the local magistracy and other authorities; whether those visits are only at stated and pre-arranged periods, or whether the magistrates are in the habit of visiting the gaols at irregular periods, and when their visits would not be expected.
- 11th.—Whether any means exist for allowing the prisoners to enjoy exercise in the open air.

On these and any other points which may appear to you to deserve notice, I have to request that you will transmit to me the fullest information which it is in your power to furnish, and you will also inform me whether any alterations and improvements upon the system at present in use are in the contemplation of the local legislature.

I have only to observe in conclusion, though it is hardly necessary to do so, that the information now called for, is not intended in any degree to supersede the similar annual returns which are comprised in the Blue Book.

I have, &c.

Major General

Sir J. Colborne, K. C. B.

&c. &c. &c.

(Signed) GLENELG.

Copy.

No. 23.

Downing Street, 22nd July, 1835.

SIR,

I have the honor to acknowledge the receipt of your despatch of the 20th May, No. 21, transmitting certain resolutions passed by the House of Assembly of Upper Canada on the 15th April last, respecting the control which in the opinion of that body, the Provincial Legislature ought to have over all the revenues of the Crown within the Province.

I have, &c.

Major General

Sir J. Colborne, K. C. B.

&c. &c. &c.

(Signed) GLENELG.

A true copy,

J. JOSEPH.

Copy,

No. 31.

Downing Street, 31st July, 1835.

SIR,

I have the honor to acknowledge the receipt of your despatch, No. 20, of the 20th May, transmitting an address to His Majesty, from the Legislative Council of Upper Canada on the subject of the Clergy Reserves in that Province. You also enclose the copy of a resolution passed by the House of Assembly upon the rejection by the Council of a bill to dispose of these reserves, and the report of a committee of the Council upon the general subject of the provision made by law for the support of a Protestant Clergy in the Province.

I have had the honor to lay at the foot of the Throne the address from the Legislative Council, and His Majesty has commanded me, to express to you, his satisfaction at the expressions of attachment to his person and government, which are contained in it.

The disposal of the Clergy Reserves is, as you have described it, a question of great importance. It is a subject which has been frequently under the consideration of my predecessors, and to which I have found it necessary to devote much of my atten-

Despatch on subject of Crown Revenues.

Despatch on subject of Clergy Reserves.

tion, since I received the seals of this department. I am not, however, prepared at the present moment to give you any additional instructions upon it—however much I may regret the difference of opinion between the House of Assembly and the Council, which prevented its settlement during the session which has lately terminated, I cannot look upon that event, as precluding the possibility of a more favorable result hereafter. I trust, that in their next session, the Legislature will resume, and will be enabled to conduct to a successful conclusion, some measure for the arrangement of this question. To take any immediate steps with reference to your present despatch and its enclosures, under such circumstances would be premature; and I must, therefore for the present decline to interfere with the deliberations of the Provincial Legislature, by offering to them any suggestions of my own upon the subject of the Clergy Reserves.

I have, &c.

(Signed) GLENELG.

Major General

Sir J. Colborne, K. C. B.

&c. &c. &c.

Copy.

No. 14.

Downing Street, 15th June, 1835.

SIR:

I have received His Majesty's commands to address to you the following communication respecting three bills passed by the Legislative Council and Assembly of Upper Canada, and reserved by you in the month of April last for the signification of His Majesty's pleasure.

I shall transmit to you by the earliest possible opportunity orders of His Majesty in Council confirming the bill for altering the charter of the Commercial Bank of the Midland District, and the bill for the incorporation of the Gore Bank.

It is not without hesitation and reluctance that His Majesty has decided to suspend for the present his decision upon the bill for the establishing the Upper Canada Life Assurance and Trust Company.

Acknowledging, without reserve, the weight due to the Judgment of the Legislative Council and Assembly of the Province, upon all subjects of internal regulations, His Majesty's confidential advisers are yet unable to decline the responsibility of exercising to the best of their power an independent judgment upon such an occasion as the present. An appeal having been directly made to His Majesty to determine whether this bill shall have the force and effect of law, it is the plain duty of the ministers of the Crown to weigh, as far as they may be able, the consequences of the decision which they may humbly advise the King to adopt. I, therefore proceed to explain to you the result of those deliberations.

*First.*—It appears that this bill establishes a corporate body for three distinct objects—these are:—the effecting of Life Insurances—the receiving an accumulation at interest of deposits of money—and the acceptance and execution of trusts. These objects, if not, strictly speaking, compatible with each other, could scarcely be so carried on as not to involve the corporation in many dangers and embarrassments. I do not here refer to the circumstance that the time and thoughts of the Directors would be distracted by their attention to so many branches of commerce (though that is no immaterial circumstance), but rather to the blending together of funds, which justice to the parties concerned, and the public security would alike require to be kept distinct. The trust monies might be applied to pay off Life Insurances; or the deposits might be used to liquidate the claims of those for whom the companies should be trustees. I find in the bill no security whatever against this obvious and formidable danger.

*Secondly.*—The courts by which trusts are to be delegated to this Company are not invested with any summary jurisdiction over the corporate body, its officers or its funds. The property of infants and of absentees, of married women, and of lunatics, would thus be committed to functionaries not amenable to the summary orders of the tribunals from which their power is to be derived, nor bound to render to them any account of the administration of the trust funds. In every case of alleged breach of trust, legal proceedings must be instituted, the nature of which is not at all explained, and the success of those proceedings must depend upon the solvency of a body virtually irresponsible for their conduct.

*Thirdly.*—The society to which these extraordinary powers are to be granted is limited to a capital of £300,000 Currency; of which they are not required to invest more than one-tenth part. Such a fund as £30,000 Currency, would seem a most inadequate security to those who are to be involved in pecuniary transactions with this body.

*Fourthly.*—The Company are expressly exempted from the obligation of giving in any case, any special security, for the faithful discharge of any trusts which they may undertake—an exemption of which I am at a loss to conjecture the reason.

*Fifthly.*—As there is no Court of Equity in the Province, I do not perceive how

Despatch on the charters of the Commercial and Gore Banks.

And on the Life Assurance and Trust Company bill.

Despatch on the Life Assurance and Trust company bill.

any remedy is to be had for the neglect or breach of any trust which this Company may undertake.

*Sixthly*—The power of investing the capital of this Company in the stock of other trading Corporations will largely and needlessly enhance the risk of all with whom they may deal.

*Seventhly*—The charter is to last only for 25 years—yet no provision is made for securing the property of infants and others, for whom at the end of that time they will be trustees; or respecting the payment of Policies of insurance on lives which, 25 years hence may be still in being.

*Lastly*—In favor of this Company an entire alteration is made of the law of Mortgages, I am equally at a loss to understand the motives of the innovations or the reasons which may be supposed to require that the new law should apply only to mortgages granted to this society, not to mortgages for securing the advances of other creditors:

I am far from presuming to suppose that these difficulties are not susceptible of a satisfactory answer. They have, however, appeared of so grave a nature as to require that the subject should be brought under the re-consideration of the Council and Assembly. You will, therefore, transmit to them a copy of this despatch, assuring them of His Majesty's earnest desire to assent to the Act, if the objections which I have mentioned can either be repelled by arguments which have not occurred to myself, or shall be removed by any such amendments as the local Legislature may deem it proper to make.

I have, &c.

(Signed)

GLENELG.

Major General

Sir John Colborne, K. C. B.

&c. &c. &c.

A true copy,

J. JOSEPH.

Copy.

No, 44.

Downing Street, 11th September, 1836.

SIR:

In conformity with the intention expressed in my despatch of the 15th June last, I have now the honor to transmit to you orders of His Majesty in Council, confirming two acts passed by the Legislature of Upper Canada in their last session, and reserved for the signification of His Majesty's pleasure—the first for extending the charter of the Commercial Bank of the Midland District—the second for the incorporation of the Gore Bank.

In transmitting to you these orders in Council, it is necessary that I should recall your attention to the correspondence which took place between Lord Stanley and yourself, on the subject of the similar acts passed by the Legislature of Upper Canada in their session of 1831-2. To both of the Acts now under consideration, the objections urged by the Lords of the Committee of Privy Council for Trade against the acts of 1831 are applicable. In these acts no less than in those which preceded them, there are omitted many provisions for the security of the public, to which great importance is attached in this country. Thus in the act for the incorporation of the Gore Bank, no provision has been made for the periodical publication of accounts,—for the submission of accounts to the Governor, if required—for a penalty upon the suspension of cash payments during any lengthened period,—for the payment of a fair share of subscribed capital—for restriction in the amount of discount to the directors—or for security against the Bank dealing in its own stock. In the act for the extension of the charter of the Commercial Bank of the Midland District, the omissions are no less important. In that Act no security is afforded for the personal responsibility of the shareholders—for the publication of accounts, and for their submission to the Governor if required—for the non-employment of the funds in loans upon land—for a penalty upon the suspension of cash payments—for the conversion into specie of paper of the Branch Banks at the principal establishment—for the payment of a fair share of the subscribed capital—or for security against the Bank dealing in its own stock.

If, therefore, in the advice which it became my duty, on this occasion to tender to His Majesty, I have referred to none but considerations of commercial policy, I should have felt myself precluded from recommending the confirmation of these Acts in their present form. But unwilling as I must ever be, to advise the disallowance of Acts which have received the sanction of a Colonial Legislature, I should have felt an especial reluctance to do so in this case, since I was aware of the importance which, in the Province, is attached to their confirmation. The subject to which they relate is one intimately connected with the commercial advancement of the Colony, and although the establishment of banking corporations, unfettered by the provisions to which I have above alluded, is repugnant to the principles laid down upon the subject in this country and which are fully stated in the enclosure to Lord Stanley's despatch of 30th May,

Despatch announcing the royal assent to the Commercial and Gore bank bills.

1833—I have yet decided not to enforce those principles, in the present instance, against the judgment of the Provincial Legislature. I cannot, however, allow myself to doubt the willingness of that body, to adopt any provision which may be essential to the security of the public. I have, therefore, to desire, that, at their next meeting, you will take an opportunity of again bringing the question under their notice, informing them, that, in deference to their judgment, His Majesty has been advised to confirm these Acts, but pointing out, at the same time, the particulars in which they have appeared to His Majesty's government, to be susceptible of improvement.

I have, &c.

(Signed)

GLENELG.

Sir John Colborne,  
&c. &c. &c.

A true copy,

J. JOSEPH.

Documents—(see Appendix.)

On motion of Mr. Perry, seconded by Mr. Shibley,  
*Ordered*—That an address be presented to His Excellency, thanking him for his several messages of this day, and assuring His Excellency that this House will not fail to take the several subjects to which they relate into consideration, and that Messrs. Roblin and Cook be a committee to draft and report the said address.

Address of thanks.

On motion of Mr. Perry, seconded by Mr. D. Duncombe,  
*Ordered*—That the population returns sent down this day be referred to the standing committee on the division of districts.

Population returns referred.

Adjourned.

Tuesday, 8th March, 1836.

The House met.

Petitions bro't up.

The minutes of yesterday were read.

Mr. Robinson brought up the petition of Isabella Hickley of the city of Toronto; which was laid on the table.

Of Isabella Hickley.

Pursuant to the order of the day, the St. Catharine's bank bill was read a third time.

St. Catharines' bank bill read 3d time.

On the question for passing the bill,

On passing.

In amendment, Mr. Mackenzie, seconded by Mr. Wilson moves, that this bill do not now pass, but that its consideration be deferred for two weeks.

Amendment.

On which the yeas and nays were taken as follows:

Division.

YEAS—MESSIEURS,

|                   |                   |                        |                     |
|-------------------|-------------------|------------------------|---------------------|
| Bruce,<br>Dunlop, | Gibson,<br>Lount, | McIntosh,<br>Morrison, | Small,<br>Waters—8. |
|-------------------|-------------------|------------------------|---------------------|

Yeas 8.

NAYS—MESSIEURS,

|   |  |  |  |
|---|--|--|--|
| Alway,<br>Boulton,<br>Brown,<br>Caldwell,<br>Chesser,<br>Chisholm,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand, | Hopkins,<br>Lewis,<br>McCrae,<br>McDonell, <i>Glengarry</i> ,<br>McDonell, <i>Stormont</i> ,<br>McKay,<br>McLean,<br>McMicking,<br>Macnab,<br>Malloch, | Merritt,<br>Norton,<br>Parke,<br>Richardson,<br>Robinson,<br>Roblin,<br>Rykert,<br>Rymal,<br>Shaver,<br>Shibley, | Smith,<br>Sol. General,<br>Strange,<br>Thom,<br>Thorburn,<br>Wells,<br>Wilkinson,<br>Yager—38. |
|---|--|--|--|

Nays 38.

The question of amendment was decided by a majority of thirty.  
In amendment, Mr. Small, seconded by Mr. McIntosh, moves, that the question be not now put, but that the bill be re-committed to a committee of the whole House.

Amd't. lost maj. 30.

2d Amendment.

Lost. Which was lost.  
 On passing the bill On the question for passing the bill, the yeas and nays were taken as follows :

YEAS—MESSIEURS.

|          |  |  |  |   |
|----------|--|--|--|---|
| Yeas 38. | Alway,<br>Brown,<br>Caldwell,<br>Chesser,<br>Caisholm,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Dunlop, | Hopkins,<br>Lewis,<br>McCrae,<br>McDonell, <i>Glengarry</i> ,<br>McDonell, <i>Stormont</i> ,<br>McDonell, <i>Northumb.</i><br>McKay,<br>McNab,<br>Malloch,<br>Merritt, | Norton,<br>Parke,<br>Perry,<br>Richardson,<br>Robinson,<br>Roblin,<br>Rykert,<br>Rymal,<br>Shaver,<br>Shibley, | Smith,<br>Strange,<br>Thorburn,<br>Walsh,<br>Wells,<br>Wilkinson,<br>Wilson,<br>Yager—38. |
|----------|--|--|--|---|

NAYS—MESSIEURS,

|          |                            |                                    |                                   |                           |
|----------|----------------------------|------------------------------------|-----------------------------------|---------------------------|
| Nays 11. | Cook,<br>Gibson,<br>Lount, | McIntosh,<br>Mackenzie,<br>McLean, | McMicking,<br>Morrison,<br>Small, | Sol. General,<br>Thom—11. |
|----------|----------------------------|------------------------------------|-----------------------------------|---------------------------|

Question carried, majority 27. The question was carried in the affirmative, by a majority of twenty-seven, and the bill was passed.

Title. Mr. Rykert, seconded by Mr. Macnab, moves that the bill be entitled "*An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of the Niagara District.*"

Which was carried, and Messrs. Rykert and Macnab were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petitions read. Pursuant to the order of the day the following petitions were read:  
 Of S. H. Merrick and others. Of Stephen H. Merrick and one hundred and seventy-nine others, of the district of Johnstown, remonstrating against the prayer of the petition of Henry Burritt and others, for a division of the district.

Of J. King, Esq. Of James King, Esquire, Barrister at Law, city of Toronto, praying the House to take the subject matter of his petition into its early consideration.

Of D. Gilbert and others. Of Daniel Gilbert and one hundred and forty-nine others, inhabitants of the township of Sophiasburgh; praying aid for roads.

Of J. H. Johnson and others. Of J. H. Johnson and one hundred and eighty-seven others, of the township of Bertie, (Lincoln); praying for the construction of a rail road from Bertie to Detroit.

Of H. Slate and others. Of Hiram Slate and twenty-two others, of the township of Humberstone, (Niagara district); praying for the erection of a bridge across the River Welland.

Of W. Proudfoot and others. Of William Proudfoot and one hundred and seventy-four others, inhabitants of the city of Toronto; praying that an Act of Incorporation be granted, for lighting the said city with gas.

Of C. Green. Of Charles Green of the township of Harvey, (Newcastle); praying to be relieved from the responsibility and duties attached to a certain commission for building a bridge over Buck Horn Rapids.—  
 And

Of J. McCague. Of James McCague, of the township of York; claiming title to certain land in the city of Toronto, and praying relief.

Notice of motion, for a grant of money to build a light keepers' house. Mr. Walsh gives notice, that, the building heretofore erected for the light keeper, on Long Point, Lake Erie, having been destroyed—he will, on to-morrow, move, that this House do resolve itself into a committee of the whole, to consider the expediency of granting a sum

of money for the erection of a light keeper's house, on Long Point aforesaid, and to report thereon to this House.

Mr. D. Æ. McDonell, from the standing committee on roads and bridges, presented a report, which was received and read as follows :

*To the Honorable the House of Assembly.*

The standing committee upon roads, macadamized roads and bridges, to whom was referred various petitions and the resolution of the House granting the sum of fifty thousand pounds, for making and improving roads and bridges in the several districts in this Province, have met and considered the same and agreed to the following as their first report :

Your Committee took into their consideration, the great inconvenience and not unfrequently the dissatisfaction likely to arise from making small special grants for particular bridges or parts of roads, and would therefore recommend that the respective members of the several districts make provision for making and repairing of such roads and bridges as may be most required in their respective counties, out of the portion falling to their respective districts of the general grant—and that if special grants should be made over and above for the construction of particular bridges, improving bad hills and certain parts of roads in various parts of the province when desired and appearing proper, just and feasible, it should be on condition of the payment of a reasonable toll adequate to pay the interest and liquidate the principal in a given number of years.

Your Committee have also taken into consideration the proper distribution necessary to be made among the several districts of the fifty thousand pounds granted as aforesaid ; and beg leave to recommend for the adoption of the House the following resolution

All which is respectfully submitted.

DONALD Æ. McDONELL, *Chairman.*

*Resolved*,—That the said sum of FIFTY THOUSAND POUNDS be distributed in the several districts, as follows :

|                         |        |
|-------------------------|--------|
| For the Ottawa District | £2,400 |
| “ “ Bathurst do         | 4,400  |
| “ “ Eastern do          | 4,375  |
| “ “ Johnstown do        | 4,400  |
| “ “ Midland do          | 5,500  |
| “ “ Prince Edward do    | 1,300  |
| “ “ Newcastle do        | 4,500  |
| “ “ Home do             | 5,450  |
| “ “ Gore do             | 4,500  |
| “ “ Niagara do          | 4,000  |
| “ “ London do           | 4,800  |
| “ “ Western do          | 4,375  |

£ 50,000

DONALD Æ. McDONELL, *Chairman.*

Resolution reported by committee on roads and bridges.

Mr. D. Æ. McDonell, seconded by Mr. Chisholm, moves, that pursuant to the resolution of the committee on roads, macadamized roads, and bridges, that Messrs. Duncombe, *Oxford*, and Roblin, be a committee to draft a bill, agreeably to the report of said committee, and that the members for counties of the different districts, do furnish the committee with their distributions.

Motion to refer the resolution to a committee to draft a bill

In amendment, Mr. Wells, seconded by Mr. Parke, moves, that after the word “ moves,” the whole be expunged and the following inserted—“ that this House do go into a committee of the whole on to-morrow, on the report of the committee on roads and bridges.

Amendment.

On which the yeas and nays were taken, as follows :

Division

YEAS—MESSIEURS,

|                            |                              |             |            |
|----------------------------|------------------------------|-------------|------------|
| Always,                    | Hopkins,                     | Malloch,    | Rymal,     |
| Brown,                     | Lount,                       | Morrison,   | Smith,     |
| Chesser,                   | M'Donell, <i>Glengarry</i> , | Norton,     | Thom,      |
| Duncombe, <i>Norfolk</i> , | McIntosh,                    | Parke,      | Walsh,     |
| Durand,                    | McKay,                       | Richardson, | Wells,     |
| Dunlop,                    | McLean,                      | Robinson,   | Wilson—25. |
| Gibson,                    |                              |             |            |

Yeas, 25.

NAYS—MESSEURS,

|           |                             |          |                    |
|-----------|-----------------------------|----------|--------------------|
| Caldwell, | McDonell, <i>Stormont</i> , | Roblin,  | Solicitor General, |
| Chisholm, | McMicking,                  | Rykert,  | Thorburn,          |
| Cook,     | McNab,                      | Shaver   | Wilkinson,         |
| Cornwall, | Merritt,                    | Shibley, | Yager—17.          |
| McCrae,   |                             |          |                    |

Nays, 17.

Amendment carried, majority 8.

The question of amendment was carried in the affirmative by a majority of eight.

Original question amended.

The original question as amended was then put and carried—and it was

*Ordered*—That this House do go into committee of the whole on to-morrow, on the report of the committee on roads, macadamized roads, and bridges.

Select committee on petition of M. Blair, report Cayuga bridge bill.

Mr. Merritt from the select committee to which was referred the petition of Marcus Blair and others, praying to be incorporated for the purpose of building a toll bridge over the Grand River at the village of Cayuga, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read 1st time.

The report was received, and the bill was read the first time.

2nd reading to-morrow.

*Ordered*—That the Cayuga bridge bill be read a second time to-morrow.

Com. on petition of Wm. Lotteridge, report Burlington Bay Fishery bill.

Mr. Smith from the select committee to which was referred the petition of William Lotteridge and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Read 1st time. 2nd reading to-morrow.

The report was received, and the bill was read the first time.

*Ordered*—That the Burlington Bay fishery bill be read a second time to-morrow.

Petitions referred. Of J. King, Esq.

On motion of Mr. Wells, seconded by Mr. Wilson,

*Ordered*—That the petition of James King, Esquire, be referred to a select committee, and that Messrs. Brucc, Parke, Norton, and Moore, do compose the same, with power to send for persons and papers, and report thereon.

Of J. A. Wilford and others.

On motion of Mr. Merritt, seconded by Mr. Rykert,

*Ordered*—That the petition of Joseph Augustus Wilford and others, of Thorold and Crowland, be referred to the committee of supply.

Of Merrick Thomson and J. Lockart and others.

On motion of Mr. Durand, seconded by Mr. Hopkins,

*Ordered*—That the petition of Merrick Thomas and seventy-two others, of Oakville, and the petition of James Lockhart and fourteen others, ship owners, praying for the erection of a light house at Oakville, in the Gore district, be referred to the committee on the subject of light houses.

Of A. Ker and others

On motion of Mr. Durand, seconded by Mr. Smith,

*Ordered*—That the petition of Adam Ker and three hundred and twenty-one others, praying that this House will afford further aid to the Desjardins' canal company, be referred to the committee to whom was referred the petition of the President and directors of said company.

Of J. Huttner.

On motion of Mr. Morrison, seconded by Mr. Wells,

*Ordered*—That the petition of Jacob Huttner be referred to the committee on aliens, to report thereon by bill or otherwise.

Of J. McCague.

On motion of Mr. Robinson, seconded by Mr. Wilkinson,

*Ordered*—That the petition of James McCague be referred to a select committee, to be composed of Messrs. Bruce and Wells, with

power to send for persons and papers, and to report thereon by bill or otherwise.

On motion of Mr. Robinson, seconded by Mr. Wilkinson,

*Ordered*—That the petition of Charles Barnhart be referred to a select committee, to be composed of Messrs. Solicitor General and Gibson, with power to send for persons and papers, and to report thereon by bill or otherwise.

Of Chas. Barnhart

On motion of Mr. McMicking, seconded by Mr. Thorburn,

*Ordered*—That the petition of Isaac H. Johnston and one hundred and eighty-seven others, be referred to the standing committee on rail roads, canals, and other internal improvements.

Of J. J. Johnston and others.

On motion of Mr. Durand, seconded by Mr. Hopkins,

*Ordered*—That the petition of George Chalmers and four hundred and nineteen others, for the formation of a new district, to be erected from a part of the Gore and Home districts, be referred to the standing committee on the division of districts.

Of G. Chalmers and others.

On motion of Mr. Richardson, seconded by Mr. Caldwell,

*Ordered*—That the petition of George Burger be referred to a select committee, to be composed of Messrs. Wilson and Wilkinson, to report thereon.

Of G. Burger.

On motion of Mr. Smith, seconded by Mr. Rymal,

*Ordered*—That the petition of Casper Ten Eyck and others be referred to a select committee, to be composed of Messrs. Perry, Thorburn, Norton, and Rymal, with leave to report thereon.

Of C. Ten Eyck and others.

Pursuant to the order of the day, the House was put into committee of the whole on the Niagara bank bill.

Com of whole on Niagara bank bill.

Mr. Boulton in the chair.

Mr. Speaker resumed the chair to receive a message.

Message.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

Committee resumed.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported, amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time tomorrow.

3rd reading tomorrow.

Mr. Speaker reported that Mr. Secretary Joseph had brought down from His Excellency, the Lieutenant Governor, a message, which was read as follows :

F. B. HEAD.

The Lieutenant Governor in submitting to the consideration of the House of Assembly, the present dilapidated state of the Government House and out offices, acquaints the House, that by information derived from competent persons, it would require the sum of £500, in addition to the annual vote, to effect repairs, a memorandum of which is enclosed herewith.

*Government House, 8th March, 1836.*

Message from Lt. Governor on the repairs of Government House, &c.

*Memorandum of proposed repairs to Government House.*

£500 {  
New covering the roof.  
Rough casting the exterior of the building.  
Painting.  
Putting up Paling.

Memorandum of repairs to Government House.

On motion of Mr. Solicitor General, seconded by Mr. Gibson,  
*Ordered*—That the request of the Honorable the Legislative Council for a conference on the subject of the General Court of Quar-

Conference with Legislative Council on quarter sessions' bill.



ter Sessions bill be concurred in, and that Messrs. Macnab, Perry, Richardson, and Norton, be the conferees on the part of this House.

Johnstown bank bill read 2nd time. Pursuant to the order of the day, the Johnstown Bank bill was read the second time.

Committed. The House was put into committee of the whole on the bill. Mr. Rykert in the chair. The House resumed.

Bill reported amended. The chairman reported, that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

3rd reading to-morrow. The report was received. *Ordered*—That the bill be engrossed and read a third time to-morrow.

Adjourned.

Wednesday, 9th March, 1836.

The House met.

Petitions bro't up. The minutes of yesterday were read.

Of J. Bryant. Mr. Strange brought up the petition of John Bryant, late corporal in the incorporated Militia; which was laid on the table.

Of E. Gilbert and others. Mr. Parke brought up the petition of Erastus Gilbert and twenty five others, of the township of Bayham, district of London; which was laid on the table.

Of J. Peters and others. Mr. Durand brought up the petition of James Peters and ninety seven others, of the township of Eramosa, (Halton); which was laid on the table.

Of W. Young, Esq. Mr. Dunlop brought up the petition of William Young, Esqr., Chairman of the Quarter Sessions, London district; which was laid on the table.

Of G. W. Whitehead. Mr. C. Duncombe brought up the petition of Geo. W. Whitehead, agent, &c.; which was laid on the table.

Niagara bank bill passed. Pursuant to the order of the day, the Niagara bank bill was read the third time and passed.

Title. Mr. Richardson, seconded by Mr. McKay, moves, that the bill be entitled, "*An Act to incorporate sundry persons under the style and title of the President, Directors, and Company of the Bank of Niagara.*" Which was carried, and Messrs. Richardson and McKay, were ordered by the Speaker to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.

Johnstown district bank bill passed. Pursuant to the order of the day, the Johnstown district Bank bill was read the third time and passed.

Title. Mr. Wells, seconded by Mr. Norton, moves that the bill be entitled "*An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Johnstown District Bank.*" Which was carried, and Messrs. Wells and Norton were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petitions read. Pursuant to the order of the day the following petitions were read.

O. F. C. Capreol. Of Frederick C. Capreol, city of Toronto, praying investigation into certain charges preferred against the Solicitor General.

Of P. Anderson and others. Of Patrick Anderson and fifty-eight others, inhabitants of the county of Leeds, praying for an act of incorporation, for the improvement of the waters of the Gananoque and Wiltsie Creeks.

Documents on prison discipline, referred. On motion of Mr. Dunlop, seconded by Mr. McNab, *Ordered*—That the despatch and papers sent down by His Excel-

lency the Lieutenant Governor on the subject of prison discipline be referred to the committee on prisons to report by bill or otherwise.

On motion of Mr. Macnab, seconded by Mr. Dunlop,

*Ordered*—That an humble address be presented to His Excellency the Lieutenant Governor, requesting that he will cause to be laid before this House the Gaol Calendar of each district in the Province for the last four years—and that the 31st rule of this House be dispensed with so far as relates to the same.

Address to His Excellency for returns of Gaol Callendars—ordered.

On motion of Mr. Macnab, seconded by Mr. Dunlop,

*Ordered*—That Messrs. Rykert and Richardson be a committee to draft and report an address pursuant to the said resolution.

Mr. Roblin, from the committee appointed to draft an address to His Excellency the Lieutenant Governor, thanking him for his messages of Monday last, reported a draft, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Address of thanks read 2nd time.

Mr. Rykert, from the committee to draft an address to His Excellency the Lieutenant Governor for certain calendars, reported a draft, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Address for gaol calendars read twice

On motion of Mr. Wells, seconded by Mr. Shaver,

*Ordered*—That the petition of Daniel Ferguson and others of the township of Osgoode, be referred to the committee on the division of districts.

Petitions referred. Of Dan. Ferguson and others

On motion of Mr. Small, seconded by Mr. Macnab,

*Ordered*—That the several petitions of Thomas Parke and others, and John Fisher and others, be referred to the same committee to whom was referred the petition of C. J. Baldwin and others.

Of Thomas Parke and others. Of John Fisher & others.

On motion of Mr. Small, seconded by Mr. Wilkinson,

*Ordered*—That the petition of James Byrnes be referred to a select committee, to be composed of Messrs. McIntosh and Gibson, with power to send for persons and papers, and to report thereon.

Of J. Byrnes.

On motion of Mr. Small, seconded by Mr. Wilkinson,

*Ordered*—That the several petitions of Gad Weller and others be referred to the committee to whom was referred the petition of John Finch and others.

Of Gad Weller and others.

Mr. Small, seconded by Mr. Macnab, moves that it be

*Resolved*,—That it be an instruction to the Select Committee on Banking to whom was referred the petition of the President and Directors of the Bank of Upper Canada, to report thereon to this House, what objections in their opinion would exist to increasing the Capital Stock of the said Bank to £500,000 upon the following terms :

Motion to instruct the committee on banking to consider certain particulars relative to the petition of President, &c. of the bank of U. C.

1st. The subscribers to the new stock to pay to the Government of the Province for the public uses thereof 10 per cent upon the amount of stock subscribed.

2nd. All persons subscribing for ten shares and under to deposit at the time of subscribing 10 per cent.

3rd. All persons subscribing for more than ten shares to pay their stock in full.

4th. The number of Directors to be increased to twenty-one, of whom the stockholders shall elect eleven—the House of Assembly five, the Legislative Council three, and the Government two.

5th. The Bank to pay to the Province one per cent per annum upon the whole Capital Stock, in consideration of the public monies of the Province being deposited with them.

6th. After the expiration of one year the Bank to be prohibited issuing bills of a lower denomination than four dollars.

7th. The stockholders to vote at all elections in the following proportions: one share one vote; ten shares two votes; twenty shares three votes; forty shares four votes; eighty shares and over five votes.

8th. The Bank Agencies and District Offices to redeem the notes of the Bank, by draft upon the Mother Bank at par and at sight.

9th. The Bank to pay out the public moneys for the Government at any part of the Province free of any expense whatever.

10th. The Provincial Stock to be increased in the discretion of the Legislature to £100,000.

11th. Foreign Stockholders to be permitted to vote at all elections of Directors; but no person to be eligible to be elected but a resident British subject.

Division. On which the yeas and nays being taken, were as follows:

YEAS—MESSIEURS,

|          |                                |                                  |  |                      |
|----------|--------------------------------|----------------------------------|--|----------------------|
| Yeas 11. | Caldwell,<br>Dunlop,<br>Lewis, | McDonell,<br>Macnab,<br>Merritt, | Stormont, Robinson,<br>Small,<br>Sol. General, | Strange,<br>Thom—11. |
|----------|--------------------------------|----------------------------------|--|----------------------|

NAYS—MESSIEURS,

|          |   |   |   |  |
|----------|---|---|---|--|
| Nays 24. | Alway,<br>Chesser,<br>Chisholm,<br>Cook,<br>Cornwall,<br>Duncombe, <i>Oxford.</i> | Duncombe, <i>Norfolk,</i><br>Gibson,<br>Gilchrist,<br>Hopkins,<br>McCrae,<br>McKay, | Malloch,<br>Norton,<br>Perry,<br>Richardson,<br>Roblin,<br>Rykert | Rymal,<br>Shaver,<br>Shibley,<br>Smith,<br>Waters,<br>Wilson—24. |
|----------|---|---|---|--|

Question lost, majority 13.

The question was decided in the negative by a majority of thirteen.

On motion of Mr. Solicitor General, seconded by Mr. David Duncombe,

Message of His Excellency on repairs, &c., referred.

*Ordered*—That the message of His Excellency, the Lieutenant Governor, of yesterday, be referred to the committee on finance.

Bill to increase the stock of Gore bank, read 2nd time. Committed.

Pursuant to the order of the day, the bill to increase the stock of the Gore Bank was read the second time.

The House was put into committee of the whole on the bill.

Mr. Richardson in the chair.

The House resumed.

Bill reported amended.

The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

On receiving report.

On the question for receiving the report, the yeas and nays were taken as follows:

YEAS—MESSIEURS.

|          |   |   |   |  |
|----------|---|---|---|--|
| Yeas 18. | Alway,<br>Boulton,<br>Caldwell,<br>Durand,<br>Gibson, | McCrae,<br>McKay,<br>Macnab,<br>Merritt,<br>Richardson, | Robinson,<br>Roblin,<br>Rykert,<br>Small, | Smith,<br>Wells,<br>Wilkinson,<br>Yager,—18. |
|----------|---|---|---|--|

NAYS—MESSIEURS.

|          |   |                                   |                             |   |
|----------|---|-----------------------------------|-----------------------------|---|
| Nays 12. | Duncombe, <i>Norfolk,</i><br>Hopkins,<br>Lount, | McIntosh,<br>Morrison,<br>Norton, | Perry,<br>Rymal,<br>Shaver, | Shibley,<br>Solicitor General,<br>Thom,—12. |
|----------|---|-----------------------------------|-----------------------------|---|

Question carried majority 6.

The question was carried in the affirmative by a majority of six and the report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Address for gaol calendars, passed.

Pursuant to the order of the day the address to His Excellency the Lieutenant Governor for certain calendars, was read the third time, and passed, and is as follows:

*To is Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper

Canada, in Provincial Parliament assembled, humbly request Your Excellency to cause to be laid before this House with as little delay as possible, copies of the gaol calendars of every district in this Province for the last four years.

Commons House of Assembly, }  
March 9th 1836. }

MARSHALL S. BIDWELL,  
Speaker.

On motion of Mr. Rykert, seconded by Mr. Wilkinson,  
*Ordered*—That Messrs. Macnab and Dunlop be a committee to present the address of this House on the subject of Gaol Calendars.

Pursuant to the order of the day, the address thanking His Excellency for certain messages, was read the third time.

Address of thanks read 3d time.

On the question for passing the same,

On passing address.

In amendment Mr. Solicitor General, seconded by Mr. Gibson, moves that after the word "Monday," the following be inserted: "and yesterday."

Amendment.

Which was carried, and the address was passed and is as follows:

Carried.

*To His Excellency Sir Francis Bond Head, Knight, Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

Address.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled—beg leave to thank your Excellency for your several messages of Monday and yesterday, and beg to assure your Excellency that this House will give its serious consideration to the various subjects therein contained.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
March 9th, 1836. }

Mr. Roblin, seconded by Mr. Perry, moves, that Messrs. Cook and Yager, be a committee to wait on His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the address of thanks of this House, and to present the same.

*Ordered.*

Pursuant to the order of the day, the Prince Edward bank bill was read the second time.

Prince Edward bank bill read second time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Gilchrist in the chair.

The House resumed.

Mr. Gilchrist reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

*Ordered*—That the report be received, and the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to notice, Mr. Solicitor General, seconded by Mr. Chesser, moves, that the House do now resolve itself into a committee of the whole, to consider the best means of constructing a Turnpike road within this Province.

Committee of whole on general turnpike road.

Which was carried, and the House was put into committee of the whole.

Mr. David Duncombe in the Chair.

The House resumed, Black Rod being at the door.

Black Rod.

The House was again put into committee of the whole on the subject of a Turnpike road through the Province.

Committee resumes.

Mr. Cornwall was called to the chair.

The House resumed.

The Chairman reported that the committee had agreed to a series of resolutions, which he was directed to submit for the adoption of the House.

Com. report re-  
solutions.

The report was received.

Res. carried.

The following resolutions were then severally put and carried.

1st Resolution.

1st. *Resolved*—That the establishing of a durable Turnpike road through the several districts from the eastern boundary line of the Province to Sandwich, as well as the principal roads in the several districts leading to the main road or principal markets for the respective districts, would greatly advance the general interests and prosperity of the Province.

2d Resolution.

2nd. *Resolved*—That for the purpose of constructing the said roads, it is expedient to authorise the inhabitants of the several districts in this Province to raise by assessment, and by commutation of statute labour, such sum of money annually as may be thought necessary for that object, within each district respectively.

3d Resolution.

3rd. *Resolved*—That all monies collected for the before mentioned object, be paid into the hands of the Receiver General of the Province.

4th Resolution.

4th. *Resolved*—That all monies raised and collected in any district may be either expended annually on the roads in the said district, or the same may be paid into the hands of the Receiver General and pledged for the payment of the interest and eventually paying the principal of a larger sum to be raised by debenture issued on the credit of the Province.

On 5th resolution.

On the fifth resolution being put, the yeas and nays were taken as follows :

YEAS—MESSIEURS,

|          |   |   |   |                                   |
|----------|---|---|---|-----------------------------------|
| Nays 15. | Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Norfolk.</i> | Gibson,<br>Gilchrist,<br>Hopkins,<br>Lount, | McIntosh,<br>Parke,<br>Perry,<br>Rymal, | Shaver,<br>Shibley,<br>Smith,—15. |
|----------|---|---|---|-----------------------------------|

NAYS—MESSIEURS.

|         |                                |                                |                       |                     |
|---------|--------------------------------|--------------------------------|-----------------------|---------------------|
| Yeas 9. | McKay,<br>Robinson,<br>Roblin, | Solicitor General,<br>Strange, | Walsli,<br>Wilkinson, | Wilson,<br>Yager—9. |
|---------|--------------------------------|--------------------------------|-----------------------|---------------------|

Question carried,  
majority 6.

The question was carried in the affirmative by a majority of six, and it was

5th Resolution

*Resolved*—That in order to augment the money to be expended on roads in the several districts, it is expedient to provide by law for enabling any person liable to perform Militia duty to commute for the same at the rate of one shilling and three pence per day for each day such person may be required to perform the said duty, and that all sums so raised shall be applied in the same way and manner that monies raised by assessments or commutation, in the respective districts, and that such Militia men so commuting and paying as aforesaid, shall be returned as though he had attended his Militia duty.

On motion of Mr. Perry, seconded by Mr. Shaver,

Committee to draft  
a bill on resolutions.

*Ordered*—That a committee be appointed consisting of the Solicitor General, Strange and Wilkinson, to draft and report a bill, in detail in pursuance of the foregoing resolutions.

Message and bills  
from Legislative  
Council.

Bill to amend the  
Ottawa canal bill.

Toronto and Hu-  
ron rail road bill  
amended.

Mr. Speaker reported that the master in Chancery had brought down from the Hon<sup>ble</sup> the Legislative Council a message and a bill entitled "*An Act to alter and amend an Act passed in the eighth year of His late Majesty's reign, entitled 'an Act to confer upon His Majesty, certain powers and authorities, necessary to the making, maintaining and using the Canal intended to be completed under His Majesty's direction for connecting the waters of Lake Ontario with the River Ottawa, and for other purposes therein mentioned,*" which that Honorable House had passed, and also the bill entitled "*An Act to incorporate the city of Toronto and Lake Huron Rail-road Company,*" to which that Honorable House had made some amendments to both of which the Honorable the Legislative Council had requested the concurrence of this House.

The message was read as follows :

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly entitled "*An Act to loan two thousand pounds to the Welland Canal Company*" without amendment.

Welland canal bill passed Legislative Council.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber,  
9th day of March, 1836. }

The amendments made by the Honorable the Legislative Council, in and to the bill entitled "*An Act to incorporate the city of Toronto and Lake Huron Rail-road Company*," were read as follows :

Amendment to Toronto and Huron rail road bill read.

Amendments made by the Legislative Council in and to the bill sent up from the Commons House of Assembly entitled "*An act to incorporate the city of Toronto and Lake Huron Rail road Company*."

Amendments.

Press. 2—Line 15.—After the words "shall be," insert "only such as shall be."

" 8—Expunge the eleventh clause.

Mr. Solicitor General, seconded by Mr. Gibson, moves that the amendments of the Honorable the Legislative Council to the city of Toronto and Lake Huron rail road bill be now read a second time, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Amendments read 2d time.

Which was carried, and the amendments were read the second time.

The House was put into committee of the whole on the amendments.

Committed.

Mr. Wilkinson in the chair.

The House resumed.

The chairman reported that the committee had agreed to the amendments.

Amendments agreed to.

The report was received.

Ordered—That the amendments be read a third time this day. Pursuant to order, the amendments were read the third time and passed.

3rd reading to-day. Amendments passed.

Messrs. Solicitor General and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

The bill sent down from the Honorable the Legislative Council entitled, "*An Act to alter and amend an Act passed in the eighth year of His late Majesty's reign, entitled, 'An Act to confer upon His Majesty certain powers and authorities necessary to the making maintaining, and using the canal intended to be completed under His Majesty's direction for connecting the waters of Lake Ontario with the river Ottawa, and for other purposes therein mentioned,'*" was read the first time.

Bill to amend Ottawa canal bill, read 1st time.

Ordered—That the bill be read a second time to-morrow.  
Adjourned.

Thursday, 10th March, 1836.

The House met.

The minutes of yesterday were read.

Petitions bro't up.

Mr. Wilson brought up the petition of Patrick Gibson and twenty-seven others, of the third concession, township of Ameliasburgh, (Prince Edward); which was laid on the table.

Of P. Gibson and others

Mr. Lount brought up the petition of John Keenan, Sear. and thirty others, inhabitants of the township of Adjala, (Simcoe); which was laid on the table.

Of J. Keenan, Sear and others.

Of Thos. Hurd, J. P., and others.

Mr. Wells brought up the petition of Thomas Hurd, J. P., and thirty-three others; which was laid on the table.

Of J. Currie and others.

Mr. Thom brought up the petition of John Currie and seventeen others, of the townships of Dalhousie and North Sherbrooke, Bathurst district; which was laid on the table.

Bill to increase stock Gore bank—read 3d time.

Pursuant to the order of the day, the bill to increase the Capital Stock of the Gore Bank was read the third time.

On passing.

On the question for passing the same, the yeas and nays being taken, were as follows:

YEAS—MESSIEURS,

|          |                    |                     |           |            |
|----------|--------------------|---------------------|-----------|------------|
| Yeas 26. | Boulton,           | Dunlop,             | Parke,    | Smith,     |
|          | Brown,             | McCrae,             | Robinson, | Strange,   |
|          | Caldwell,          | McDonell, Stormont, | Roblin,   | Thorburn,  |
|          | Chesser,           | McKay,              | Rykert,   | Wells,     |
|          | Cornwall,          | McMicking,          | Rymal,    | Wilkinson, |
|          | Duncombe, Oxford,  | Macnab,             | Shibley,  | Wilson—26. |
|          | Duncombe, Norfolk, | Merritt,            |           |            |

NAYS—MESSIEURS

|         |        |           |            |           |
|---------|--------|-----------|------------|-----------|
| Nays 8. | Alway, | Chisholm, | Lount,     | Thom,     |
|         | Bruce, | Gibson,   | Mackenzie, | Walsh,—8. |

Question carried, majority 18.

The question was carried in the affirmative by a majority of eighteen, and the bill was passed.

Title.

Mr. Macnab, seconded by Mr. Charles Duncombe, moves that the bill be entitled, "*An Act to increase the Capital Stock of the Gore District Bank, and extend the provisions of the same.*"

Which was carried, and Messrs. Macnab and Charles Duncombe was ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Prince Edward bank bill read 3d time.

Pursuant to the order of the day, the Prince Edward district bank bill was read the third time.

Amendment.

Mr. Durand, seconded by Mr. Chisholm, moves, that the bill be amended as follows:—After the words "ten per centum," in the twentieth line of the second press the words "to be ready as a deposit at the time of subscribing" be expunged, and the following inserted in lieu thereof:—"On the amount of stock subscribed by any person shall be deposited at the time of subscribing, with the agent appointed to open the books of said bank, or in some chartered bank within this province, subject "

Division.

On which the yeas and nays being taken were as follows:

YEAS—MESSIEURS.

|          |           |                      |            |            |
|----------|-----------|----------------------|------------|------------|
| Yeas 14. | Chisholm, | Lount,               | Mackenzie, | Smith,     |
|          | Durand,   | McDonell, Glengarry, | Morrison,  | Thom,      |
|          | Gibson,   | McIntosh,            | Small,     | Wells,—14. |
|          | Hopkins,  | McKay,               |            |            |

NAYS—MESSIEURS,

|          |                    |            |           |            |
|----------|--------------------|------------|-----------|------------|
| Nays 23. | Caldwell,          | Dunlop,    | Perry     | Shibley,   |
|          | Chesser,           | Gilchrist, | Robinson, | Strange,   |
|          | Cook,              | Lewis,     | Roblin,   | Wilkinson, |
|          | Cornwall,          | McCrae,    | Rykert,   | Wilson,    |
|          | Duncombe, Oxford,  | Malloch,   | Rymal,    | Yager—23.  |
|          | Duncombe, Norfolk, | Parke,     | Shaver,   |            |

Am't. lost maj. 9.

The question was decided in the negative by a majority of nine.

Further amendment.

In amendment, Mr. Durand, seconded by Mr. Chisholm, moves, that the following be added to the fourth clause, "and provided also that

persons subscribing to the amount of ten shares or under shall not be subject to any reduction upon the number of their shares subscribed, unless the number of shares subscribed, after being in all cases reduced, as low as ten, shall still exceed the amount authorised to be subscribed for by this act.

On which the yeas and nays were taken, were as follows :

Division.

YEAS—MESSIEURS.

|           |         |        |         |         |
|-----------|---------|--------|---------|---------|
| Chisholm, | Durand, | Smith, | Thom—4. | Yeas 4. |
|-----------|---------|--------|---------|---------|

NAYS—MESSIEURS.

|                           |                             |           |            |         |
|---------------------------|-----------------------------|-----------|------------|---------|
| Caldwell,                 | Lewis,                      | Parke,    | Shibley,   |         |
| Cook,                     | Lount,                      | Perry,    | Small,     |         |
| Cornwall,                 | McCrae,                     | Robinson, | Strange,   |         |
| Duncombe, <i>Oxford.</i>  | M'Donell, <i>Glengarry,</i> | Roblin,   | Wells,     |         |
| Duncombe, <i>Norfolk,</i> | McDonell, <i>Stormont,</i>  | Rykert,   | Wilkinson, | Nays 30 |
| Dunlop,                   | McIntosh,                   | Rymal,    | Wilson,    |         |
| Gilchrist,                | Macnab,                     | Shaver,   | Yager—30.  |         |
| Hopkins,                  | Malloch,                    |           |            |         |

The question of amendment was decided in the negative by a majority of twenty-six, and the bill was passed. Amendment lost, majority 26.

Mr Roblin, seconded by Mr. Wilson, moves, that the bill be entitled, "*An Act to incorporate a Company under the style and title of the President, Directors and Company of the Prince Edward district Bank.*" Title.

Which was carried, and Messrs. Roblin and Wilson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Speaker reported having received a letter from the Clerk of the Crown-in-Chancery. Letter from Clerk Crown-in-Chancery.

The letter was read by the clerk as follows :

C. C. Chancery's Office, }  
TORONTO, March 10th, 1836. }

The Clerk of the Crown-in-Chancery, has the honor to report to the honorable the Speaker of the Commons House of Assembly, that in obedience to his warrant, a writ of election has been sued out for the return of two members for the county of Leeds. That the said Writ bears teste the eighth instant, and is made returnable forthwith.— That His Excellency, the Lieutenant Governor, has been pleased to appoint George Malloch, Esq., Returning Officer for the said county, and John McDonald, William Simpson, and John Bogart, Esquires, deputy returning officers, for Sections Nos. 2, 3, and 4—and has appointed Monday, the twenty-eighth day of this present month of March, for the election to take place. Writ of election sued out for county of Leeds.

SAM'L. P. JARVIS,  
C. C. Chancery.

The Honorable  
MARSHALL S. BIDWELL,  
*Speaker Commons House of Assembly.*

Pursuant to the order of the day, the petition of Isabella Hickley, city of Toronto, praying relief by payment of wages due her late husband for a certain period as messenger to the House of Assembly was read. Petition of Isabella Hickley, read.

Mr. Macdonell of Glengarry, gives notice that he will on Monday next, move for an address to His Majesty praying that a grant of the waste lands of the Crown may be made to all those persons who served in the flank companies or embodied militia, during the late war with the United States of America, in the same proportion that lands were granted to the militia who served in those companies during the first six months of the said war. Notice, for address to His Majesty on lands to militia men.



Petitions referred  
Of H. Slate and  
others.

On motion of Mr. McMicking, seconded by Mr. Thorburn,  
*Ordered*—That the petition of Hiram Slate and others, be referred to the standing committee on roads, macadamized roads and bridges.

Of W. Young.

On motion of Mr. Dunlop, seconded by Mr. Macnab,  
*Ordered*—That the petition of William Young be referred to the committee on prisons and prison discipline.

Of W. Proudfoot  
and others

On motion of Mr. Morrison, seconded by Mr. Wells,  
*Ordered*—That the petition of William Proudfoot and others, be referred to a select committee, consisting of Messrs. Solicitor General, Parke and Perry, to report thereon by bill or otherwise.

Grafton harbor  
bill read 2d time.

Pursuant to the order of the day the Grafton Harbor bill was read the second time.

Committed.

The House was put into committee of the whole on the bill.

Mr. Morrison in the chair,

The House resumed.

Bill reported a-  
mended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

3d reading to-mor-  
row.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Committee of whole  
on report from com-  
mittee on improve-  
ments.

Pursuant to the order of the day, the House went into committee of the whole on the report of the select committee on canals and internal improvements.

Mr. Wilkinson in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

On adopting resol.

On the question for adopting the resolution, the yeas and nays were taken as follows :

YEAS—MESSIEURS.

|           |                            |           |            |
|-----------|----------------------------|-----------|------------|
| Alway,    | Duncombe, <i>Oxford</i> ,  | Parke,    | Strange,   |
| Boulton,  | Duncombe, <i>Norfolk</i> , | Perry,    | Thom,      |
| Bruce,    | Gilchrist,                 | Robinson, | Walsh,     |
| Caldwell, | Hopkins,                   | Rykert,   | Waters,    |
| Chesser,  | McIntosh,                  | Rymal,    | Wilkinson, |
| Chisholm, | McMicking,                 | Smith,    | Wilson—26. |
| Cornwall, | Morrison,                  |           |            |

Yeas 26.

NAY

Mr. Shaver—1.

Nay 1.

Question carried  
majority 25.

The question was carried in the affirmative by a majority of twenty-five, and it was

Resolution—report  
of select committee  
adopted.

*Resolved*—That the report of the standing committee on internal improvements, relative to improving the back waters in the district of Newcastle be adopted.

Cobourg bank bill  
read second time.

Pursuant to the order of the day, the Cobourg bank bill was read the second time.

Committed.

The House was put into committee of the whole on the bill.

Mr. McIntosh in the chair.

The House resumed.

Bill reported a-  
mended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

3d reading to-mo-  
row.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Pursuant to the order of the day, the bill to incorporate the **Bank of the People's bank**, was read the second time. Bank of the People, Bill read 2d time.

The House was put into committee of the whole on the bill. Committed.  
 Mr. Cornwall in the chair.  
 The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported, amended.

The report was received.  
 On the question for the third reading of the bill to-morrow, the yeas and nays being taken, were as follows: On 3rd reading to-morrow.

YEAS—MESSIEURS.

|                           |                             |             |            |          |
|---------------------------|-----------------------------|-------------|------------|----------|
| Alway,                    | Dunlop,                     | McIntosh,   | Small,     |          |
| Bruce,                    | Gibson,                     | McMicking,  | Smith,     |          |
| Chesser,                  | Gilchrist,                  | Morrison,   | Strange,   |          |
| Chisholm,                 | Hopkins,                    | Parke,      | Thorburn,  |          |
| Cornwall,                 | Lount,                      | Richardson, | Waters,    |          |
| Duncombe, <i>Oxford</i> , | McDonell, <i>Stormont</i> , | Rymal,      | Wilson—25. | Yeas 25. |
| Durand,                   |                             |             |            |          |

NAYS—MESSIEURS,

|                            |         |         |                |          |
|----------------------------|---------|---------|----------------|----------|
| Caldwell,                  | Macnab, | Roblin, | Walsh,         |          |
| McDonell, <i>Northumb.</i> | Norton, | Shaver, | Wilkinson,—10. | Nays 10. |
| McKay,                     | Perry,  |         |                |          |

The question was carried in the affirmative by a majority of fifteen and the bill was ordered to be engrossed and read the third time to-morrow. Question carried, majority 15.

Pursuant to the order of the day, the life and fire assurance company bill was read the second time. Fire and life assurance bill read second time.

The House was put into committee of the whole on the bill. Committed.  
 Mr. Waters in the chair.  
 The House resumed.

The chairman reported that the committee had agreed to the bill without amendment, and submitted the same for the adoption of the House. Bill reported without amendment.

The report was received.  
 On the question for the third reading of the bill to-morrow: On 3d reading to-morrow.

In amendment Mr. Perry, seconded by Mr. Roblin, moves that the bill be read a third time this day two weeks. Amendment.

On which the yeas and nays being taken, were as follows: Division.

YEAS—MESSIEURS.

|                           |            |             |            |           |
|---------------------------|------------|-------------|------------|-----------|
| Chisholm,                 | McMicking, | Perry,      | Roblin,    |           |
| Duncombe, <i>Oxford</i> , | Norton,    | Richardson, | Shaver—10. | Yeas, 10. |
| Gilchrist,                | Parke,     |             |            |           |

NAYS—MESSIEURS.

|           |                            |          |                |           |
|-----------|----------------------------|----------|----------------|-----------|
| Caldwell, | M'Donell, <i>Northumb.</i> | Rymal,   | Thorburn,      |           |
| Cornwall, | McKay,                     | Small,   | Walsh,         |           |
| Durand,   | Macnab,                    | Strange, | Wilkinson,—14. | Nays, 14. |
| Gibson,   | Merritt,                   |          |                |           |

The question of amendment was decided in the negative by a majority of four. Amd't. lost maj. 4.

In amendment Mr. Small, seconded by Mr. Macnab, moves that the bill be not read a third time to-morrow, but that it be read a third time this day week. Further amendment.

Which was carried. Carried.

Mr. Thorburn chairman of the select committee appointed to examine and report upon the contingencies of this House, presented Committee on contingencies, report

address to His Excellency for a further sum of £1000.

as a third report the draft of an address to His Excellency the Lieutenant Governor, which was received, read twice, concurred in and ordered to be engrossed and read a third time this day.

Address on contingencies, passed.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor, for a further advance upon contingencies was read the third time and passed and is as follows :

Address.

*To His Excellency Sir Francis Bond Head, Knight, Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in provincial parliament assembled, humbly request that Your Excellency would be pleased to issue your warrant on the Receiver General in favor of the Speaker of this House for one thousand pounds, in part to defray the further contingent expenses of this House, which sum we will make good during the present Session.

*Commons House of Assembly, }  
10th day of March, 1836. }*

MARSHALL S. BIDWELL,  
*Speaker.*

On motion of Mr Thorburn, seconded by Mr. McMicking,  
*Ordered*—That Messrs. Smith and Rymal be a committee to carry the address to His Excellency and present the same.

Bertie and Humberstone survey bill Read 2d time.

Pursuant to the order of the day the Bertie and Humberstone survey bill was read the second time.

Committed.

The House was put into committee of the whole on the bill.

Mr. Gibson in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same and submitted it for the adoption of the House.

3d reading Saturday.

The report was received and the bill was ordered to be engrossed and read a third time on Saturday next.

Adjourned.

**Friday, 11th March, 1836.**

Petitions bro't up.

The House met.

Of J. B. Delisle.

The minutes of yesterday were read.

Mr. Caldwell brought up the petition of J. B. Delisle; which was laid on the table.

Of J. Clerke and others.

Mr. Morrison brought up the petition of John Clerke and ninety others, inhabitants of the eastern part of the township of Pickering, (York;) which was laid on the table.

Of T. McKay and others.

Mr. Thom brought up the petition of Thomas M'Kay and four others, inhabitants of the Bathurst and Ottawa districts; which was laid on the table.

Of G. Robertson and others.

Mr. D. Æ. McDonell brought up the petition of George Robertson and thirty-four others, proprietors of the village of Milleroches, Eastern district; which was laid on the table.

Of M. Shower, sen. and others.

Mr. Durand brought up the petition of Michael Shower Senior, and sixty-eight others, inhabitants of the village and vicinity of Paris, district of Gore; which was laid on the table.

Of Love Newlove.

Mr. Mackenzie brought up the petition of Love Newlove, of the township of Albion, Home district; which was laid on the table.

Mr. Mackenzie brought up the petition of James Armstrong and thirty-five others, inhabitants of the township of Chingaucousey; which was laid on the table. Of J. Armstrong and others.

Pursuant to the order of the day, the Grafton harbor bill was read the third time and passed. Grafton harbor bill passed.

Mr. Boulton, seconded by Mr. Gilchrist, moves that the bill be entitled "*An Act to incorporate a joint stock company under the style and title of the President, Directors and Company of the Grafton Harbor.*" Title.

Which was carried, and Messrs. Boulton and Gilchrist were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Cobourg bank bill was read a third time and passed. Cobourg bank bill passed.

Mr. Gilchrist, seconded by Mr. Boulton, moves, that the bill be entitled, "*An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Cobourg Bank.*" Title.

Which was carried, and Messrs. Boulton and Gilchrist were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Pursuant to the order of the day, the People's bank bill was read the third time. People's bank bill read 3rd time.

On the question for passing the same, the yeas and nays were taken, as follows: On passing the bill

YEAS—MESSIEURS,

|                            |                             |             |           |          |
|----------------------------|-----------------------------|-------------|-----------|----------|
| Alway,                     | Durand,                     | Malloch,    | Shibley,  |          |
| Boulton,                   | Dunlop,                     | Merritt,    | Small,    |          |
| Brown,                     | Gibson,                     | Morrison,   | Smith,    |          |
| Bruce,                     | Gilchrist,                  | Norton,     | Thorburn, |          |
| Caldwell,                  | Lount,                      | Parke,      | Waters,   |          |
| Chesser,                   | McDonell, <i>Stormont</i> , | Richardson, | Wells,    |          |
| Chisholm,                  | McIntosh,                   | Rykert,     | Wilson,   |          |
| Duncombe, <i>Oxford</i> ,  | McKay,                      | Rymal,      | Yager—35. | Yeas 35. |
| Duncombe, <i>Norfolk</i> , | McMicking,                  | Shaver,     |           |          |

NAYS—MESSIEURS,

|        |            |           |         |         |
|--------|------------|-----------|---------|---------|
| Cook,  | Mackenzie, | Robinson, | Thom—7. | Nays 7. |
| Lewis, | Macnab,    | Roblin,   |         |         |

The question was carried in the affirmative by a majority of twenty-eight, and the bill was passed. Question carried, majority 28.

Mr. Charles Duncombe, seconded by Mr. Wilson, moves, that the bill be entitled, "*An Act to incorporate certain persons under the style and title of the President, Directors and Company of the People's bank.*" Title.

Which was carried, and Messrs. Charles Duncombe and Wilson, were ordered by the Speaker to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day the following petitions were read. Petitions read.

Of John Bryant, late a Corporal in the incorporated Militia, praying to be restored to the pension list. Of J. Bryant.

Of Erastus Gilbert and twenty-five others, of the township of Bayham, district of London, praying aid towards building a bridge. Of E. Gilbert and others.

Of James Peters and ninety-seven others, of the township of Eramosa, (Halton); praying that certain townships may be erected into a new district. Of J. Peters and others.

Of William Young, Esq., chairman of the Quarter Sessions of the London district, praying that the House would take the Gaol, &c. of said district, into its consideration, and afford relief.—And Of W. Young, Esq.

Of G. W. Whitehead.

Of George W. Whitehead, agent, &c., praying that the London and Gore rail road Act may be amended.

Request for certain Legislative Councilors to give evidence before Welland Canal committee.

Mr. Small, seconded by Mr. Robinson, moves that a message be sent to the Honorable the Legislative Council, requesting that House to give permission to the Honorables John H. Dunn, William Allan and John Macaulay, to give evidence before the committee appointed to investigate the affairs of the Welland Canal company.

Which was carried and Messrs. Small and Robinson, were ordered by the Speaker to carry up the message.

Com on petition of Aeneas Bell & others report address to His Majesty on pensions.

Mr. Boulton, from the select committee to which was referred the petition of Aeneas Bell and others, presented the draft of an address to his Majesty, on the subject of certain commuted pensioners, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Notice for address for information respecting clergy reserves.

Mr. Small gives notice, that he will, on to-morrow, move an address to His Excellency, the Lieutenant Governor, for certain information to be laid before this House, relative to the Clergy Reserves that have been sold and leased, and the disposition of the monies that have been derived from such sales and leases.

Petitions referred.

On motion of Mr. Richardson, seconded by Mr. Dunlop, *Ordered*—That the select committee to whom were referred the petitions of Charles Walsh and George Burger, be discharged from the further consideration of the same, and that they be referred to the committee of the whole House on the bill for abolishing imprisonment for debt in this Province, except in cases of fraud.

Of C. Walsh and E. Burger.

On motion of Mr. C. Duncombe, seconded by Mr. Wilson, *Ordered*—That the petition of George W. Whitehead be referred to a select committee, to be composed of Messrs. Macnab and Rymal, with power to report thereon by bill otherwise.

Of G. W. Whitehead.

On motion of Mr. Durand, seconded by Mr. Rymal, *Ordered*—That the petition of James Peters and others, of Eramosa; praying for a division of part of the Gore district, be referred to the committee on the division of districts.

Of J. Peters and others.

On motion of Mr. Parke, seconded by Mr. Alway, *Ordered*—That the petition of Erastus Gilbert and others, be referred to the committee on roads and bridges.

Of E. Gilbert and others.

Joint Stock bank bill read second time.

Pursuant to the order of the day, the bill for the protection of Joint stock companies, was read the second time.

Committed.

The House was put into committee of the whole on the bill. Mr. Brown in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Com of whole on York roads.

Pursuant to the order of the day, the House was put into committee of the whole on the report of the select committee on York roads

Mr. Durand in the chair.

The House resumed.

3 resolutions reported.

The chairman reported that the committee had agreed to three resolutions which he was directed to submit for the adoption of the House.

The report was received.

The resolutions were severally put and carried as follows :

Resolutions carried.

*Resolved*,—That it is expedient to authorise His Majesty's Receiver General of this Province to raise by way of loan the sum of ten thousand pounds, to continue the Macadamization of the West York road, to be repaid by tolls and in case they should prove insufficient, the deficiency to be made good by an additional rate to be levied on the Home district.

1st Resolution.

*Resolved*,—That it is expedient to authorise His Majesty's Receiver General of this Province to raise by way of loan the sum of ten thousand pounds, to continue the Macadamization of the East York road to be repaid by tolls, and in case they should prove insufficient, the deficiency to be made good by an additional rate to be levied on the Home district.

2d resolution.

*Resolved*—That it is expedient to authorise His Majesty's Receiver General of this Province to raise by way of loan the sum of fifteen thousand pounds, to continue the macadamization of Yonge Street, to be repaid by tolls, and in case they should prove insufficient, the deficiency to be made good by an additional rate levied on the Home district. The principal and interest to be repaid in forty years.

3d resolution.

On motion of Mr. Robinson, seconded by Mr. Boulton,

*Ordered*—That Messrs. Small, Morrison and Gibson be a committee to draft and report a bill or bills according to the resolutions just adopted for the improvement of the York roads.

Committee to draft on above resolutions

Pursuant to the order of the day, the address to His Majesty on the subject of certain pensioners was read the third time and passed, and is as follows :

Address to His Majesty on certain pensioners, passed.

*To the King's Most Excellent Majesty.*

**MOST GRACIOUS SOVEREIGN!**

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to acquaint Your Majesty, that a number of Chelsea pensioners, old and faithful servants of Your Majesty, who came to this Province, were induced to commute their pensions some years ago on receiving a sum equal to four years' pension only, and on obtaining a grant of one hundred acres of the waste lands of the Crown in this Province.

Address.

That many of the said Pensioners were old and infirm and some of them had lost limbs in Your Majesty's service, and were unable to earn a livelihood by hard labor.

That the grant of land allotted to those Pensioners has not proved so advantageous to them as was contemplated by Your Majesty's Government, and with the money advanced to them does not form an adequate remuneration for the pensions they had formerly enjoyed from Your Majesty's Government.

That many Pensioners who came to this Province at an earlier period received grants of land and enjoy their pensions also to the present day.

That the Pensioners who commuted their pensions have not since such commutation received any pension, and as their numbers are few and some of them are dead—we therefore humbly pray that Your Majesty will restore such of them as are still living, to the pension list, and thereby prevent them and their families from suffering the distress of poverty.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
11th day of March, 1836. }*

On motion of Mr. Boulton, seconded by Mr. Robinson,

*Ordered*—That Messrs. Macnab and Gilchrist be a committee to draft an address to His Excellency, the Lieutenant Governor, requesting His Excellency to transmit to His Majesty's principal Secretary of state, the address of this House on the subject of certain pensioners who commuted their pensions; in order that the same be laid at the foot of the Throne.

Committee to draft address to His Excellency to transmit address to His Majesty.

On motion of Mr. Mackenzie, seconded by Mr. Wells,

*Ordered*—That an humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause to be laid before this House at the earliest possible period.

Address to His Excellency, ordered, for returns of casual and territorial revenue, &c. &c.

1st. The whole accounts of that part of the Revenue of this Province usually known and denominated the Casual and Territorial revenue, with the fullest details, for the past year.

2nd. The detailed accounts of the whole Provincial Revenue not yet sent down.  
 3rd. An account of the receipts and payments of all monies received from the sale or leasing the Clergy Reserves, from the time in which returns were sent down last Session.

4th. A return of all lands set apart for Globes to any particular religious denomination, since the date to which the accounts extended which have been already sent down.

5th. An account of the balance in the hands of the Receiver General arising from Fund A.

6th. The various documents explanatory of the constitution and proceedings of the Commission for auditing the Public Accounts of the United Kingdom, sent out by His Majesty's Government, with a view to assist the deliberations of the Legislature for the establishment of a Board of Audit.

7th. The office copy of the Blue Book for the year 1835.

8th. Copy of all correspondence and vouchers in the possession of the Government having reference to the expenditure of any colonial revenue for the building of Churches or Chapels, or for the maintenance of Clergymen or religious teachers of any denomination, or for the purposes of any such denomination, in this Province during the last three years, not already laid before this House.

9th. And that His Excellency would be pleased to quicken those Officers whose duty it is to prepare the returns called for by this House, with regard to the city and county Hospital, and with reference to the appropriation and management of certain other public lands in this city or its liberties, in their addresses of the 11th of last month. That Messrs. MacIntosh and Lount be a committee to draft and report said address; that the 31st rule of this house be dispensed with so far as it would affect this motion; and that the Item for an address to His Excellency for sundry accounts, &c. be struck off the order of the day.

Adjourned.

Saturday, 12th March, 1836.

The House met.

The minutes of yesterday were read.

Petitions bro't up.

Of C. Willson and others.

Mr. McMicking brought up the petition of Crowell Willson, and fifty-six others, inhabitants of the townships of Willoughby and Crowland (Lincoln); which was laid on the table.

Of A. McDonell and others.

Mr. McMicking brought up the petition of Augus McDonell and one hundred and forty-five others, inhabitants of the district of Niagara; which was laid on the table.

Of J. Warbrick and others.

Mr. Morrison brought up the petition of James Warbrick and twenty-three others, living on the town line between York and Scarborough; which was laid on the table.

Of W. B. Jarvis and others.

Mr. Robinson brought up the petition of W. B. Jarvis, Esq. and five others, in the vicinity of Toronto; which was laid on the table.

Of M. Shower.

Mr. Alway brought up the petition of Michael Shower, of Burford, in the London district; which was laid on the table.

Bertie and Humberstone survey bill passed.

Pursuant to the order of the day, the Bertie and Humberstone survey bill was read the third time and passed.

Title.

Mr. McMicking, seconded by Mr. Rykert, moves, that the bill be entitled "*An Act to appoint commissioners to settle disputes respecting certain lines, roads and boundaries in the townships of Bertie and Humberstone in the district of Niagara.*"

Which was carried, and Messrs. McMicking and Rykert were ordered by the Speaker to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.

Joint Stock Com. Bill read 3d time.

Pursuant to the order of the day the bill for the protection of Joint Stock Companies was read the third time.

On passing.

On the question for the passing the bill, in amendment, Mr. Macnab, seconded by Mr. McKay, moves that the following be added as a rider to the bill:

Rider.

*And be it, &c.* That no person who may hereafter unite in partnership for the purpose of carrying on the business of banking within this province, shall, after the pas-

sing of this act, carry on the said business of banking within this province, unless every such co-partnership shall consist of at least twenty persons, subjects of His Majesty and resident in this Province; and unless the said persons so united in partnership have a subscribed capital of at least £50,000, with at least ten per centum actually paid thereon; and unless an affidavit be made by the President, Manager, or Cashier of every such co-partnership, and filed in the office of the Secretary and Registrar of the Province for the time being, that every such co-partnership consists of at least twenty persons, subjects of His Majesty and resident in this Province and has subscribed a capital of at least £50,000, and that ten per cent has been actually paid thereon—which said affidavit may be taken before any Justice of the Peace, and which oath any Justice of the Peace is hereby authorised and empowered to administer.

On which the yeas and nays were taken as follows :

|                            |            |             |             |           |
|----------------------------|------------|-------------|-------------|-----------|
|                            |            |             |             | Division. |
| YEAS—MESSIEURS.            |            |             |             |           |
| Dunlop,                    | McKay,     | Macnab,     | Strange,—4. | Yeas 4.   |
| NAYS—MESSIEURS.            |            |             |             |           |
| Alway,                     | Gilchrist, | Richardson, | Walsh,      |           |
| Brown,                     | Lewis,     | Robinson,   | Waters,     |           |
| Bruce,                     | Lount,     | Rykert,     | Wells,      | Nays 27.  |
| Caldwell,                  | McIntosh,  | Rymal,      | Wilkinson,  |           |
| Duncombe, <i>Norfolk</i> , | McMicking, | Shibley,    | Wilson,     |           |
| Duncombe, <i>Norfolk</i> , | Morrison,  | Smith,      | Yager,—27.  |           |
| Durand,                    | Perry,     | Thom,       |             |           |

The question was decided in the negative by a majority of twenty-three and the bill was passed. Question lost, majority 23.  
Bill passed.

Mr. Macnab, seconded by Mr. Charles Duncombe, moves that the bill be entitled "*An Act for better regulating of copartnerships of certain Bankers in this Province, and for protecting the interests of the public.*" Title.

Which was carried and Messrs. Macnab and Charles Duncombe were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Pursuant to the order of the day, the following petitions were read. Petitions read.

Of Patrick Gibson and twenty-seven others, of the third concession, township of Ameliasburgh, praying that the survey of said concession made by Mr. Wilmot may not be authorised. Of P. Gibson and others

Of John Keenan and thirty others, inhabitants of the township of Adjala, (Simcoe); praying aid for roads. Of J. Keenan, sen. and others.

Of Thomas Hurd, J. P. and thirty-three others, certifying that Kemptville would be the most convenient location as the district town for the newly contemplated district. Of Thos. Hurd, J. P., and others.

Of John Currie and seventeen others, of the townships of Dalhousie and North Sherbrooke, praying aid to build a bridge across the river Mississippi. Of J. Currie and others.

Mr. Charles Duncombe, gives notice, that he will, on Monday next, move this House to resolve itself into a committee of the whole House to authorise His Excellency, the Lieutenant Governor, to give and allow a drawback to the importer of ink, printing presses, and printing paper, equal in amount to the duties chargeable upon such articles when imported into this Province from the United States. Notice of address to His Excellency for drawback on printer's ink, &c.

Mr. Richardson from the committee to which was referred the petition of Thomas Servos, informed the House that the committee had agreed to a report, which he was ready to submit whenever the House would be pleased to receive the same. Committee on petition of T. Servos, report.

The report was received, and read as follows :



*To the Honorable the Commons House of Assembly.*

Report of com. on petition of T. Servos.

The Committee, to whom was referred the Petition of Thomas Servos, of the town of Niagara, late a private in His Majesty's First Regiment of Stormont Militia—praying an increase of pension in consequence of the loss of a leg, whilst under the command of Lieutenant Colonel McDonald of His Majesty's Glengarry Light Infantry, at the taking of Ordensburgh on the 22nd February, 1813; beg leave to report :

That having taken into consideration the prayer of the petitioner, they beg to recommend the same to the favourable consideration of your Honorable House;—the petitioner's meritorious services and present debilitated state arising from the loss of limb, entitle him in the opinion of your committee to an additional premium.

Your Committee therefore recommend that your Honorable House do allow the petitioner a pension to be increased to forty pounds per annum.

All which is respectfully submitted.

CHARLES RICHARDSON.

*Chairman.*

*Committee Room, House of Assembly, }  
12th day of March, 1836. }*

Report referred.

On motion of Mr. Richardson, seconded by Mr. Cook.

*Ordered*—That the report of the select committee to whom was referred the petition of Thomas Servos be referred to the committee on pensions.

Committee on petition of Ja's Fortier Report.

Mr. Richardson, from the committee to which was referred the petition of James Fortier. informed the House that the committee had agreed to a report, which he was ready to submit whenever the House would be pleased to receive the same.

The report was received and read as follows :

*To the Honorable the Commons of Upper Canada in Provincial Parliament assembled.*

Report on petition of James Fortier.

The committee to whom was referred the petition of James Fortier of the township of Toronto, beg leave to report:—That they have examined the petitioner and the documents produced by him in support of his claim, and find that he entered His Majesty's Navy as Midshipman, at the beginning of the late war with the United States of America—captured the American sloop "Commencement," and took her into Fort Erie—that he was also at the taking of Detroit—and at the battles of Fort Meigs, Brownstown and Maguago—that when engaged under Captain Barclay in the action which took place on Lake Erie on the 10th September, 1813, he was wounded in the head by a rifle ball—taken prisoner and remained as such for fourteen months.

Your committee beg leave further to report, that in consequence of the wound thus received the petitioner is incapacitated from performing hard labour, and is an object worthy the consideration of your Honorable House.

Your committee therefore recommend that the petitioner be granted a pension suitable to the rank held by him in the service.

All which is respectfully submitted.

CHARLES RICHARDSON,

*Chairman.*

*Committee Room, House of Assembly, }  
14th March, 1836. }*

Report referred.

On motion of Mr. Richardson, seconded by Mr. Caldwell,

*Ordered*—That the report of the select committee to whom was referred the petition of James Fortier, be referred to the committee on pensions.

Petitions referred.

On motion of Mr. Wilson, seconded by Mr. David Duncombe,

Of P. Gibson and others.

*Ordered*—That the petition of Patrick Gibson and others be referred to a select committee, and that Messrs. Roblin and Yager do compose the same, with power to send for persons and papers, and report by bill or otherwise.

Of P. Anderson and others.

On motion of Mr. Strange, seconded by Mr. Dunlop,

*Ordered*—That the petition of Patrick Anderson and others be referred to a select committee, composed of Messrs. Dunlop and McKay, with power to send for persons and papers, and report thereon by bill or otherwise.

Mr. Gilchrist from the committee on Canals and internal improvements, informed the House that the committee had agreed to report the draft of a bill, which he was ready to submit whenever the House would be pleased to receive the same.

Committee on internal improvements, report Huron and Ontario rail road bill

The report was received and the Huron and Ontario rail-road bill was read the first time.

Bill read 1st time. 2d reading Monday.

*Ordered*—That the bill be read a second time on Monday next.

Mr. Boulton, seconded by Mr. Dunlop, moves that the address of this House to his Majesty, on the subject of certain Chelsea Pensioners, who commuted their pensions some years ago and settled in this Province, be sent to the Honorable the Legislative Council and that that House be requested to concur therein, and that the order of yesterday, appointing a committee to draft and report an address to His Excellency, requesting him to transmit the address to His Majesty, be discharged.

Address to His Majesty on Chelsea pensioners, sent to Legislative Council for concurrence.

Which was carried and Messrs. Boulton and Dunlop were ordered by the Speaker to carry up the message.

Pursuant to the order of the day, the bill for the relief of Ebenezer Talman Beach was read the second time.

Beach relief bill read 2d time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Lewis in the chair.

The House resumed.

The chairman reported, that the committee had made some progress in the bill, and asked leave to sit again this day three months.

Progress, 3 months

On the question for receiving the report, the yeas and nays were taken as follows :

On receiving report.

YEAS—MESSIEURS.

|                            |                            |                    |           |
|----------------------------|----------------------------|--------------------|-----------|
| Caldwell,                  | McDonell, <i>Northumb.</i> | Norton,            | Thorburn, |
| Cook,                      | McIntosh,                  | Roblin,            | Thom,     |
| Dunlop,                    | McKay,                     | Rykert,            | Walsh,    |
| Hopkins,                   | McLean,                    | Shibley,           | Wells,    |
| Lewis,                     | McMicking,                 | Solicitor General, | Wilson,   |
| McCrae,                    | Malloch,                   | Strange,           | Yager—26. |
| McDonell, <i>Stormont.</i> | Morrison,                  |                    |           |

Yeas 26.

NAYS—MESSIEURS,

|                             |         |                |         |
|-----------------------------|---------|----------------|---------|
| M'Donell, <i>Glengarry,</i> | Macnab, | Richardson,—3. | Nays 3. |
|-----------------------------|---------|----------------|---------|

The question was carried in the affirmative by a majority of twenty-three, and leave granted accordingly.

Question carried majority 23.

Pursuant to the order of the day, the Bertie and Detroit rail road bill, was read the second time.

Bertie and Detroit rail road bill read 2d time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Cook in the chair.

The House resumed.

The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill amended.

The report was received.

On the question for the third reading of the bill on Monday next, the yeas and nays were taken as follows :

On 3d reading on Monday.

YEAS—MESSIEURS,

|                           |                             |           |            |
|---------------------------|-----------------------------|-----------|------------|
| Alway,                    | McDonell, <i>Glengarry,</i> | Norton,   | Thorburn,  |
| Brown,                    | M'Donell, <i>Northumb.</i>  | Robinson, | Thom,      |
| Caldwell,                 | McIntosh,                   | Shibley,  | Walsh,     |
| Duncombe, <i>Oxford,</i>  | McKay,                      | Small,    | Wilkinson, |
| Duncombe, <i>Norfolk,</i> | Mackenzie,                  | Strange,  | Wilson—22. |
| Lount,                    | McMicking,                  |           |            |

Yeas 22.

NAYS—MESSIEURS.

Cook,  
Hopkins,

Morrison,  
Perry,

Roblin,  
Rymal,

Shaver  
Yager—8.

Yeas 8.

Question carried,  
majority 14.

The question was carried in the affirmative by a majority of fourteen, and the bill was ordered to be engrossed and read a third time on Monday next.

Committee to draft  
an address to H Ex'y  
on revenue, report.

Mr. Lount from the committee to draft an address to His Excellency the Lieutenant Governor, for information respecting the casual and territorial revenue &c., presented a draft which was received, read twice and concurred in.

Address concurred  
in

On the question for the third reading of the address this day.

On 3d reading

In amendment Mr. Charles Duncombe, seconded by Mr. Perry, moves that the address be not now read a third time, but that the further consideration of the address be deferred until Monday next.

Amendment.

Which was carried.

Carried.

On motion of Mr. Perry, seconded by Mr. Charles Duncombe, *Ordered*—That there be a call of this House on Monday next, at the hour of eleven o'clock, before noon.

Call of the House.

The House then adjourned till ten o'clock, A. M. on Monday.

Monday, March 14th, 1836.

The House met pursuant to adjournment.

The minutes of Saturday were read.

Call of the House.

At eleven o'clock, P. M. pursuant to the order of the day the House was called.

MEMBERS ABSENT—MESSIEURS,

GIBSON,  
JONES,  
LEWIS,  
McMICKING,  
NORTON,  
SAMSON,  
TAYLOR,  
MOORE, (Sick.)

Members absent.

Mr. Perry, seconded by Mr. Charles Duncombe, moves that it be

Motion for address  
to His Excellency  
the Lieutenant Gov.  
ernor on the subject  
of the Executive  
Council.

*Resolved*—That this House considers the appointment of a responsible Executive Council to advise the Lieutenant Governor, or person administering the government on the affairs of this Province, to be one of the most happy and wise features in our constitution, and essential in our form of government, and as being one of the strongest securities for a just and equitable administration of the government, and full enjoyment of our civil and religious rights and privileges.

That this House have lately learned, with no small degree of surprise and anxiety that the Executive Council so recently formed for the purpose (we presume) of advising His Excellency on matters as above stated, consisting of six members, did on Saturday last, the 12th instant, unanimously tender to His Excellency, Sir F. B. Head, their resignation, and that His Excellency was pleased to accept the same.

That this House, feeling the deepest and most lively interest in the peace, happiness and welfare of the inhabitants of this colony, and deeming the due and proper administration of the Government, as most essential to the full and secure enjoyment of the same, conceive themselves imperatively called upon as the Representatives of the People (whose duty it is to watch over and guard the interests of their constituents) to lose no time in seeking to be made acquainted with the principle and cause of disagreement between His Excellency and His Council.

That it is therefore necessary and expedient that an address be presented to His Excellency requesting His Excellency to inform this House without delay, whether such are the facts, and communicate to us fully any information relative to the cause of disagreement between His Excellency and His Executive Council, as far as is in His Excellency's power to give; also copies of all communications between His Excellency and the said Executive Council, or any of them, on the subject of such disagreement and subsequent

tender of resignation, and that the thirty-first rule of this House be dispensed with so far as relates to the same.

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

|                            |                             |             |                    |
|----------------------------|-----------------------------|-------------|--------------------|
| Alway,                     | Hopkins,                    | Macnab,     | Small,             |
| Brown,                     | Jones,                      | Merritt,    | Smith,             |
| Bruce,                     | Lewis,                      | Morrison,   | Solicitor General, |
| Caldwell,                  | Lount,                      | Norton,     | Strange,           |
| Chesser,                   | McCrae,                     | Parke,      | Thorburn,          |
| Chisholm,                  | McDonell, <i>Glengary</i> , | Perry,      | Thom,              |
| Cook,                      | McDonell, <i>Stormont</i> , | Richardson, | Walsli,            |
| Cornwall,                  | McDonell, <i>Northumb.</i>  | Robinson,   | Waters,            |
| Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Roblin,     | Wells,             |
| Duncombe, <i>Norfolk</i> , | McKay,                      | Rykert,     | Wilkinson,         |
| Durand,                    | Mackenzie,                  | Rymal,      | Woolverton,        |
| Dunlop,                    | McLean,                     | Shaver,     | Wilson,            |
| Gibson,                    | McMicking,                  | Shibley,    | Yager—53.          |
| Gilchrist,                 |                             |             |                    |

Yeas 53.

NAYS—MESSIEURS.

Boulton, Malloch,—2.

Nays 2.

The question was carried in the affirmative by a majority of fifty one.

Question carried, majority 51.

On motion of Mr. Perry, seconded by Mr. McMicking,  
*Ordered*—That an address be presented to His Excellency in pursuance of the foregoing resolution, and that Messrs. Roblin and Thorburn. be a committee to draft and report the said address.

Committee to draft the address on Executive Council.

Mr. Perry, seconded by Mr. Roblin, moves that it be

*Resolved*—That this House on the 5th of February last, addressed His Excellency requesting to be informed who among those lately appointed to the Legislative Council had taken the oath as Legislative Councillors, and who, if any of them, had declined accepting the appointment, and also requesting His Excellency, as early as may be to call upon any such as had been so appointed either to accept the said appointment and take the necessary oath, &c., or to decline the same ;—that His Excellency, in answer, informed the House, that Messrs. Archibald McLean, William Morris, John Macaulay, George Hamilton, and Philip Vankoughnet, had received appointments as Legislative Councillors, and also informed the House that those gentlemen had already been required to take the oath as Legislative Councillors.

Motion respecting the recent appointments to the Legislative Council.

That this House has not been informed whether His Excellency has ever complied with that part of the address which requested His Excellency, “as early as may be to call upon them either to accept the said appointment and take the necessary oath, &c., or “decline the same” ;—that Archibald McLean, Esq., one of the gentlemen appointed as aforesaid, is a member of this House, (as representative of the town of Cornwall) and continues to sit and vote therein, notwithstanding his appointment as aforesaid—that this House deem it to be incompatible with the principles of our constitution that a person thus situated should be permitted to retain the option as long as he pleases of taking or not taking his seat in the Legislative Council, and of taking his seat therein whenever it shall please him so to do, by which he may be enabled to use his influence and vote as a member of the Assembly for the passing of bills and measures of vast importance to the peace, welfare, and prosperity of this province through this House, and afterwards take his seat in the Legislative Council, and thereby be enabled to use his influence and vote for the passing of the same bills and measures through that body, thus giving him a voice in both branches of the Legislature for the passing of the same bills and measures.

Under these circumstances, we feel ourselves called upon *again* to urge His Excellency to take immediate steps for the accomplishment of our desire as expressed in our said former address.

In amendment, Mr. Macnab, seconded by Mr. Robinson, moves,

That the whole of the original motion after the word *Resolved* be expunged, and the following inserted—that an address be presented to His Excellency the Lieutenant Governor requesting that he will be pleased to inform this House if any of the recently appointed members of the Legislative Council have declined accepting such appointment, and that His Excellency will be pleased to communicate to this House copies of any cor-

Amendment.

responsence, which may have passed between such members and the Executive Government on the subject of their appointment.

Division

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |                             |                            |           |  |
|----------|-----------------------------|----------------------------|-----------|--|
| Yeas 17. | Caldwell,                   | McDonell, <i>Northumb.</i> | Malloch,  | Solicitor General,<br>Strange,<br>Thom,<br>Wilkinson—17. |
|          | Dunlop,                     | McKay,                     | Norton,   |  |
|          | Lewis,                      | McLean,                    | Robinson, |  |
|          | McCrae,                     | Macnab,                    | Rykert,   |  |
|          | M'Donell, <i>Glengarry,</i> |                            |           |  |

NAYS—MESSIEURS.

|          |                           |                            |             |             |
|----------|---------------------------|----------------------------|-------------|-------------|
| Nays 35. | Alway,                    | Gibson,                    | Morrison,   | Smith,      |
|          | Boulton,                  | Gilchrist,                 | Parke,      | Thorburn,   |
|          | Bruce,                    | Hopkins,                   | Perry,      | Walsh,      |
|          | Chisholm,                 | Jones,                     | Richardson, | Waters,     |
|          | Cook,                     | Lount,                     | Roblin,     | Wells,      |
|          | Cornwall,                 | McDonell, <i>Stormont.</i> | Rymal,      | Wilson,     |
|          | Duncombe, <i>Oxford.</i>  | McIntosh,                  | Shaver,     | Woolverton, |
|          | Duncombe, <i>Norfolk,</i> | Mackenzie,                 | Shibley,    | Yager—35.   |
|          | Durand,                   | McMicking,                 | Small,      |             |

Amd't. lost maj. 18.

The question of amendment was decided in the negative by a majority of eighteen.

On original question.

On the original question, the yeas and nays were taken as follows:

YEAS—MESSIEURS.

|          |                           |                             |             |             |
|----------|---------------------------|-----------------------------|-------------|-------------|
| Yeas 41. | Alway,                    | Hopkins,                    | Morrison,   | Shibley,    |
|          | Bruce,                    | Lewis,                      | Norton,     | Small,      |
|          | Caldwell,                 | Lount,                      | Parke,      | Smith,      |
|          | Chisholm,                 | M'Donell, <i>Glengarry,</i> | Perry,      | Thorburn,   |
|          | Cook,                     | McDonell, <i>Stormont.</i>  | Richardson, | Thom,       |
|          | Cornwall,                 | McDonell, <i>Northumb.</i>  | Robinson,   | Waters,     |
|          | Duncombe, <i>Oxford,</i>  | McIntosh,                   | Roblin,     | Wells,      |
|          | Duncombe, <i>Norfolk,</i> | McKay,                      | Rykert,     | Wilson,     |
|          | Durand,                   | Mackenzie,                  | Rymal,      | Woolverton, |
|          | Gibson,                   | McMicking,                  | Shaver,     | Yager—41.   |

NAYS—MESSIEURS.

|          |          |          |                    |                |
|----------|----------|----------|--------------------|----------------|
| Nays 10. | Boulton, | McCrae,  | Solicitor General, | Walsh,         |
|          | Dunlop,  | Macnab,  | Strange,           | Wilkinson,—10. |
|          | Jones,   | Malloch, |                    |                |

Question carried majority 31.

The original question was carried in the affirmative by a majority of thirty-one, and ordered accordingly.

On motion of Mr. Perry, seconded by Mr. Bruce,

Committee to draft address on the above Resolution.

*Ordered*—That an address be presented to His Excellency pursuant to the resolution just adopted, and that Messrs. Shaver and McMicking be a committee to draft and report the said address.

Committee to draft an address on Executive Council, report, draft concurred in. 3d reading to-day.

Mr. Roblin from the committee to draft an address to His Excellency the Lieutenant Governor on the subject of the Executive Council, reported a draft which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Resignation of librarian.

Mr. Speaker reported having received from Robert Baldwin Sullivan, Esquire, his resignation as Librarian to the two Houses of the Legislature, he having been appointed an Executive Councillor.

Corn to wait on his Ex'y with address on contingencies, report answer.

Mr. Smith from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House, for a further advance on contingencies, reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

GENTLEMEN,

I shall be happy to comply with the request contained in your address.

Answer.

Mr. Speaker reported having received the first annual Report on Poor Laws in England, from Mr. Hume, member of the House of Commons for the county of Middlesex.

1st annual report on Poor Laws, from Mr. Hume.

Mr. Macnab from the committee to wait upon His Excellency, the Lieutenant Governor with the address of this House on the subject of gaol calendars, reported having delivered the same, and that His Excellency had been pleased to make thereto the following answer :

Committee to wait on His Excellency with address on gaol calendars report answer.

GENTLEMEN,

I shall have great pleasure in transmitting to the House of Assembly the documents mentioned in your address, feeling deeply interested in the subject to which they relate.

Answer to address on gaol calendars.

Mr. Perry, seconded by Mr. Shaver, moves, that it be

*Resolved*,—That from the tenor of the instructions from His Majesty's Government to Lord Gosford, Governor-in-Chief on his assuming the government of Lower Canada, and of the instructions for the guidance of His Excellency Sir Francis Bond Head on entering on his duty as Lieutenant Governor of this Province, which instructions were transmitted to this House by His Excellency, this House and the country were led to believe "that to be a native or a settled inhabitant of the Province" would be one great consideration with His Excellency in the selection of persons to office in this Province.

Motion for address to His Excellency on subject of the Survey or Generalship of the Province.

That this House understand that the office of Surveyor General has been for some time vacant, and are concerned to know what person, if any, has been appointed by His Excellency to fill that important office, and whether His Excellency has been pleased to recommend any person or persons to His Majesty's Government as fit and proper persons for that responsible situation, and if so, the names of the persons so recommended, together with the reasons assigned for such recommendation—and that an address be presented to His Excellency requesting His Excellency to lay before this House the desired information, and that Messrs. Morrison and Shibley be a committee to draft and report the said address.

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

|                            |                             |           |             |           |
|----------------------------|-----------------------------|-----------|-------------|-----------|
| Alway,                     | Gilchrist,                  | Morrison, | Small,      |           |
| Chesser,                   | Hopkins,                    | Norton,   | Smith,      |           |
| Chisholm,                  | Lount,                      | Parke,    | Thorburn,   |           |
| Cook,                      | McDonell, <i>Stormont</i> , | Perry,    | Waters,     |           |
| Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Roblin,   | Wells,      |           |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Rymal,    | Wilson,     |           |
| Durand,                    | McMicking,                  | Shaver,   | Woolverton, |           |
| Dunlop,                    | Macnab,                     | Shibley,  | Yager—33.   | Yeas, 33. |
| Gibson,                    |                             |           |             |           |

NAYS—MESSIEURS,

|           |                              |             |            |           |
|-----------|------------------------------|-------------|------------|-----------|
| Bolton,   | McCrae,                      | Malloch,    | Strange,   |           |
| Caldwell, | McDonell, <i>Glengarry</i> , | Richardson, | Thom,      |           |
| Jones,    | McKay,                       | Robinson,   | Walsh,—15. | Nays, 15. |
| Lewis,    | McLean,                      | Rykert,     |            |           |

The question was carried in the affirmative by a majority of eighteen and ordered accordingly. Question carried, majority 18.

Pursuant to the order of the day the address to His Excellency the Lieutenant Governor on the subject of the Executive Council, was read the third time. Address on Executive Council, read 3d time.

The Master-in-Chancery brought down from the Honorable the Legislative Council two papers, and having delivered the same at the clerk's table, retired. Master in Chancery.

On the question for passing the address. In amendment, Mr. Solicitor General, seconded by Mr. McLean, moves that the address do not now pass, but that it be On passing address.

*Resolved*, That an humble address be presented to His Excellency, praying that he would be pleased to communicate to this House any information, that without injury Amendment.

to the public service he may feel himself at liberty to communicate on the subject of the recent appointments to and changes in the Executive Council of this Province.

On which the yeas and nays were taken as follows:

Division.

YEAS—MESSIEURS.

|          |                                 |                               |   |                                 |
|----------|---------------------------------|-------------------------------|---|---------------------------------|
| Yeas 12. | Boulton,<br>Caldwell,<br>Lewis, | McKay,<br>McLean,<br>Malloch, | Richardson,<br>Robinson,<br>Sol. General, | Strange,<br>Thom,<br>Walsh,—12. |
|----------|---------------------------------|-------------------------------|---|---------------------------------|

NAYS—MESSIEURS,

|          |  |  |   |   |
|----------|--|--|---|---|
| Nays 38. | Alway,<br>Bruce,<br>Chesser,<br>Chisholm,<br>Cook,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Dunlop, | Gibson,<br>Gilchrist,<br>Hopkins,<br>Jones,<br>Lount,<br>McCrae,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking, | McNab,<br>Morrison,<br>Norton,<br>Parke,<br>Perry,<br>Roblin,<br>Rykert,<br>Rymal,<br>Shaver, | Shibley,<br>Small,<br>Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—38. |
|----------|--|--|---|---|

The question of amendment was decided in the negative by a majority of twenty-six.

Amd'nt. lost maj. 26.

Division on passing.

On the question for passing the address the yeas and nays were taken as follows:

YEAS—MESSIEURS

|          |   |   |   |   |
|----------|---|---|---|---|
| Yeas 42. | Alway,<br>Bruce,<br>Chesser,<br>Chisholm,<br>Cook,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Dunlop,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Jones,<br>Lewis,<br>Lount,<br>McCrae,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>McKay,<br>Mackenzie,<br>McMicking, | McNab,<br>Morrison,<br>Norton,<br>Parke,<br>Perry,<br>Richardson,<br>Robinson,<br>Roblin,<br>Rykert,<br>Rymal,<br>Shaver, | Shibley,<br>Small,<br>Smith,<br>Thorburn,<br>Thom,<br>Waters,<br>Wilson,<br>Woolverton,<br>Yager—42 |
|----------|---|---|---|---|

NAYS—MESSIEURS.

|         |                       |                     |                                |          |
|---------|-----------------------|---------------------|--------------------------------|----------|
| Nays 7. | Boulton,<br>Caldwell, | McLean,<br>Malloch, | Solicitor General,<br>Strange, | Walsh,—7 |
|---------|-----------------------|---------------------|--------------------------------|----------|

Carried, majority 35.

The question was carried in the affirmative by a majority of thirty-five and the address was signed and is as follows:

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

Address to His Excellency on the Executive Council.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to inform Your Excellency, that this House considering the appointment of a responsible Executive Council to advise Your Excellency on the affairs of the Province to be one of the most happy and wise features in the Constitution, and essential to the form of our Government, and one of the strongest securities for a just and equitable administration, and eminently calculated to ensure the full enjoyment of our civil and religious rights and privileges, has lately learned, with no small degree of surprise and anxiety, that the Executive Council so recently formed for the purpose above stated as (we presume,) consisting of six members did, on Saturday the 12th instant, unanimously tender to Your Excellency their resignations, and that Your Excellency was pleased to accept the same, and humbly to request Your Excellency to inform this House without delay whether such are the facts, and also to communicate to this House full information relative to the cause of disagreement between Your Excellency and your said late Executive Council as far as lies in Your Excellency's power to make known; as also to furnish this House with copies

of all communications between Your Excellency and your said late Council, or any of them, on the subject of such disagreement and subsequent tender of resignation.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
March 14th, 1836.

On motion of Mr. Roblin, seconded by Mr. Yager.

Ordered—That Messrs. Perry and Yager be a committee to wait on His Excellency the Lieutenant Governor to know when he will be pleased to receive the address of this House, and present the same. Committee to carry up address.

Mr. Shaver from the select committee to draft an address to His Excellency the Lieutenant Governor, on the subject of the appointment of certain persons to the Legislative Council, reported a draft, which was received and read twice. Committee to draft an address on appointments to Legislative Council, report draft, read twice.

Mr. Perry seconded by Mr. Cook, moves, that the address be amended by adding the following "and that Your Excellency will also cause to be laid before this House all correspondence between your Excellency and any of the gentlemen above alluded to, relative to their accepting or declining the appointment aforesaid."

Which was carried, and the address as amended was concurred in, and ordered to be engrossed and read a third time this day. Carried.

Mr. Morrison from the select committee to draft an address to His Excellency, the Lieutenant Governor, on the subject of the appointment of a Surveyor General, reported a draft, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day. 3rd reading to-day.

Pursuant to the order of the day, the address was read the third time. Committee to draft an address on Surveyor General, report draft, concurred in. 3rd reading to-day. Address read 3rd time.

On the question for the passing of the same, the yeas and nays were taken as follows: On passing.

YEAS—MESSIEURS.

|                           |                            |           |             |
|---------------------------|----------------------------|-----------|-------------|
| Bruce,                    | Gilchrist,                 | Morrison, | Shibley,    |
| Chisholm,                 | Hopkins,                   | Norton,   | Smith,      |
| Cook,                     | Lount,                     | Parke,    | Thorburn,   |
| Cornwall,                 | McDonell, <i>Stormont.</i> | Perry,    | Waters,     |
| Duncombe, <i>Oxford,</i>  | McIntosh,                  | Roblin,   | Wilson,     |
| Duncombe, <i>Norfolk,</i> | Mackenzie,                 | Rymal,    | Woolverton, |
| Durand,                   | McMicking,                 | Shaver,   | Yager—29.   |
| Gibson,                   |                            |           | Yeas 29.    |

NAYS—MESSIEURS.

|         |             |                    |          |
|---------|-------------|--------------------|----------|
| McKay,  | Richardson, | Solicitor General, | Thom,    |
| McLean, | Robinson,   | Strange,           | Walsh—8. |
|         |             |                    | Nays 8.  |

The question was carried in the affirmative by a majority of twenty-one and the address was passed and is as follows: Question carried, majority 21.

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly submit to Your Excellency, that from the tenor of the instructions from His Majesty's Government to Lord Gosford, Governor-in-Chief, on his assuming the government of Lower Canada, and those for the guidance of Your Excellency, on your entering upon the duties of Lieutenant Governor of this Province, the House of Assembly and country at large, were led to believe that to be a native or a settled inhabitant of the Province, and acceptable to the great body of the people, would be one great consideration with Your Excellency in se-

Address to His Excellency on the Surveyor Generalship of this Province.



lection of persons to office under the administration of Your Excellency within the same. That understanding that the office of Surveyor General has been for some time vacant, this House is concerned to know what person, if any, has been appointed to fill that important office, or whether Your Excellency has been pleased to recommend any person or persons to His Majesty's Government as fit and proper for that responsible situation, and if so, the names of the persons so recommended, with the reasons assigned for such recommendation.

Commons House of Assembly, }  
14th day of March, 1836. }

MARSHALL S. BIDWELL,  
Speaker.

On motion of Mr. Perry, seconded by Mr. Lount,

*Ordered*—That Messrs. Macnab and Gibson be a committee to wait on His Excellency with the address, and present the same.

Message and address from Legislative Council.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a message and an address to His Excellency the Lieutenant Governor, which that Honorable House had passed, and to which they request the concurrence of this House.

The message was read as follows :

Message.

MR. SPEAKER :

Port Harbor bill passed Legislative Council.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to amend the charter of the Port Hope Harbour and Wharf Company" without amendment.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
10th day of March, 1836. }

Joint address to His Excellency to transmit tobacco address to the King

The address to His Excellency the Lieutenant Governor sent down from the Honorable the Legislative Council, requesting His Excellency to transmit the address of both Houses to the King on the subject of Tobacco, to His Majesty's principal Secretary of State for the Colonies, that it may be laid at the foot of the throne, was read twice, concurred in, read the third time and passed, and is as follows :

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

Address

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Legislative Council and Assembly of the Province of Upper Canada, have agreed to an address to the King, humbly praying His Majesty to recommend to His Parliament a further reduction of the excise duty on Tobacco, the growth of this Province, as an encouragement to the more extensive cultivation of that article, which we pray Your Excellency will be pleased to transmit to the Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

Legislative Council Chamber, }  
8th day of March, 1836. }

JOHN B. ROBINSON,  
Speaker.

Commons House of Assembly, }  
March 14th, 1836. }

MARSHALL S. BIDWELL,  
Speaker.

Com. to carry up address.

Messrs. Caldwell and Wilkinson were ordered by the Speaker to carry up the address to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the same.

Address on appointments to the Legislative Council, passed.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor on the recent appointments to the Legislative Council, was read the third time, and passed, as is as follows :

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province, of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to remind Your Excellency, that this House on the 5th of February last, addressed Your Excellency requesting to be informed who among those lately appointed to the Legislative Council had taken the oath as Legislative Councillors, and who, if any of them, had declined accepting the appointment, and also requesting Your Excellency, as early as might be to call upon any such as had been so appointed either to accept the said appointment and take the necessary oath, &c., or to decline the same ;—that Your Excellency, in answer, informed the House, that Messrs. Archibald McLean, William Morris, John Macaulay, George Hamilton, and Philip Vankoughnet, had received appointments as Legislative Councillors, and that those gentlemen had already been required to take the oath as such.

Address to His Excellency on the appointments of certain Legislative Councilors.

We beg further to state to Your Excellency, that this House has not been informed whether Your Excellency has ever complied with that part of the address which requested Your Excellency, "as early as may be to call upon them either to accept the said appointment and take the necessary oath, &c., or decline the same" ;—that Archibald McLean, Esq., one of the gentlemen appointed as aforesaid, is a member of this House, (as representative of the town of Cornwall) and continues to sit and vote therein, notwithstanding his appointment as aforesaid—that this House deem it to be incompatible with the principles of our constitution that a person thus situated should be permitted to retain the option as long as he pleases of taking his seat in the Legislative Council, and of taking his seat therein, whenever it shall please him so to do, by which he may be enabled to use his influence and vote as a member of the Assembly for the passing of bills and measures of vast importance to the peace, welfare, and prosperity of this province through this House, and afterwards to take his seat in the Legislative Council, and thereby be enabled to use his influence and vote for the passing of the same bills and measures through that body, thus giving him a voice in both branches of the Legislature for the passing of the same bills and measures.

Under these circumstances, we feel ourselves called upon *again* to urge Your Excellency to take immediate steps for the accomplishment of our desire as expressed in our said former address, and that Your Excellency will also cause to be laid before this House all correspondence between Your Excellency and any of the gentlemen above alluded to, relative to their accepting or declining the appointment aforesaid.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
14th March 1836. }*

On motion of Mr. Roblin, seconded by Mr. Yager,  
*Ordered*—That Messrs. Cook and Morrison be a committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive the address, and to present the same.  
Adjourned.

Com. to carry up Address.

**Tuesday, 15th March, 1836.**

The House met.

The minutes of yesterday were read.

At half past ten o'clock, A. M. the Speaker left the chair.

At half past three o'clock, P. M. the Speaker took the chair.

PRESENT—Messrs. *Durand, Dunlop, Jones, Macdonell, Stormont, McDonell, Northumberland, McLean, McMicking, Macnab, Malloch, Norton, Parke, Perry, Robinson, Strange, Thorburn, Walsh, Wells, Yager.*—18.

No quorum.

The House then adjourned for want of a quorum.

**Wednesday, 16th March, 1836.**

The House met.

The minutes of yesterday were read.

Mr. Perry, from the committee to wait on His Excellency the Lieutenant Governor with the address of this House for information

Com to wait on his Ex'y with ad-

dress on Executive Council report.  
Answer.

in relation to the resignation of the Executive Council, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN :

Nothing can appear more reasonable to my mind, than the surprise and anxiety which the House of Assembly express to me, at the intelligence they have received of the sudden resignation of the six members of the Executive Council, for with both these feelings I was myself deeply impressed, when firmly relying on the advice, assistance and cordial co-operation of my council, I unexpectedly received from them the embarrassing document which, with my reply thereto, I now, at the request of the House of Assembly, willingly present to you.

Answer of His Ex'y to address on Executive Council.

With every desire to consult my council, I was preparing for their consideration important remedial measures, which I conceived it would be advisable to adopt, and had they but afforded me those few moments for reflection, which from my sudden arrival among you, I fancied I might fairly have claimed as my due, the question which so unnecessarily they have agitated, would have proved practically, to be useless.

Had they chosen to have verbally submitted to me in council, that the responsibility and consequently the power and patronage of the Lieutenant Governor, ought henceforth to be transferred from him to them—had they even in the unusual form of a written petition, recommended to my attention as a new theory, that the council, instead of the Governor, was to be responsible to the people, I should have raised no objection whatever to the proceeding, however in opinion I might have opposed it ; but, when they simultaneously declared not that such *ought to be*, but that such actually was the law of the land, and concluded their statement, by praying that a council sworn in secrecy to assist me, might be permitted, in case I disapproved of their opinion, to communicate with the public, I felt it my duty, calmly and with due courtesy to inform them, that they could not retain such principles together with my confidence, and to this opinion I continue steadfastly to adhere.

I feel confident that the House of Assembly will be sensible, that the power entrusted to me our by gracious Sovereign, is a subject of painful anxiety—that from the patronage of this Province I can derive no advantage, and that I can have no object in retaining undivided responsibility, except that which proceeds from a just desire to be constitutionally answerable to His Majesty, in case I should neglect the interests of his subjects in this Province.

With these sentiments I transmit to the House of Assembly the documents they have requested, feeling confident that I can give them no surer proof of my desire, to preserve *their* privileges inviolate, than by proving to them that I am equally determined to maintain the rights and prerogatives of *the Crown*, one of the most prominent of which is, that which I have just assumed, of naming those councillors in whom I conscientiously believe I can confide.

For *their* acts I deliberately declare myself to be responsible, but they are not responsible for mine, and cannot be, because being sworn to silence, they are deprived by this fact, as well as by the Constitution, of all power to defend themselves.

(COPY.)

EXECUTIVE COUNCIL CHAMBER, }  
AT TORONTO, }  
Friday, 4th March, 1836. }

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY.

Communication from the Executive Council to the Lieut. Governor.

The Executive Council, impressed with the oath they have taken to discharge the duties necessarily resulting from their appointment “to advise the King and His Representative in the Government of this Province,” in the terms of the Constitutional Act, “upon the affairs of the Province,” deem it incumbent upon them most respectfully to submit the following representation:—

The Executive Council recognize the truth of the opinion expressed by LORD GLENELG, that “the present is an era of more difficulty and importance than any which has hitherto occurred in the history of this part of His Majesty’s dominions.” This unhappy condition they ascribe, in a very great degree, to the hitherto unconstitutional abridgment of the duties of the Executive Council. It appears from the proceedings of the House of Assembly, and from the reiteration of established opinion in the Country, that neither will public expectation be satisfied, nor contentment be restored, until the system of Local Government is altered and conducted according to the

true spirit and meaning of the constitutional Act. The delay of this just and indispensable course has already excited in the great mass of the people, a lamentable jealousy and distrust, and has also induced the discussion of constitutional changes, the desire for which, unless speedily arrested, by affording the unrestricted operation of the 31st George 3, Chapter 31, will not only become more fixed, but rapidly increase to a greater and irretreivable extent.

Communication from the Executive Council to the Lieut. Governor.

The policy and measures which have led to the present condition, seldom passed under the review of the Executive Council, or were submitted for their advice. Nevertheless, its members have been undeservedly subjected to the heaviest reproach throughout the country, from a prevalent belief that they have been called upon to fulfil the duty imposed upon them by the Constitution, as advisers upon public affairs. But amidst the obloquy thus thrown upon them, they have studiously avoided any attempt at exculpation, by disavowing, in their defence, any participation in the conduct of the affairs which they were erroneously supposed to have approved. The consequence of this silent endurance of political odium, has been the perpetuation of the misbelief that the Executive Council are conversant with the affairs of the Province, upon which they are appointed to advise: and although an opposite practice has generally prevailed between former Lieutenant Governors and their Council, yet it has ever been notoriously contrary to the state of things presumed by the community to exist.

Public opinion respecting the Executive Council and their duties, has been founded upon the terms of the 31 George III. chap 31, to which Statute the people used to express a firm attachment, an attachment which the Council believe never would have been impaired had the Constitution been administered either according to its letter or its spirit.

In several clauses of 31 George III. chapter 31, the Executive Council is mentioned in general terms. In the 34th clause the terms are "together with such Executive Council as shall be appointed by his Majesty for the affairs of such Province," and not as it would otherwise have been expressed "together with such Executive Council as shall be appointed by His Majesty for that purpose." In the 38th clause the terms are "with the advice of such Executive Council as shall have been appointed by His Majesty, his Heirs or Successors, within such Province for the affairs thereof," and not as it would otherwise have been expressed, "with the advice of such Executive Council as shall have been appointed by His Majesty, his Heirs or Successors, within the Province for that purpose."

The same may be said of similar terms used in the latter part of the seventh clause.

With respect to which clauses it may be further remarked, that had it been contemplated that the Executive Council were to act only in the matters therein specified, the words "on the affairs of such Province" might have been omitted, without in the least impairing the legal effect. In the construction, therefore, of this Statute, the above expression can not be treated as surplussage, but must be taken to impose the duty which it imports.

From the language of this Statute, therefore it appears—

*Firstly*—That there is an Executive Council.

*Secondly*—That they are appointed by the King.

*Thirdly*—That they are appointed to advise the King, and his Representative, upon "the affairs of the Province,"—no particular affairs are specified: no limitation to any particular time or subject.

As the Constitutional Act prescribes to the Council the latitude of "the affairs of the Province," it requires an equal authority of law to narrow those limits, or relieve the Council from a co-extensive duty.

Every Representative of the King, upon arriving from England to assume the Government of this country, is necessarily a stranger to it; and the law has provided for a Local Council as a source of advice, which, when given, is followed or not, according to his discretion.

In certain cases, specified in the 38th clause of the 31st Geo. 3, chap. 31, the concurrence of the Council is required to give effect to certain Executive Acts. But these exceptions prove the general rule, viz:—that while the advice is to be given upon the affairs of the Province generally, it is only in the particular cases that it must harmonize with the pleasure of the Crown, to give that pleasure effect. Indeed, if the Law could be construed to limit the advice to the particular cases, it would follow that the Council could not legally and constitutionally advise upon any others; a proposition which, besides its manifest repugnance to the terms of the Act, is contrary to received opinion and usage.

Communication  
from the Executive  
Council to the Lieu-  
Governor.

But while the Constitution has assigned to the Council this duty, it is only to a very subordinate and limited extent that they have heretofore had opportunity afforded them to perform it. It is submitted that the exigency of the Statute can only be answered by allowing the affairs of the Province to pass under their review for such advice as their consciences may suggest, preparatory to the final and discretionary action of the King's Representative, upon those affairs.

The Council meeting once a week upon Land matters, while the affairs of the Country are withheld from their consideration and advice, is as imperfect a fulfilment of the Constitutional Act, as if the Provincial Parliament were summoned once a year, to meet the letter of the Law, and immediately prorogued upon answering the Speech from the Throne. In both cases the true meaning and spirit of the Constitutional Act require, that the Parliament should have a general and practicable opportunity to Legislate, and the Executive Council to advise, upon the affairs of the Country. In the former case, the Representative of the King can withhold the Royal Assent from bills, and in the latter, reject the advice offered; but their respective proceedings can not be constitutionally circumscribed or denied because they need the expression of the Royal pleasure thereon for their consummation.

The extent and importance of the affairs of the Country have necessarily increased with its population, wealth and commerce, and the Constitution has anticipated the difficulty, by a division of labour and responsibility, from the active attention of the Executive Council to their duties. With the exception of those matters of so weighty or general a character as not properly to fall under any particular department, and therefore fitted for the deliberation of the Council collectively, it is recommended, that the affairs of the Province be distributed into Departments, to the heads of which shall be referred such matters as obviously appertain to them respectively. Upon this principle (recognized by the existing Constitution of this Province and of the Mother Country) the people have long and anxiously sought for the administration of their Government, under the Representative of the King; and the Council most respectfully, but at the same time earnestly represent, that public opinion upon the subject is so fixed, and becoming so impatient, as to preclude the possibility of denying or delaying the measure, without increasing public dissatisfaction, and leading to the final adoption of other views, as already too universally manifested, uncongenial to the genius of the Constitution, and most dangerous to the connection with the Parent State.

The remedy, it is feared, is now proposed too late for all the advantages desired: but the longer it is withheld, the more alienated and irreconcilable will the public mind become. The present comparative calm and thankfulness arise from a belief, that the Council will second this exigency, in establishing a system of Government, according to the principles recognized by the Charter of the liberties of the Country—an expectation which the Council are most anxious to realize.

Should such a course not be deemed wise or admissible by the Lieutenant Governor, the Council most respectfully pray that they may be allowed to disabuse the public from a misapprehension of the nature and extent of the duties confided to them.

(Signed.) PETER ROBINSON,  
GEO. H. MARKLAND,  
JOSEPH WELLS,  
JOHN H. DUNN,  
ROBERT BALDWIN,  
JOHN ROLPH.

F. B. HEAD,

His Excellency's  
answer.

The Lieutenant Governor transmits to the Executive Council the following observations, in reply to the document, which, in Council, they yesterday addressed to him:

The Constitution of a British Colony resembles, but is not identical with, the Constitution of the Mother Country—for in England, besides the House of Commons, which represents the people, there exists a hereditary nobility, the honours and wealth of which, as well as the interests of the Established Church, are represented by a House of Lords, while the Sovereign (who, by law, can do no wrong,) is surrounded by a Ministry upon whom devolves the entire responsibility of the measures they suggest, and who are consequently removable at pleasure. But in the Colonial portion of the British Empire, which, however rising is generally speaking thinly inhabited, the people are represented by their House of Assembly, which is gifted not only with the same command over the supplies, as in England, but which possesses within the Colony, most of the powers of the British House of Commons. The Legislative Council is intended, as far as the circumstances of a young colony can permit, to resemble the British House of Lords; and if the Lieutenant Governor of a colony stood in the place of the Sovereign—and if, like His Majesty, he could do no wrong,

it would evidently be necessary that a Ministry, Executive Council, or some other body of men should be appointed, who might be responsible to the country for their conduct. His Excellency's answer.

This, however, is not the case. His Majesty delegates his Sovereign protection of his colonies to no one, but he appoints a Lieutenant Governor, who is responsible to him for his behaviour, who is subject to impeachment for neglecting the interests of the people, and who is liable, like the English Ministry, to immediate removal—and the history of the British Colonies clearly shews, that there is no class or individual of his Majesty's subjects to whose representation, prayer or petition, the King is not most willing to attend.

The Lieutenant Governor is, therefore, the responsible Minister of the colony, and as not only his character, but his continuance in office depend on his attending to the real interests of the people, it would be evidently as unjust towards him that he should be liable to impeachment for any acts but his own, as it would be unjust towards the people, that a responsibility so highly important to their interests, should be intangible and divided. It is true, his knowledge of the country is not equal to that of many intelligent individuals within it; but in Government, impartiality is better than knowledge, and it must be evident to every well constituted mind, that in an infant state of society, it would be impossible practically to secure a sufficient number of impartial persons to effect a change of Ministry, as often as it might be necessary for the interests of the people so to do.

This difference between the constitution of the Mother Country and that of its colony is highly advantageous to the latter—for, as in all small communities, private interests and party feelings must unavoidably be conflicting, it is better as well as safer, that the people should be enabled to appeal in person, or by petition, to the Lieutenant Governor himself, whose duty it is to redress their complaints, and who is liable to dismissal if he neglects them—than that they should appeal to a series of Provincial Ministries, composed of various individuals.

To enable the Lieutenant Governor to perform the arduous duties of his office, the constitution has wisely provided him with an Executive Council, competent to supply him with that local knowledge in which he may be deficient, and to whom he may apply for counsel and advice.

Before he entrusts himself to these gentlemen, they are by order of his Majesty required solemnly to swear, not only to give to the Lieutenant Governor their best counsel and advice, but they are also sworn to secrecy.

Their individual opinions can never be divulged, *even to the King*; and as a proof that His Majesty does not hold them responsible for the acts of his Lieutenant Governor, they can retain, and often do retain, their office of sworn advisers, although Governor after Governor may have been dismissed.

The advantage of such a Council to a Lieutenant Governor is so self-evident, that he must be weak and self-sufficient indeed who does not continually have recourse to it; but although it strengthens his judgment, and confers dignity on his proceedings, yet, it in no way shields him from disgrace, should his acts be found contrary to the interests of the people. In such a case it would be vain, as well as unconstitutional, for a Lieutenant Governor to attempt to shield himself from responsibility, by throwing it upon his council; for by his oath he cannot even divulge which of his advisers may have misled him: Supposing, for instance, that with the concurrent advice of his council, he was illegally to eject by military force an individual from his land, the Lieutenant Governor would be liable to arraignment, and whether he had acted by the opinion of the Law Officers of the Crown—by the advice of his Council—by information derived from books—or from his own erring judgment, it has been wisely decreed, that the injured subject shall look to him, and him alone, for retribution, and that he, and he alone, is answerable to his Sovereign for the act of injustice which has been committed.

Being therefore subject both to punishment and disgrace, it is absolutely necessary, as well as just, that the Lieutenant Governor of a colony should have full liberty to act, (though at his peril) in every case, as he may think best for the interests of the people, according to the commands of his Majesty & of His Majesty's Ministers. To consult his Council on the innumerable subjects upon which he has daily to decide, would be as utterly impossible as for any one but himself to decide upon what points his mind required, or needed not, the advice of his Council. Upon their sterling fund he must therefore constitutionally draw whenever embarrassment requires it, and on their part, if they faithfully honour his bills, however often he may present them, they conscientiously fulfil to their Sovereign, to Him, to their Country, and to their Oath, the important duty which they have sworn in secrecy to perform.

Having concluded the above outline of the relative responsibility of the Lieutenant Governor and his Executive Council, as it regards His Majesty's colonies in general, it may be observed with respect to this Province in particular, that when His Majesty, by conquest, first obtained possession of the Canadas, the Government thereof devolved upon his Military Commander, until by an Act passed in the 14th

His Excellency's answer. year of George 3, a Council was appointed "for the affairs of the Province of Quebec, "to consist of such persons resident therein, (not exceeding twenty-three, nor less than seventeen) as His Majesty, His Heirs, and successors, shall be pleased to appoint, which Council so appointed and nominated, or the major part thereof, shall have power and authority to make ordinances for the peace, welfare and good government of the said Province, *with the consent of His Majesty's Governor.*"

This power of the council was further restricted by certain important limitations, specified in clauses 13, 14, 15, 16, and 17, of the said Act; however, in the year 1791, a new Act was passed, commonly called the Constitutional Act, because it settled the constitution of the Canadas, which were then divided into the Upper and Lower Provinces.

By this Act, the Military domination of the General and his Council was changed for a new and better system; and as evidently both could not exist together, the very first clause in the Act declared—"that so much of the late Act (14th Geo. 3rd) as in any manner relates to the appointment of a Council for the affairs of the said Province of Quebec, or to the power given by the said Act to the said Council, or to the major part of them, to make ordinances for the peace, welfare, and good government of the said Province, with the consent of His Majesty's Governor, Lieutenant Governor, or Commander-in-Chief for the time being, shall be, and the same is REPEALED."

The Act then proceeds to state, "That there shall be within each of the said Provinces respectively, a Legislative Council and an Assembly," the duties and privileges of which are minutely declared in thirty-three consecutive clauses; but in no part of the said Act was an Executive Council directly or indirectly created, nevertheless, a vestige of the ancient one was, for the purpose of a Court of Appeal, (vide clause 34) recognised, with an expression which seemed to intimate, that an efficient Executive Council would very shortly be created.

For instance, in section 38, the Governor is by authority of His Majesty's Government, and with the advice of the Executive Council, "empowered to erect Parsonages and Rectories," but in section 39 no mention whatever is made of the Executive Council, but on the contrary, it is declared, that the Governor, or Lieutenant Governor, or person administering the Government, should present the incumbent "to every such Parsonage or Rectory."

In the fifty clauses of the Act in question, the Executive Council, which in section 34 is merely described as "such Executive Council as shall be appointed by His Majesty," is scarcely mentioned, and as regards even its existence, the most liberal construction which can possibly be put upon the said Act, only amounts to this—that as an Executive Council was evidently intended to exist, the remnant of the old one ought not to be deemed totally extinct until its successor was appointed.

However, this latent intention of His Majesty to create a council for each of the Provinces of his Canadian dominions, was soon clearly divulged in a most important document, commonly called "*the King's instructions*," in which an Executive Council was regularly constituted and declared as follows:

"Whereas we have thought fit that there should be an Executive Council for assisting you, or the Lieutenant Governor, or persons administering the government of the said Province of Upper Canada for the time being, we do by these presents nominate and appoint the undermentioned persons," &c. &c. &c.

In subsequent clauses it was equally precisely defined upon what affairs of the Province the Lieutenant Governor was to act, "*with the advice of the Executive Council*," but with the view distinctly to prevent the new council being what the old one had been (which indeed under the new constitution was utterly impossible,) in short, to set that question at rest forever, it was declared in section 8, "that to the end that our Executive council may be assisting to you in all affairs relating to our service, you are to communicate to them *such and so many* of our instructions *wherein their advice is mentioned to be requisite*, and likewise all such others from time to time as you SHALL FIND CONVENIENT for our service to be *imparted to them.*"

The Lieutenant Governor having now transmitted to the Executive council his opinion of their duties in contradistinction to that contained in their communication to him of yesterday's date, will not express the feelings of regret with which, under a heavy pressure of business, he unexpectedly received a document of so unusual a nature, from Gentlemen upon whom he had only recently placed his implicit and unqualified reliance.

But he feels it incumbent on him frankly and explicitly to state, that to the opinions they have expressed, he can never subscribe—on the contrary, that so long as he shall continue to be Lieutenant Governor of this Province, he will never allow his Executive council officially to assume that heavy responsibility which he owes to his Sovereign as well as to the people of this Province, to whom he has solemnly pledged himself to

*maintain the happy constitution of this country inviolate, but cautiously, yet effectually to correct all real grievances."*

Answer of His Ex'y to address on Executive Council.

The Lieutenant Governor maintains that the responsibility to the people (who are already represented in the House of Assembly,) which the council assume, is unconstitutional,—that it is the duty of the council to serve *him*, not *them*; and that if on so vital a principle they persist in a contrary opinion, he foresees embarrassments of a most serious nature—for as power and responsibility must, in common justice, be inseparably connected with each other, it is evident to the Lieutenant Governor, that if the council were once to be permitted to assume the *latter*, they would immediately, as their right, demand the *former*; in which case, if the interests of the people should be neglected, to whom could they look for redress? For in the confusion between the Governor and an oligarchy, composed of a few *dominant families*, shielded by secrecy, would not all tangible responsibility have vanished?

The council cannot have forgotten, that previous to their first meeting in the council chamber, which happened only a few weeks ago, the Lieutenant Governor had assured them in a note, [which was even publicly read in the House of Assembly] that although he had no preliminary conditions to accede to, or require, it was his intention to treat them with implicit confidence; and the council must also remember how willingly they approved of the very first suggestion he made to them, namely, that no important business should be commenced in the council. until they as well as the Lieutenant Governor himself, had become mutually acquainted with their respective duties.

The Lieutenant Governor assures the council, that his estimation of their talents and integrity, as well as his personal regard for them, remain unshaken, and that he is not insensible of the difficulties to which he will be exposed, should they deem it necessary to leave him. At the same time, should they be of opinion that the oath they have taken requires them to retire from his confidence, rather than from the principles they have avowed, he begs that on his account they will not for a moment hesitate to do so.

Government House, }  
Toronto, March 5, 1836. }

The Master in Chancery brought down from the Honorable the Legislative Council, a message, and having presented the same at the clerk's table, retired.

Mr. Macnab moves that five thousand copies of the Address of this House, on the subject of the Executive Council of this Province—together with His Excellency's reply thereto—and the documents accompanying the same—be printed for the use of members in pamphlet form.

Motion for print'g Address on Executive Council.

In amendment, Mr. Perry seconded by Mr. Gibson, moves that after the word "moves" the whole be expunged and the following inserted, "that the answer of His Excellency the Lieutenant Governor to the Address of this House relative to a responsible Executive Council be referred to a select committee, with power to send for persons and papers, and leave to report thereon, and that Messrs. Norton, Roblin, Charles Duncombe and Morrison do compose said committee."

Amendment.

On which the yeas and nays were taken, as follows:

YEAS—MESSIEURS,

|                            |                             |           |             |
|----------------------------|-----------------------------|-----------|-------------|
| Alway,                     | Gibson,                     | Morrison, | Small,      |
| Bruce,                     | Gilchrist,                  | Norton,   | Smith,      |
| Chesser,                   | Hopkins,                    | Parke,    | Thorburn,   |
| Chisholm,                  | Lount,                      | Perry,    | Waters      |
| Cook,                      | McDonell, <i>Stormont</i> , | Roblin,   | Wells,      |
| Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Rymal,    | Wilson,     |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Shaver,   | Woolverton, |
| Durand,                    | McMicking,                  | Shibley,  | Yager—32.   |

Yeas 32.

NAYS—MESSIEURS,

|           |                              |          |               |
|-----------|------------------------------|----------|---------------|
| Caldwell, | McCrae,                      | Macnab,  | Sol. General, |
| Cornwall, | McDonell, <i>Glongarry</i> , | Malloch, | Strange,      |



|          |                             |   |                                    |                                   |
|----------|-----------------------------|---|------------------------------------|-----------------------------------|
| Nays 20. | Dunlop,<br>Jones,<br>Lewis, | M'Donell, <i>Northumb.</i><br>McKay,<br>McLean, | Richardson,<br>Robinson,<br>Rykert | Thom,<br>Walsh,<br>Wilkinson,—20. |
|----------|-----------------------------|---|------------------------------------|-----------------------------------|

The question of amendment was carried in the affirmative by a majority of twelve.

On original question. The original question as amended being put the yeas and nays were taken as follows:

YEAS—MESSIEURS.

|           |  |  |  |  |
|-----------|--|--|--|--|
| Yeas, 32. | Alway,<br>Bruce,<br>Chesser,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford.</i><br>Duncombe, <i>Norfolk.</i><br>Durand, | Gibson,<br>Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont.</i><br>McIntosh,<br>Mackenzie,<br>McMicking, | Morrison,<br>Norton,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal,<br>Shaver,<br>Shibley, | Small,<br>Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager,—32. |
|-----------|--|--|--|--|

NAYS—MESSIEURS.

|          |   |  |  |  |
|----------|---|--|--|--|
| Nays 20. | Caldwell,<br>Cornwall,<br>Dunlop,<br>Jones,<br>Lewis, | McCrae,<br>M'Donell, <i>Glengarry.</i><br>McDonnell, <i>Northumb.</i><br>McKay,<br>McLean, | Macnab,<br>Malloch,<br>Richardson,<br>Robinson,<br>Rykert, | Sol. General,<br>Strange,<br>Thom,<br>Walsh,<br>Wilkinson,—20. |
|----------|---|--|--|--|

Carried. The question was carried in the affirmative by a majority of twelve, and ordered accordingly.  
Adjourned.

Thursday, 17th March, 1836.

The House met.

The minutes of yesterday were read.

Message from Legislative Council.

Mr. Speaker reported that yesterday the master in chancery had brought down from the Honorable the Legislative Council a message; which was read as follows:

MR. SPEAKER:

Legislative Council concur in address to the King on Chelsea pensioners.

The Legislative Council has concurred in the Address to His Majesty respecting certain Chelsea Pensioners in this Province, as sent up from the Commons' House of Assembly.

Legislative Council Chamber,  
16th day of March, 1836. }

JOHN B. ROBINSON,  
Speaker.

Committee to carry up address on the appointments of certain Legislative Councilors, report His Excellency's answer

Mr. Morrison from the committee to wait upon His Excellency the Lieutenant Governor with the address of this House, on the subject of certain appointments to the Legislative Council, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN,

Answer to address on Legislative Council.

In reply to the Address which I have just received. I willingly deliver to you, according to the request of the House of Assembly, the desired information which was only completed on the 9th instant.

Letters, see Appendix.

Com. to carry up address on subject of Surveyor General, report His Excellency's answer.

Mr. Macnab from the committee to wait on His Excellency the Lieutenant Governor, with the address of this House on the subject of the appointment of a Surveyor General, reported having delivered

the same, and that His Excellency had been pleased to make there- to the following answer :

GENTLEMEN :

In reply to the requests contained in your Address, I have to inform you, that no person has been appointed by me to fill the important office of Surveyor General, which is now under the superintendance of the chief Clerk. Answer to address on Surveyor General

When Captain Hurd gave up the duties of the office in question, I appointed Captain Macaulay of the corps of Royal Engineers to be Surveyor General, until the pleasure of His Majesty could be known, and on Captain Macaulay resigning the office, I felt it necessary to explain confidentially to His Majesty's Government, the circumstances which had led to Captain Hurd's retirement, as well as all the reasons which had induced me to appoint Captain Macaulay pro. tem. as his successor.

In making the above communication, I did not solicit the re-appointment by His M. Government of captain Macaulay, although I most decidedly repeated "that I believed I could firmly rely on his integrity and ability."

The appointment of the Surveyor General of Upper Canada, is no part of that patronage entrusted to me, the important distribution of which forms so painful a portion of my duty, and consequently it now rests with His Majesty's Government alone, to decide upon the individual whom they may think best qualified to protect the property of the crown in this Province, as well as to assist me in the important alterations which I am of opinion ought to be introduced in the land granting department.

Mr. Boulton, Master-in-Chancery brought down from the Hon- Message from Legislative Council. orable the Legislative Council, a message and having delivered the same at the clerk's table, retired.

Mr. Perry, seconded by Mr. Small, moves, that it be

*Resolved*—That under the present excited state of public feeling in this colony occasioned by the recent proceedings between His Excellency the Lieutenant Governor and His late Executive council, and the appointment of a new Executive council (as appears by the Gazette Extra of Monday the 14th March) composed of Robert Baldwin Sullivan, John Elmsley, Augustus Baldwin, and William Allan, Esqrs., this House feel it to be a duty they owe alike to the King and the People of this colony whose Representatives they are, to avail themselves of the first opportunity, to declare at once the entire want of confidence of this House in the last mentioned appointments—and that the 31st rule of this House be dispensed with so far as relates to this motion. Resolution of the House on the appointment to office of certain Executive Councillors.

On which the yeas and nays being taken were as follows :

Division.

YEAS—MESSIEURS,

|                            |                             |           |             |
|----------------------------|-----------------------------|-----------|-------------|
| Alway,                     | Gibson,                     | Morrison, | Small,      |
| Bruce,                     | Gilchrist,                  | Norton,   | Smith,      |
| Chesser,                   | Hopkins,                    | Parke,    | Thorburn,   |
| Chisholm,                  | Lount,                      | Perry     | Waters,     |
| Cook,                      | McDonell, <i>Stormont</i> , | Roblin,   | Wells,      |
| Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Rymal,    | Wilson,     |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Shaver,   | Woolverton, |
| Durand,                    | McMicking,                  | Shibley,  | Yager—32.   |

Yeas 32.

NAYS—MESSIEURS,

|           |                              |               |                |
|-----------|------------------------------|---------------|----------------|
| Caldwell, | McDonell, <i>Glengarry</i> , | Malloch,      | Strange,       |
| Dunlop,   | McDonell, <i>Northumb.</i>   | Robinson,     | Thom,          |
| Jones,    | McKay,                       | Rykert,       | Walsh,         |
| Lewis,    | McLean,                      | Sol. General, | Wilkinson,—18. |
| McCrae,   | Macnab,                      |               |                |

Nays 18.

The question was carried in the affirmative by a majority of fourteen, and it was resolved accordingly. Question carried, majority 14.

Mr. Speaker reported that the Master-in-Chancery had brought down from the Legislative Council, a message and the bill entitled, "An Act to regulate the prices to be charged for printing official advertisements,"—to which that honorable House had made some amendments, and requested the concurrence of this House thereto. Message and the official advertisement bill amended from L Council.

The message was read as follows :

Certain Legislative Councillors have permission to attend committee of House of Assembly.

MR. SPEAKER,

The Honorable Messieurs Dunn, Allan and Macaulay have leave to attend a select committee of the Commons House of Assembly as desired by that House in their message received this day, if they think fit.

Legislative Council Chamber, }  
14th of March, 1836.

JOHN B. ROBINSON,  
Speaker.

The amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act to regulate the prices to be charged for printing official advertisements,*" were read the first time, as follows :

*Amendments made by the Honorable the Legislative Council in and to the bill sent up from the Assembly, entitled "An Act to regulate the prices to be charged for printing official advertisements."*

Amendments made by Legislative Council to the official advertisement bill.

In the title line 2. after "for" insert "official." Expunge "official advertisements." Press 1. After "Whereas" expunge the remainder of the bill and insert "the appointment designated as "Printer to the King's Most Excellent Majesty" which has been in force from the first formation of this Province has been found advantageous to the public service—and whereas the publication of the Official Gazette by the King's Printer by authority has been and continues to be, indispensably necessary for the promulgation of various laws, notices, and public advertisements of a legal and official nature, in which the inhabitants of this Province are interested, and it is expedient to regulate the duties and define the rights of the said office, and the charges to be made by the person holding the said appointment. Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled 'An Act for making more effectual provision for the government of the Province of Quebec in North America,' and to make further provision for the government of the said Province," and by the authority of the same, that from and after the passing of this Act, all such laws, legal and official notices or public advertisements, as now are or may hereafter be required by any law or usage of this Province to be inserted in the Upper Canada Gazette published by authority, shall be so inserted in such Gazette, under the direction and superintendance of the King's Printer, who shall be paid for the same at the following rates, that is to say at the rate of four pence per line for the first insertion of any such notice or other matter as aforesaid, and one penny per line for every subsequent insertion of the same in such Gazette.—  
2. And whereas it is expedient further to regulate the duties to be performed and the prices to be paid for the public printing, and to designate the rights appertaining to the said office, be it further enacted by the authority aforesaid—that it shall be the duty of the said King's Printer to be at all times prepared to execute in an efficient and prompt manner all the public printing which may be required to be done by virtue of and in right of his said office, of the several branches of the government of this Province and the public departments thereof, and for which he shall be paid at the following rates, according to the particular description of type or letter in which the work may be performed, viz :

(For Rates—see next page.)

| DESCRIPTION OF TYPE. | SIZE OF PAPER—PLAIN MATTER. |                          |                       |                          |                       |                          |                       |                          |                                      |                                 |             |       | CIRCULARS,<br>Kc. |                    |
|----------------------|-----------------------------|--------------------------|-----------------------|--------------------------|-----------------------|--------------------------|-----------------------|--------------------------|--------------------------------------|---------------------------------|-------------|-------|-------------------|--------------------|
|                      | QUARTO POST.                |                          | FOOLSCAP.             |                          | POST OR CROWN.        |                          | DEMY.                 |                          | STATUTES WITH MARGINAL NOTES         |                                 | DEMY PAPER. |       |                   |                    |
|                      | First hundred sheets.       | Each additional hundred. | First hundred sheets. | Each additional hundred. | First hundred sheets. | Each additional hundred. | First hundred sheets. | Each additional hundred. | Price per page first hundred sheets. | Each additional hundred sheets. |             |       |                   |                    |
| Double Pica,.....    | 1 10 0                      | .....                    | 1 13 4                | .....                    | 2 0 0                 | .....                    | 2 6 8                 | .....                    | .....                                | .....                           | .....       | ..... | .....             | .....              |
| Great Primer,.....   | 1 13 4                      | .....                    | 1 16 8                | .....                    | 2 5 4                 | .....                    | 2 13 4                | .....                    | .....                                | .....                           | .....       | ..... | .....             | 100.....20s.       |
| English,.....        | 1 16 8                      | .....                    | 2 0 0                 | .....                    | 2 10 8                | .....                    | 3 0 0                 | .....                    | .....                                | .....                           | .....       | ..... | .....             | Each               |
| Pica,.....           | 2 0 0                       | 0 10 0                   | 2 3 4                 | 0 11 4                   | 2 16 0                | 0 13 4                   | 3 6 8                 | 0 16 8                   | 1 16 6                               | 0 11 3                          | .....       | ..... | .....             | additional hundred |
| Small Pica,.....     | 2 3 4                       | .....                    | 2 6 8                 | .....                    | 3 1 4                 | .....                    | 3 13 4                | .....                    | .....                                | .....                           | .....       | ..... | .....             | 10s.               |
| Long Primer,.....    | 2 6 8                       | .....                    | 2 10 0                | .....                    | 3 6 8                 | .....                    | 4 0 0                 | .....                    | .....                                | .....                           | .....       | ..... | .....             | .....              |
| Brevier,.....        | 2 10 0                      | .....                    | 2 13 4                | .....                    | 3 12 0                | .....                    | 4 6 8                 | .....                    | .....                                | .....                           | .....       | ..... | .....             | .....              |

Official advertisement bill amended from Council.

*Provided always*, That in the foregoing rates, shall be included the Stationary, which in all cases shall be furnished for the work so to be performed, by the said King's Printer, at his own expense, without any extra charge being made or allowed for the same, and which shall be of good quality, and that any number of sheets of such work less than one hundred shall be computed and considered as a full hundred, and that Schedule work shall be rated at, price and a half, and rule and figure work at double prices of the foregoing rates.

3. And whereas it is deemed inexpedient that the person who may hold the situation of King's Printer should be engaged in the printing of, or employed as Editor of any publication of a political nature as a newspaper or otherwise, be it further enacted by the authority aforesaid—that it shall not be lawful for such King's Printer so to be employed or engaged.

4. And be it further enacted by the authority aforesaid—that for the due fulfilment of the duties required by this Act, and in consideration of the rights herein secured to the said office of King's Printer, he shall be required to enter into bonds to His Majesty, himself in the sum of Five hundred pounds and two good and sufficient sureties in the sum of two hundred and fifty pounds each, conditional for the due and faithful discharge of the duties to be performed by him under the provisions of this Act; which bond shall be drawn up in such manner and form, and the sureties in the same approved of as may be thought proper and sufficient, by the Governor, Lieutenant Governor, or person administering the government of this Province.

5. And be it further enacted by the authority aforesaid—That this Act shall continue in force for four years and from thence to the next ensuing Session of Parliament.

JOHN B. ROBINSON,  
*Speaker.*

*Legislative Council Chamber, }  
16th day of March, 1836. }*

Bill to lay on the table.

Address on revenue accounts &c. passed.

The Bill as amended was ordered to lay on the table.

Pursuant to the order of the day the Address to His Excellency the Lieutenant Governor for revenue accounts, &c. was read the 3rd time, passed, and is as follows:

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

ANSWER.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons' of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House at the earliest possible period.

1st. The whole accounts of that part of the Revenue of this Province usually known and denominated the Casual and Territorial revenue, with the fullest details, for the past year.

2nd. The detailed accounts of the whole Provincial Revenue not yet sent down.

3rd. An account of the receipts and payments of all monies received from the sale or leasing the Clergy Reserves, from the time in which returns were sent down last Session.

4th. A return of all lands set apart for Glebes to any particular religious denomination, since the date to which the accounts extended which have already been sent down.

5th. An account of the balance in the hands of the Receiver General arising from Fund A.

6th. The various documents explanatory of the constitution and proceedings of the Commission for auditing the Public Accounts of the United Kingdom, sent out by His Majesty's Government, with a view to assist the deliberations of the Legislature for the establishment of a Board of Audit.

7th. The office copy of the Blue Book for the year 1835.

8th. Copy of all correspondence and vouchers in the possession of the Government having reference to the expenditure of any colonial revenue for the building of Churches or Chapels, or for the maintenance of Clergymen or religious teachers of any denomination, or for the purposes of any such denomination, in this Province, during the last three years, not already laid before this House.

9th. And that Your Excellency would be pleased to quicken those Officers whose duty it is to prepare the returns called for by this House, with regard to the city and county Hospital, and with reference to the appropriation and management of certain other public lands in this city or its liberties, in their addresses of the 11th of last month.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, )  
March 17th, 1836. }

On motion of Mr. Mackenzie seconded by Mr. Shaver,  
*Ordered*—That Messrs. Thorburn and Wilson be a committee to wait on His Excellency the Lieutenant Governor to know when he will be pleased to receive the address of this House, and present the same.

Com. to present  
the address.

Adjourned.

Friday, 18th March, 1836.

The House met.

The minutes of yesterday were read.

Petitions bro't up

Mr. Shibley brought up the petition of Nicholas Amey and fifteen others, of the towaship of Loughborough (Frontenac); which was laid on the table.

Of Nicholas Amey  
and others.

Mr. Wells brought up the petition of George Malloch, Esqr., of the town of Brockville; which was laid on the table.

George Malloch,  
Esq.

Mr. McKay brought up the petition of Archibald McDonell and one hundred and eight others, inhabitants of the township of Osgood, (Ottawa district); which was laid on the table.

Arch'd McDonell  
and others.

Mr. Morrison brought up the petition of John Crumbie, M. D. and one hundred and thirty-three others, inhabitants of the township of Toronto, (York); which was laid on the table.

John Crumbie and  
others.

Mr. Morrison brought up the petition of Robert C. Wilkins and four hundred and fifty-two others, of the Western parts of the Midland and eastern parts of the Newcastle districts; which was laid on the table.

Rob't C. Wilkin  
and others.

Mr. Small brought up the petition of Billa Flint, junr. and seven hundred and forty-six others, inhabitants of the Province; which was laid on the table.

Billa Flint Jun'r  
and others.

Mr. Morrison brought up the petition of Jesse Ketchum and thirty-one others, delegates from temperance societies in the Home and adjoining districts; which was laid on the table.

Jesse Ketchum &  
others.

Mr. Yager brought up the petition of J. Parker and one hundred and sixty-four others, inhabitants of the county of Hastings; which was laid on the table.

J. Parker and  
others.

Mr. Small brought up the petition of Peter Galego, of the city of Toronto; which was laid on the table.

Peter Galego.

Mr. Small brought up the petition of John Reilly, formerly messenger to the House of Assembly; which was laid on the table.

John Reilly.

Mr. Small brought up the petition of Thomas E. Cope and thirty-one others, of the ward of Saint Patrick's, city of Toronto; which was laid on the table.

Tho's E. Cope  
and others.

Mr. Morrison brought up the petition of Caleb Shipman, of the township of Whitby, (York); which was laid on the table.

Caleb Shipman.

Mr. Wilkinson brought up the petition of Joseph Wigle and thirty-seven others, inhabitants of Gosfield and Mersea, (Western district); which was laid on the table.

Joseph Wigle and  
others

Mr. Mackenzie brought up the petition of William Ogden, of Springfield, (York); which was laid on the table.

Wm. Ogden:

Charles L. Collins

Mr. Mackenzie brought up the petition of Charles Lorin Collins, residing in the township of Howard, in the Western district; which was laid on the table.

John McMillan

Mr. Chisholm brought up the petition of John McMillan, of the township of Lochiel (Glengarry); which was laid on the table.

Alex. Grant.

Mr. Chisholm brought up the petition of Alexander Grant, constable of the Eastern district; which was laid on the table.

William Coll.

Mr. Cornwall brought up the petition of William Coll of the township of Howard, in the Western district; which was laid on the table.

James Henry and others.

Mr. Thorburn brought up the petition of James Henry and one hundred and fifty-six others, of the town and vicinity of Brantford, district of Gore; which was laid on the table.

Joseph Wynn.

Mr. Thorburn brought up the petition of Joseph Wynn and sixty two others, of Queenston and vicinity; which was laid on the table.

John Kirkpatrick and others.

Mr. Thorburn brought up the petition of John Kirkpatrick and one hundred and two others, of Queenston and vicinity; which was laid on the table.

Bertie and Detroit rail road bill read 3rd time.

Pursuant to the order of the day, the Bertie and Detroit rail-road bill was read the third time.

Name of Bela Shaw inserted in the bill.

Mr. Norton, seconded by Mr. Caldwell, moves that the sixteenth clause be amended by adding the name of Bela Shaw, after the name of John Prince.

Which was carried, and the name of Bela Shaw was inserted in the bill accordingly.

Mr. Macnab, seconded by Mr. Dunlop, moves, that the following be added as a rider to the bill—

Rider added to the bill.

*And be it further enacted by the authority aforesaid*—That nothing in this Act contained shall extend or be construed to extend to prevent at any future period the Hamilton and Port Dover Rail Road Company, or any other company hereafter to be formed, from establishing lateral branches from said Rail Road, to Queenston, Niagara, Hamilton, London, Chatham, or any other place, between the township of Sandwich, in the western district, and Bertie in the Niagara district.

Which was carried, and the rider was read twice, concurred in and ordered to be engrossed and read a third time this day.

Motion for a further clause.

Mr. Durand, seconded by Mr. Hopkins, moves that the following be added as a further clause to the bill:

*And be it further enacted by the authority aforesaid*,—That at any time after fifty years after the making and completing the said rail road or way, allowing two years to commence and ten years to complete the same, His Majesty, His Heirs and Successors, may assume the possession and property of the same, and of all and every the works and dependencies thereto belonging, upon paying to the said company for the use of the stockholders thereof the full amount of their respective shares, or of the sums furnished and advanced by each subscriber towards the making and completing the said double or single iron or wooden rail-road or way, together with such further sum as will amount to twenty per cent upon the monies so advanced and paid as a full indemnification to such company, and the said double or single iron or wooden rail-road or way, shall, from the time of such assumption in manner aforesaid, appertain and belong to His Majesty, His Heirs, and Successors, who shall from thenceforth, be substituted in the place and stead of the said company upon the conditions, and subject to the provisions of any act of the Legislature of this Province, that may be passed respecting the same.

On which the yeas and nays being taken were as follows:

YEAS—MESSIEURS,

Yeas 7.

Cook,  
Durand.

Gilchrist,  
Perry,

Robin,  
Shaver,

Yeager—7.

NAYS—MESSIEURS,

|                            |                              |            |                 |          |
|----------------------------|------------------------------|------------|-----------------|----------|
| Alway,                     | Lewis,                       | McMicking, | Sol. General,   |          |
| Caldwell,                  | Lount,                       | Macnab,    | Thorburn,       |          |
| Chesser,                   | McCrae,                      | Merritt,   | Thom,           |          |
| Chisholm,                  | McDonell, <i>Stormont</i> ,  | Morrison,  | Walsh,          |          |
| Cornwall,                  | McDonell, <i>Glengarry</i> , | Norton,    | Waters,         |          |
| Duncombe, <i>Oxford</i> ,  | McDonell, <i>Northumb.</i>   | Parke,     | Wells,          |          |
| Duncombe, <i>Norfolk</i> , | McKay,                       | Robinson,  | Wilkinson,      |          |
| Dunlop,                    | Mackenzie,                   | Rykert,    | Wilson,         |          |
| Gibson,                    | McLean,                      | Rymal,     | Woolverton,—37. | Nays 37. |
| Jones,                     |                              |            |                 |          |

The question was decided in the negative by a majority of thirty.  
 Mr. Macnab, seconded by Mr. Roblin, moves, that the following be added as a further clause to the bill—

Question lost.

Motion for further clause to the bill.

*And be it further enacted by the authority aforesaid*—That the Hamilton and Port Dover rail road company, or any other company hereafter to be formed,—authorised to construct a rail road to join to, or intersect the said Sandwich and Bertie rail road shall have full power and authority to run their Cars upon the said Sandwich and Bertie rail road, upon payment to the said rail road company, of such sum or sums of money as may be awarded by arbitrators to be mutually agreed upon between the said rail road company, and the persons applying for such lateral branch or branches, under the regulations of the said Bertie and Sandwich rail road company.

On which the yeas and nays were taken as follows :

YEAS—MESSIEURS.

|                            |                              |           |             |          |
|----------------------------|------------------------------|-----------|-------------|----------|
| Alway,                     | Gibson,                      | Morrison, | Rymal,      |          |
| Bruce,                     | Gilchrist,                   | Norton,   | Shaver,     |          |
| Chisholm,                  | McDonell, <i>Glengarry</i> , | Parke,    | Waters,     |          |
| Cook,                      | McDonell, <i>Northumb.</i>   | Perry,    | Wells,      |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                    | Robinson, | Wilson,     |          |
| Durand,                    | McKay,                       | Roblin,   | Woolverton, |          |
| Dunlop,                    | Macnab,                      | Rykert,   | Yager,—28.  | Yeas 28. |

NAYS—MESSIEURS.

|                           |                             |               |                |          |
|---------------------------|-----------------------------|---------------|----------------|----------|
| Caldwell,                 | Lewis,                      | McLean,       | Thorburn,      |          |
| Chesser,                  | Lount,                      | McMicking,    | Thom,          |          |
| Cornwall,                 | McCrae,                     | Malloch,      | Walsh,         |          |
| Duncombe, <i>Oxford</i> , | McDonell, <i>Stormont</i> , | Small,        | Wilkinson,—19. | Nays 19. |
| Jones,                    | Mackenzie,                  | Sol. General, |                |          |

The question was carried in the affirmative by a majority of nine. Question carried,

On the question for the second reading of the clause.

On the question for second reading

In amendment Mr. Mackenzie, seconded by Mr. Waters, moves that this clause be not now read a second time, but that it be read a second time this day three months.

Amendment proposed.

On which the yeas and nays were taken as follows :

On amendment.

YEAS—MESSIEURS,

|           |                             |           |            |          |
|-----------|-----------------------------|-----------|------------|----------|
| Caldwell, | Lount,                      | Merritt,  | Thorburn,  |          |
| Chesser,  | McCrae,                     | Parke,    | Thom,      |          |
| Cornwall, | McDonell, <i>Stormont</i> , | Robinson, | Walsh,     |          |
| Gibson,   | Mackenzie,                  | Rykert,   | Waters,    |          |
| Jones,    | McLean,                     | Small,    | Wilkinson, |          |
| Lewis,    | McMicking,                  | Strange,  | Wilson—24. | Yeas 24. |

NAYS—MESSIEURS,

|                            |                              |         |                    |          |
|----------------------------|------------------------------|---------|--------------------|----------|
| Alway,                     | Hopkins,                     | Norton, | Shibley,           |          |
| Cook,                      | McDonell, <i>Glengarry</i> , | Perry,  | Solicitor General, |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                    | Roblin, | Wells,             | Nays 21. |
| Durand,                    | McKay,                       | Rymal,  | Woolverton,        |          |
| Dunlop,                    | Macnab,                      | Shaver, | Yager—21.          |          |
| Gilchrist,                 |                              |         |                    |          |



Amendment carried, majority 3.  
 Clause added, read 3d time.  
 On passing the bill

The question was carried in the affirmative by a majority of three and ordered accordingly.

The last clause to the bill was read the third time.

On the question for the passing of the bill, the yeas and nays were taken as follows :

YEAS—MESSIEURS

|          |                           |                             |                    |             |
|----------|---------------------------|-----------------------------|--------------------|-------------|
| Yeas 35. | Alway,                    | Gibson,                     | McLean,            | Strange,    |
|          | Bruce,                    | Jones,                      | McMicking,         | Thorburn,   |
|          | Caldwell,                 | Lewis,                      | Malloch,           | Thom,       |
|          | Chesser,                  | Lount,                      | Norton,            | Walsh,      |
|          | Cornwall,                 | McCrae,                     | Parke,             | Waters,     |
|          | Duncombe, <i>Oxford.</i>  | M'Donell, <i>Glengarry,</i> | Robinson,          | Wells,      |
|          | Duncombe, <i>Norfolk,</i> | McDonell, <i>Stormont,</i>  | Rykert,            | Wilkinson,  |
|          | Durand,                   | McKay,                      | Small,             | Wilson,—35. |
|          | Dunlop,                   | Mackenzie,                  | Solicitor General, |             |

NAYS—MESSIEURS.

|           |            |           |          |             |
|-----------|------------|-----------|----------|-------------|
| Nays, 11. | Cook,      | McIntosh, | Rymal,   | Woolverton, |
|           | Gilchrist, | McNab,    | Shaver,  | Yager—11.   |
|           | Hopkins,   | Perry,    | Shibley, |             |

The question was carried in the affirmative by a majority of four, and the bill was passed.

Title. Mr. Walsh, seconded by Mr. Caldwell, moves that the bill be entitled "*An act to incorporate certain persons therein mentioned under the name and style of the Niagara and Detroit River rail road Company.*"

Which was carried, and Messrs. Walsh and Caldwell were ordered by the speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent up to Legislative Council.  
 British America Assurance bill read 3d time.

Pursuant to the order of the day the British America Life and Fire assurance company bill was read the third time.

On the question for passing the bill.

Question for passing, postponed.

In amendment, Mr. Norton, seconded by Mr. Roblin, moves that the bill do not now pass, but that the further consideration of the question be postponed to this day one week.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |                           |                            |             |             |
|----------|---------------------------|----------------------------|-------------|-------------|
| Yeas 21. | Bruce,                    | Jones,                     | Norton,     | Shibley,    |
|          | Caldwell,                 | Lount,                     | Perry,      | Walsh,      |
|          | Chesser,                  | McDonell, <i>Stormont,</i> | Richardson, | Wells,      |
|          | Cook,                     | McIntosh,                  | Roblin,     | Woolverton, |
|          | Duncombe, <i>Norfolk,</i> | McKay,                     | Rymal,      | Yager—21.   |
|          | Gibson,                   |                            |             |             |

NAYS—MESSIEURS,

|          |           |                             |                    |                |
|----------|-----------|-----------------------------|--------------------|----------------|
| Nays 12. | Cornwall, | McDonell, <i>Glengarry,</i> | Robinson,          | Strange,       |
|          | Dunlop,   | Macnab,                     | Small,             | Walsh,         |
|          | Lewis,    | Malloch,                    | Solicitor General, | Wilkinson,—12. |

The question of amendment was carried in the affirmative by a majority of nine, and ordered accordingly.

Address from Legislative Council concurred in, on the subject of pensioners

The Master-in-Chancery brought down from the Honorable the Legislative Council, an address on the subject of Pensions, which that Honorable House had passed and requested the concurrence of this House thereto.

The address was read twice, concurred in, read the third time and passed and is as follows :

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian*

*Military Order of Merit, Lieutenant Governor of the Province,  
of Upper Canada, &c. &c. &c.*

Address to trans-  
mit address to His  
majesty on the sub-  
ject of pensioners.

MAY IT PLEASE YOUR EXCELLENCY,

The Legislative Council and Assembly have agreed to an address to the King on behalf of certain inhabitants of this Province, heretofore pensioners of Chelsea Hospital, which we pray your Excellency to transmit to the Secretary of State for the Colonies, that it may be laid at the foot of the Throne.

JOHN B. ROBINSON,  
*Speaker.*

Legislative Council Chamber, }  
17th day of March, 1836. }

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
18th day of March, 1836. }

Messrs. Macnab and Richardson were ordered by the Speaker to carry the address up to the Honorable the Legislative Council, and inform that Honorable House that this House had concurred in the same.

Address sent to Leg-  
islative Council.

Pursuant to the order of the day, the following petitions were read:

Petitions read.

Of J. B. Delisle, praying for the restoration of his pension.

Of J. B. Delisle.

Of John Clerke and ninety others, inhabitants of the Eastern part of the township of Pickering (York); praying aid for a certain road.

Of J. Clerke and  
others.

Of Thomas McKay and four others, inhabitants of the Bathurst and Ottawa districts; praying for an act of incorporation for a bank.

Of T. McKay and  
others.

Of George Robertson and thirty-four others, proprietors of the village of Mille Roches, township of Cornwall; setting forth the injury sustained by them from the location of the Saint Lawrence Canal, and praying relief.

Of G. Robertson  
and others.

Of Michael Shower, Senior, and sixty-eight others, inhabitants of the village of Paris and vicinity (district of Gore); complaining of the unworkmanlike manner in which the bridge is built at said village, and praying that an enquiry may be instituted respecting the same.

Of M. Shower, sen.  
and others.

Of Love Newlove, of the township of Albion, Home district, setting forth his claim for losses sustained when a contractor on the Welland Canal, and praying relief.

Of Love Newlove.

Of James Armstrong and thirty-five others, inhabitants of the township of Chinguacousy; praying aid for roads.

Of J. Armstrong  
and others.

Of Crowell Willson and fifty six others, inhabitants of the townships of Willoughby and Crowland (Lincoln); praying aid to build a bridge over the River Welland.

Of C. Willson and  
others.

Of Angus McDonell and one hundred and forty-five others, inhabitants of the district of Niagara; praying for the construction of a rail road from Fort Erie to Sandwich.

Of A. McDonell  
and others.

Of James Warbrick and twenty-three others, living on the town line, between York and Scarborough; praying aid for a road.

Of J. Warbrick and  
others.

Of W. B. Jarvis and five others, of the vicinity of Toronto; praying that the waters of the Blue Hill Creek may not be diverted from their natural channel, to the manifest injury of Petitioners' property. And

Of W. B. Jarvis  
and others.

Of Michael Shower, of Burford, in the London district; praying for the privilege of an U. E. Loyalist.

Of M. Shower.

Mr. Dunlop, from the committee to which was referred the subject of prison discipline, informed the House, that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same.

Committee on pri-  
son discipline, report  
a bill.

Bill read  
2nd reading to-  
morrow.

The report was received, and the bill was read the first time.  
*Ordered*—That the bill authorising the Lieutenant Governor to appoint inspectors of prisons, be read a second time to-morrow.

Select committee on  
petition of Patrick  
Anderson, report  
Wiltzie creek harbor  
bill.

Mr. McKay, from the select committee to which was referred the petition of Patrick Anderson and others, informed the House that the committee had agreed to report by bill, a draft of which he was directed to submit whenever the House would be pleased to receive the same.

Bill read 1st time,  
2nd reading to-  
morrow.

The report was received and the bill was read the first time.  
*Ordered*—That the Gananoque and Wiltzie Creek navigation bill be read a second time to-morrow.

Finance committee  
reports 1st report on  
post office.

Mr. Charles Duncombe, chairman of the committee of Finance presented a first report which was received and read.

*Report on Post Office Department. (See Appendix.)*

Ditto.  
Second report on  
loans.

Mr. Charles Duncombe, from the committee of finance, presented a second report, which was received and read.

*Report on Loan. (See Appendix.)*

Mr. Mackenzie, seconded by Mr. Wilson, moves that it be

Motion for address  
to His Excellency  
for information in  
relation to money  
granted for parson-  
ages.

*Resolved*—That an humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to communicate to this House, copies of the orders or authority under which there was paid to the Honorable and Reverend Dr. John Strachan, in the year 1826, the sum of three hundred pounds, from the Clergy Reserve funds, in aid of defraying the expense of erecting a parsonage house in York, and a return shewing when and where the said three hundred pounds were expended, and what has been the whole of the expense of the said parsonage house, and where it is located, together with the vouchers for the said expenditure; also, the like returns and vouchers with reference to the like sum paid in 1824 to the Rev. Wm. Macaulay and others, in aid of a parsonage house in the township of Hamilton; and that Messrs. Lount and Gibson be a committee to draft and report said address, and that the thirty-second rule be dispensed with as far as it would effect this motion.

Which was carried.

Address reported,  
concurring in and  
passed.

Mr. Gibson from the select committee to draft an address to His Excellency on the subject of parsonage houses, reported a draft, which was received, read twice, concurred in, and read the third time and passed, and is as follows:

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

Address to His Ex-  
cellency for informa-  
tion in relation to  
monies granted for  
the erection of par-  
sonages.

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to communicate to this House copies of the orders or authority under which there was paid to the Honorable and Reverend Dr. John Strachan in the year 1826, the sum of three hundred pounds from the Clergy Reserve funds in aid of defraying the expense of erecting a parsonage house in York, and a return shewing when and where the said £300 were expended, and what has been the whole of the expense of the said parsonage house, and where it is located, together with the vouchers for the said expenditure.

Also the like returns and vouchers with reference to the like sum paid in 1824 to the Reverend William Macaulay and others, in aid of a parsonage house in the township of Hamilton.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
18th day of March, 1836. }*

Committee to pre-  
sent address.

On motion of Mr. Mackenzie, seconded by Mr. Wilson,  
*Ordered*—That Messrs. Bruce and Norton be a committee to wait upon His Excellency, to learn when he will be pleased to receive the address of this House, and to present the same.

On motion of Mr. Robinson, seconded by Mr. Caldwell, Petitions referred.  
*Ordered*—That the petition of W. B. Jarvis, Esq. and others, be Of W. B. Jarvis  
and others  
 referred to a select committee, composed of Messrs. Small and  
 Gibson.

On motion of Mr. Caldwell, seconded by Mr. Richardson,  
*Ordered*—That the petition of J. B. Delisle be referred to the Of J. B. Delisle.  
 committee on claims for pensioners.

On motion of Mr. Durand, seconded by Mr. Rymal,  
*Ordered*—That the petition of Michael Shower and others, of the Of M. Shower &  
others.  
 village of Paris, in the Gore district, be referred to a select commit-  
 tee, composed of Messrs. Rymal, Parke, Norton, and Walsh, with  
 power to send for persons and papers, and report thereon.

On motion of Mr. Norton, seconded by Mr. Bruce,  
*Ordered*—That when this House adjourns it will adjourn until House to adjourn  
till Monday.  
 Monday next.

Pursuant to notice, Mr. Donald McDonell, seconded by Mr. County court bill  
brought in and read  
1st time.  
 Chisholm, moves for leave to bring in a bill authorising the Court of  
 General Quarter Sessions of the Peace, and the district Court to be  
 held alternately in the several counties of this Province.

Which was granted, and the bill read.

*Ordered*—That the County Court bill be read a second time to-  
 morrow.

Adjourned, pursuant to the order of the House, till ten o'clock  
 A. M. on Monday next.

**Monday, March 21st, 1836.**

The House met pursuant to adjournment.

The minutes of Friday were read.

Mr. Roblin brought up the petition of Richard Bullock, and fif- Petitions bro't up.  
 teen others, inhabitants of the province; which was laid on the Of R. Bullock and  
others.  
 table.

Mr. Roblin brought up the petition of William Rorke, and Of W. Rorke and  
others.  
 thirty-five others, inhabitants of the province; which was laid on  
 the table.

Mr. Mackenzie brought up the petition of John Coates and Of J. Coates and  
others.  
 eighty-four others, of the township of Albion (York;) which was laid  
 on the table.

Pursuant to the order of the day the following petitions were Petitions read.  
 read.

Of Nicholas Amey and fifteen others, of the township of Lo- Of Nicholas Amey  
and others.  
 borough, in the Midland district, praying for a re-survey of said  
 township.

Of George Malloch, of the town of Brockville, praying remun- George Malloch,  
Esq.  
 eration for attendance on a certain contested election.

Of Archibald McDonell, and one hundred and eight others, in- Arch'd McDonell  
and others.  
 habitants of the township of Osgoode, in the Ottawa district, praying  
 that no regard may be had to petitions praying that Kemptville be  
 the county town of a contemplated new district.

Of John Crumbie, M. D. and one hundred and thirty three oth- John Crumbie and  
others.  
 ers, inhabitants of the township of Toronto, (York,) praying that  
 inquiry be instituted into the prevalence of intemperance and  
 means taken to arrest its effects.

Of Robert C. Wilkins, and four hundred and fifty-two others, Rob't C. Wilkin  
and others.  
 inhabitants of the Western parts of the Midland and Eastern parts  
 of the Newcastle districts, praying for the formation of a new district.

- Billa Flint, Jun and others. Of Billa Flint Junior, and seven hundred and forty-six others, inhabitants of the province, praying for the suppression of Orange processions.
- Jesse Ketchum & others. Of Jesse Ketchum, and thirty-one others, delegates from temperance societies, in the Home and adjacent districts, praying that an inquiry be instituted into the extent, causes and consequences of intemperance, and its evil effects arrested.
- J. Parker and others. Of J. Parker and one hundred and sixty-four others, inhabitants of the County of Hastings, praying that the river Trent may be improved.
- Peter Galego. Of Peter Galego, of the city of Toronto, praying assistance in the formation and support of a school for children of coloured parents.
- John Reilly. Of John Reilly, formerly messenger of the House of Assembly, praying remuneration for a certain service.
- Tho's E. Cope and others. Of Thomas E. Cope and thirty-one others, of Saint Patrick's Ward, city of Toronto, praying for the establishment of a Market in said Ward.
- Caleb Shipman. Of Caleb Shipman, of the township of Whitby, (York), praying the passing of an Act giving him an exclusive right to an improvement he has invented in the building of Grist mills.
- Joseph Wigle and others. Of Joseph Wigle and thirty-seven others, of Gosfield and Mersea, in the Western district, praying aid for a road.
- Wm. Ogden. Of William Ogden, of Springfield, township of Toronto, (York) praying for authority to hold certain property.
- Charles L. Collins. Of Charles Lorin Collins, residing in Howard, (Western district), praying to be naturalized.
- John McMillan. Of John McMillan, township of Lochiel, (Glengarry), praying pecuniary assistance, having lost his sight in the service.
- Alex. Grant. Of Alexander Grant, constable, Eastern district, praying compensation for injuries sustained while in the discharge of his duty.
- William Coll. Of William Coll, of the township of Howard, (Western district), praying relief in consequence of a wound received during the late War.
- James Henry and others. Of James Henry and one hundred and fifty-six others, of the town and vicinity of Brantford, district of Gore; praying against the passing of an Act restricting the circulation of Bank Notes.
- Joseph Wynn. Of Joseph Wynn and sixty-two others, of Queenston and vicinity, praying for an act of incorporation to construct a swing bridge, over the Niagara river.
- John Kirkpatrick and others. Of John Kirkpatrick and one hundred and two others, of Queenston and vicinity; praying the same.
- Com'tee on report on improvement of waters of Newcastle district, report bill for improving the back waters of Newcastle district. Mr. Gilchrist, from the committee on canals and internal improvements, to which was referred the resolution adopting the report from said committee, on the improvement of the navigation of the inland waters of the district of Newcastle, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.
- Bill read 1st time. The report was received, and the bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the bill for the improvement of the navigable waters of the district of Newcastle be read a second time tomorrow.
- Committee on petition of G. Hamilton present a report and bill. Mr. McKay, from the committee to which was referred the petition of George Hamilton and others, of the Ottawa district, presented a report with the draft of a bill.
- Received. The report and draft of a bill were received.

Report read.

The report was read as follows :

To the Honorable the Commons' House of Assembly,

The Committee to whom was referred the petition of George Hamilton and others—

BEG LEAVE TO REPORT:—

That it appears upon investigation that the late Treasurer of the district of Ottawa has made no return of the monies received by him for the support of common schools within the district for the year 1834, and when called upon by the committee to transmit an account of the expenditure, he expresses his inability to do so, assigning as his reason that his books and papers had been destroyed, and referred the committee to the Inspector General for information respecting his returns made to that officer. Upon application to the Inspector General, however, the committee were informed that no returns for the year 1834 had been transmitted to him by the Treasurer.

Report on petition of G. Hamilton.

The committee have reason to believe that the money received by the treasurer for the support of common schools in the Ottawa district for 1834, has not only not been accounted for to the public, but that the greater part, if not the whole of the sum received by him remains in his hands.

Under these circumstances, the committee respectfully recommend that His Excellency the Lieutenant Governor be requested to direct legal proceedings to be instituted against the late treasurer of the Ottawa district, to compel him to account for the money received by him, and which remains in his hands—and that an act should be passed (the draft of which accompanies this report), suspending the operation of the 5th clause of the Provincial Act, 60th George 3rd, so as to authorise the continuance of the allowance of money for the benefit of the common schools in the district of Ottawa, notwithstanding the defalcation of the treasurer of that district.

All which is respectfully submitted.

T. MCKAY,  
Chairman.

Committee Room, House of Assembly, }  
21st day of March, 1836. }

The bill was read the first time.

*Ordered*—That the bill to authorise the payment of school monies to the Ottawa district, be read a second time to-morrow.

Read 1st time.

2d reading to-morrow.

Mr. Shaver from the committee to which was referred the bill to amend the laws relating to the election of members to the House of Assembly, informed the House that the committee had agreed to the draft of a bill which he was ready to submit whenever the House would be pleased to receive the same.

Committee on election amendment bill, report general election bill.

The report was received, and the bill was read the first time.

Bill read 1st time.

*Ordered*—That the bill for affording facility to electors at general elections, be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Small, seconded by Mr. Cornwall,

Petitions referred.

*Ordered*—That the petition of Thomas E. Cope and others, be referred to a select committee, to report thereon by bill or otherwise, and that Messrs. Morrison and McIntosh do compose said committee.

T. E. Cope and others.

On motion of Mr. D. Æ. McDonell, seconded by Mr. Donald McDonell,

*Ordered*—That the petition of George Robertson and others, of Mille Roches, township of Cornwall, be referred to a committee, composed of Messrs. Charles Duncombe, Mackenzie, Chisholm, and Bruce, to report thereon by bill or otherwise, and that they have power to send for persons and papers.

Of G. Robertson and others.

On motion of Mr. Small, seconded by Mr. Cornwall,

*Ordered*—That the petition of Billa Flint, junr. and others, be referred to the committee to whom was referred the petition of C. J. Baldwin and others.

Of B. Flint, jr., & others.

On motion of Mr. Small seconded by Mr. McIntosh,

*Ordered*—That the petitions of John Reilly, Peter Gallego and C. R. Denham, be referred to the committee on finance.

Of John Reilly, P. Gallego and C. R. Denham.

On motion of Mr. Chisholm, seconded by Mr. D. Æ. McDonell,

Of J. McMillan.

*Ordered*—That the petitions of John Mc Millan of Lochiel and, Alexander Grant of Charlottenburgh, be referred to the committee to whom was referred the petition of Angus McDougall.

On motion of Mr. Walsh, seconded by Mr. Rymal,

Of M. Troyer and others.

*Ordered*—That the petition of Michael Troyer and others be referred to a select committee with power to send for persons and papers and leave to report thereon by bill or otherwise, and that Messrs. Caldwell and Rykert compose the committee.

On motion of Mr. Cornwall, seconded by Mr. Small,

Of W. Coll.

*Ordered*—That the petition of William Coll be referred to the committee on Pensions.

On motion of Mr. Cornwall, seconded by Mr. Wilkinson.

Of J. Wiglo.

*Ordered*—That the petition of Joseph Wigle and others, be referred to the committee on supply.

On motion of Mr. Wells, seconded by Mr. Slibly.

Of G. Malloch.

*Ordered*—That the petition of George Malloch, be referred to a select committee, to be composed of Messrs. Morrison, Brown, Shaver and Waters, with power to send for persons and papers and leave to report thereon.

On motion of Mr. Walsh, seconded by Mr. Rymal,

Of A. Moore and others.

*Ordered*—That the petition of Andrew Moore and others, be referred to the committee to whom was referred the petition of Michael Troyer and others.

Committee of whole on roads and bridges.

Pursuant to the order of the day, the House was put into committee of the whole on the report of the select committee on roads, macadamized roads and bridges.

Mr. Chesser in the chair.

The House resumed.

Resolution reported.

Mr. Chesser reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The resolution was read as follows :

Resolution.

*Resolved*—That the sum of Fifty thousand pounds, granted for the purpose of constructing and improving the roads and bridges in the several districts of this Province, be distributed as follows :

|                       |        |
|-----------------------|--------|
| Ottawa district.....  | £2,600 |
| Eastern do.....       | 4,000  |
| Bathurst do.....      | 4,300  |
| Johnstown do.....     | 4,700  |
| Midland do.....       | 5,500  |
| Prince Edward do..... | 1,300  |
| Newcastle do.....     | 5,000  |
| Home do.....          | 5,600  |
| Gore do.....          | 4,700  |
| Niagara do.....       | 3,000  |
| London do.....        | 5,300  |
| Western do.....       | 4,000  |

£50,000

Amendment.

In amendment, Mr. Cook, seconded by Mr. Rykert, moves, that all after the word "Resolved," be expunged, and the following inserted, "that the sum of fifty thousand pounds be distributed in the several districts as follows :

|                      |        |
|----------------------|--------|
| Ottawa District..... | £2,400 |
| Bathurst do.....     | 4,400  |
| Eastern do.....      | 4,300  |
| Johnstown do.....    | 4,500  |
| Midland do.....      | 5,000  |

|                              |       |
|------------------------------|-------|
| Prince Edward district ..... | 1,300 |
| Newcastle " .....            | 4,600 |
| Home " .....                 | 5,500 |
| Gore " .....                 | 4,800 |
| Niagara " .....              | 3,900 |
| London " .....               | 5,100 |
| Western " .....              | 4,200 |

£50,000

On which the yeas and nays were taken, as follows:

|                 |                              |             |                 |           |
|-----------------|------------------------------|-------------|-----------------|-----------|
| YEAS—MESSIEURS, |                              |             |                 | Division. |
| Caldwell,       | McDonell, <i>Glengarry</i> , | Richardson, | Walsh,          |           |
| Cook,           | McDonell, <i>Stormont</i> ,  | Rykert,     | Wilson,         |           |
| Cornwall,       | McMicking,                   | Small,      | Woolverton,—15. | Yeas 15.  |
| Lewis,          | Merritt,                     | Thorburn,   |                 |           |

|                            |            |           |                    |          |
|----------------------------|------------|-----------|--------------------|----------|
| NAYS—MESSIEURS.            |            |           |                    |          |
| Alway,                     | Jones,     | Morrison, | Shibley,           |          |
| Chesser,                   | Lount,     | Norton,   | Solicitor General, |          |
| Chisholm,                  | McCrae,    | Parke,    | Strange,           |          |
| Duncombe, <i>Oxford</i> ,  | McIntosh,  | Perry,    | Thom,              |          |
| Duncombe, <i>Norfolk</i> , | McKay,     | Roblin,   | Waters,            |          |
| Gilchrist,                 | Mackenzie, | Rymal,    | Wells,             |          |
| Hopkins,                   | Malloch,   | Shaver,   | Yager—28.          | Nays 28. |

The question of amendment was decided in the negative, by a majority of thirteen. Amd't. lost maj. 13.

In amendment to the original resolution Mr. Norton, seconded by Mr. Woolverton, moves, that all after the words "Resolved" be expunged and the following be added "That the sum of fifty thousand pounds to be appropriated for roads and bridges in this Province be distributed as follows :

|                        |        |
|------------------------|--------|
| Ottawa District, ..... | £2,600 |
| Bathurst do.....       | 4,700  |
| Eastern do.....        | 4,000  |
| Johnstown do.....      | 4,700  |
| Midland do.....        | 5,000  |
| Prince Edward do.....  | 1,200  |
| Newcastle do.....      | 5,000  |
| Home do.....           | 5,300  |
| Gore do.....           | 4,700  |
| Niagara do.....        | 3,400  |
| London do.....         | 5,300  |
| Western do.....        | 4,000  |

£50,000

On which the yeas and nays were taken as follows:

|                 |                             |             |                |           |
|-----------------|-----------------------------|-------------|----------------|-----------|
| YEAS—MESSIEURS, |                             |             |                | Division. |
| Caldwell,       | Lewis,                      | Merritt,    | Thom           |           |
| Cook,           | McDonell, <i>Stormont</i> , | Norton,     | Thorburn,      |           |
| Cornwall,       | McLean,                     | Richardson, | Walsh,         | Yeas, 18. |
| Durand,         | McMicking,                  | Rymal,      | Woolverton—18. |           |
| Hopkins,        | Malloch,                    |             |                |           |

|                           |                              |          |               |          |
|---------------------------|------------------------------|----------|---------------|----------|
| NAYS—MESSIEURS.           |                              |          |               |          |
| Alway,                    | Lount,                       | Parke,   | Sol. General, |          |
| Chesser,                  | McCrae,                      | Perry,   | Strange,      |          |
| Chisholm,                 | McDonell, <i>Glengarry</i> , | Roblin,  | Waters,       |          |
| Duncombe, <i>Oxford</i> , | McIntosh,                    | Rykert   | Wells,        | Nays 24. |
| Dunlop,                   | Mackenzie,                   | Shaver,  | Wilson,       |          |
| Jones,                    | Morrison,                    | Shibley, | Yager—24.     |          |

The question of amendment was decided in the negative by a majority of six. Amendment lost, majority 6.



Further amend-  
ment.

In amendment, Mr. Perry seconded by Mr. Alway, moves that the following be added to the resolution: that Messrs. D. Æ McDonell, David Duncombe and Durand be a committee to draft and report a bill pursuant to this resolution, and that the members of the respective districts do form committees for the purpose of distributing the appropriation for the districts, amongst the several counties, ridings, townships or roads, which distribution the several committees shall hand in to the first named committee in order to the drafting the details of the bill.

Division.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |  |  |  |   |
|----------|--|--|--|---|
| Yeas 31. | Alway,<br>Bruce,<br>Chesser,<br>Chisholm,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop, | Durand,<br>Hopkins,<br>McCrae,<br>M'Donell, <i>Glengarry</i> ,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>McKay,<br>Mackenzie, | McLean,<br>Morrison,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal,<br>Shaver,<br>Shibley, | Solicitor General,<br>Strange,<br>Walsh,<br>Waters,<br>Wells,<br>Wilson,<br>Yager—31. |
|----------|--|--|--|---|

NAYS—MESSIEURS.

|          |                              |                                  |                                   |                                       |
|----------|------------------------------|----------------------------------|-----------------------------------|---------------------------------------|
| Nays 12. | Caldwell,<br>Cook,<br>Jones, | Lewis,<br>McMicking,<br>Merritt, | Norton,<br>Richardson,<br>Rykert, | Thom,<br>Thorburn,<br>Woolverton,—12. |
|----------|------------------------------|----------------------------------|-----------------------------------|---------------------------------------|

Amendment.  
Carried, majority 19.

The question of amendment was carried in the affirmative by a majority of nineteen and ordered accordingly.

Original question,  
as amended, carried.

The original question as amended was then put and carried as follows :

*Resolved*,—That the sum of fifty thousand pounds granted for the purpose of constructing and improving the roads and bridges in the several districts in this Province be distributed as follows :

Original question  
amended.

|                       |        |
|-----------------------|--------|
| Ottawa District.....  | £2,600 |
| Eastern do.....       | 4,000  |
| Bathurst, do.....     | 4,300  |
| Johastown do.....     | 4,700  |
| Midland do.....       | 5,500  |
| Prince Edward do..... | 1,300  |
| Newcastle do.....     | 5,000  |
| Home do.....          | 5,600  |
| Gore do.....          | 4,700  |
| Niagara do.....       | 3,000  |
| London do.....        | 5,300  |
| Western do.....       | 4,000  |

£50,000

that Messrs. D. Æ. McDonell, David Duncombe and Durand be a committee to draft and report a bill pursuant to this resolution, and that the members of the respective districts do form committees for the purpose of distributing the appropriation for the districts amongst the several counties, ridings, townships or roads, which distribution the several committees shall hand into the first named committee, in order to the drafting the details of the bill.

Committee of whole  
on war losses.

Pursuant to the order of the day the House was put into committee of the whole on the subject of the claims for losses by the sufferers during the late war with the United States of America.

Mr. Shibley in the chair.

The House resumed.

Resolution report-  
ed.

The chairman reported that the committee had agreed to two resolutions, which he was directed to submit for the adoption of the House.

The report was received.  
The first resolution was then put as follows :

*Resolved*—That by a message from the late Lieutenant Governor, Sir John Colborne, dated Government House, 26th January, 1835,—with reference to an address on the subject of the War losses—it is set forth—“ that as the payment of £57,412 contemplated by the Provincial Act, passed in the third session of the last Parliament, has been actually made, His Majesty’s government has directed that £20,000 may be reserved out of the casual and territorial revenue, to be applied to the liquidation of the War claims—and that he is authorised to appropriate this sum of £20,000, provided a similar sum shall be raised and appropriated in like manner by the Legislature, to the satisfaction of the War claims ; and that if such joint payment of £40,000 be made in the Province, application will be made to the Imperial Parliament for the means of discharging the amount of £17,910 requisite in order to effect the complete satisfaction of the whole of the War claims.”

1st Resolution.

On which the yeas and nays being taken were as follows :

| YEAS—MESSIEURS,  |   |  |  | Division              |
|--|---|--|--|-----------------------|
| Boulton,<br>Caldwell,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop, | Durand,<br>Hopkins,<br>McCrae,<br>McDonell, <i>Glengarry</i> ,<br>McKay,<br>McLean, | McMicking,<br>Merritt,<br>Richardson,<br>Rykert,<br>Rymal, | Strange,<br>Thom,<br>Thorburn,<br>Walsh,<br>Wilkinson,—22. | Yeas 22.              |
| NAYS—MESSIEURS.  |   |  |  |                       |
| Bruce,<br>Caisholm,<br>Cook,   | Lewis,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,                                  | Malloch,<br>Norton,<br>Parke,                              | Perry,<br>Wells,<br>Woolverton,—12.                        | Nays 12               |
|  |   |  |  | Carried. majority 10. |

The question was carried in the affirmative by a majority of ten, and it was resolved accordingly.

The second resolution was then put as follows :

*Resolved*—That there be granted to His Majesty out of the revenues of this Province, the sum of twenty thousand pounds, for the purpose of fully satisfying the claims of the sufferers by the late War with the United States, in accordance with the spirit of the foregoing resolution.

2d resolution.

On which the yeas and nays were taken as follows :

| YEAS—MESSIEURS,  |   |  |  | Division.            |
|--|---|--|--|----------------------|
| Boulton,<br>Caldwell,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop, | Durand,<br>Hopkins,<br>McCrae,<br>M’Donell, <i>Glengarry</i> ,<br>McKay,<br>McLean, | McMicking,<br>Merritt,<br>Richardson,<br>Rykert,<br>Rymal, | Strange,<br>Thom,<br>Thorburn,<br>Walsh,<br>Wilkinson,—22. | Yeas 22.             |
| NAYS—MESSIEURS,  |   |  |  |                      |
| Bruce,<br>Chesser,<br>Chisholm,<br>Cook,   | Lewis,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,                                  | Malloch,<br>Norton,<br>Parke,                              | Wells,<br>Woolverton,<br>Yager—38.                         | Nays 13.             |
|  |   |  |  | Carried. majority 9. |

The question was carried in the affirmative by a majority of nine, and it was resolved accordingly.

On motion of Mr. Charles Duncombe, seconded by Mr. Alway, Committee to draft bill.

*Ordered*—That Messrs. McMicking and Thorburn be a committee to draft and report a bill in conformity with the foregoing resolutions.

Pursuant to the order of the day, bill to naturalize certain persons was read a second time.

Naturalization bill read 2nd time.

The House was put into committee of the whole on the bill.

Mr. Bruce in the chair.  
The House resumed.

Committed.

Progress reported.

The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

On receiving report.  
Amendment.

On the question for receiving the report, Mr. McLean, seconded by Mr. Rykert, moves, that the report be not now received, but that the committee of the whole on the bill be discharged from the further consideration thereof, and that the bill be referred to the select committee on the petitions of aliens praying to be naturalized.

Carried.

Which was carried.

Com of whole on post office department.

Mr. Charles Duncombe, seconded by Mr. Mackenzie, moves, that the House do go into committee of the whole upon the report of the committee of finance upon the subject of the post office.

Which was carried, and the House was put into committee of the whole accordingly.

Mr. Yager in the chair.

Resolutions reported.

The House resumed.

The chairman reported that the committee had agreed to several resolutions which he was directed to submit for the adoption of the House.

The report was received.

Res. carried.

The resolutions were then severally put and carried as follows :

1st Resolution.  
Grant for building P. O.

*Resolved*—That the sum of one thousand five hundred pounds be granted to His Majesty for the purpose of building a General Post Office in this Province—said sum to be taken only from the surplus revenue of the department.

2d Resolution.  
Salaries.

*Resolved*—That the following sums be granted for the Salaries of the Officers of the Department, to be paid annually from the revenues thereof, viz :

|                               |       |
|-------------------------------|-------|
| The Post Master General ..... | £ 750 |
| The First Clerk.....          | 170   |
| The Second Clerk.....         | 150   |
| The Book-keeper.....          | 250   |
| The Messenger .....           | 52    |

*Resolved*—That the following duties or rates of postage be levied for the use of His Majesty on letters, viz :

|   |     |
|---|-----|
| For the postage of each single letter or piece of paper from the Office where it may be posted, to a distance of not more than 30 miles.. | 3   |
| More than 30, and not exceeding 90 miles.....   | 5   |
| More than 90, and not exceeding 180 " .....   | 7½  |
| More than 180, and not exceeding 300 " .....  | 9   |
| More than 300, and not exceeding 400 " .....  | 1 0 |
| More than 400 miles .....   | 1 3 |

And for the postage of each double letter or letter composed of two pieces of paper, double the rates aforesaid, according to the distances respectively.

And for each triple letter or letter composed of three pieces of paper, treble the aforesaid, according to the distances respectively.

And for each ounce avoirdupois weight treble the above rates, according to the distance, and so for every ounce or fractional part thereof.

*Resolved*—That the duties on Newspapers shall be as follows :

On Newspapers printed and published in this Province or in any part of His Majesty's dominions in North America and conveyed by the General Post, the following rates of postage, to be paid quarterly in advance, viz :

|   |                  |
|---|------------------|
| For each copy of such Newspaper published once a week and sent by post..... | 1s 0d per annum. |
| More than once and not more than twice a week .....                         | 2s 0d do         |
| More than twice and not more than 3 times a week.....                       | 3s 0d do         |
| For Daily newspapers .....  | 5s 0d do         |

4th Resolution.  
On newspapers.

**Resolved**—That the present scale of compensation to post masters in the country offices is insufficient for their remuneration, and that therefore it is expedient to adopt the following scale of per centages as a compensation, viz :

|                                  |              |                                      |
|----------------------------------|--------------|--------------------------------------|
| For a sum not exceeding £25..... | 30 per cent. |                                      |
| not exceeding £100.....          | 25 do.       |                                      |
| not exceeding £640.....          | 20 do.       | 5th Resolution.                      |
| over & above £640.....           | 8 do.        | Compensation to deputy post masters. |

An additional commission of 50 per cent on the first £25, at offices where the mails arrive between 9 at night and 5 in the morning. But no post-master to be allowed per centages beyond £400—the balance, if any, is to go to the department.

**Resolved**—That the salaries, commissions, per centages and allowances granted by this act out of the gross postage revenue shall only be granted for three years from the date of the passing of this act.

6th resolution.  
Term of duration.

On motion of Mr. Charles Duncombe, seconded by Mr. Alway,

Committee to draft a bill on resolutions

**Ordered**—That Messrs. Bruce and Wilson be a committee to draft and report a bill in conformity to the foregoing resolutions.

Mr. Wilson from the committee to wait upon His Excellency the Lieutenant Governor with the address of this House requesting His Excellency to cause to be laid before them at the earliest possible period certain accounts reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up address for certain accounts.  
report His Excellency's answer.

GENTLEMEN,

I will direct that the documents requested in your address shall be forwarded to the House of Assembly without delay.

Answer.

Mr. Wilson from the committee to draft and report a bill to the House founded on the resolutions in relation to the establishment of a post office department in this Province, presented a draft, which was received and read the first time.

Committee to draft post office bill, report draft, read 1st time.

**Ordered**—That the post office bill be read a second time to-morrow.

2d reading to-morrow.

Adjourned.

**Tuesday, 22nd March, 1836.**

The House met.

The minutes of yesterday were read.

Petitions bro't up.

Mr. Bruce brought up the petition of Alexander McMillan and eleven others, of the township of Roxborough, in the Eastern district; which was laid on the table.

Of A. McMillan and others.

Mr. Charles Duncombe brought up the petition of Henry Munro and thirty-one others, inhabitants of Brantford, in the Gore district; which was laid on the table.

Of H. Munro and others.

Mr. Small brought up the petition of Timothy McQuinn and two hundred and seventeen others, inhabitants of the Province; which was laid on the table.

Of T. McQueen and others.

Mr. Small brought up the petition of the Mayor, Aldermen and Commonalty of city of Toronto; which was laid on the table.

Of Mayor, &c. Toronto.

Mr. Small brought up the petition of Ogden Creighton, A. McDonell and T. Butler, directors of the Welland Canal Company; which was laid on the table.

Of O. Creighton & others

Mr. Charles Duncombe brought up the petition of Andrew Miller and three hundred and thirty-five others, directors and stockholders in the London and Gore rail road company; which was laid on the table.

Of A. Miller and others.

Notices.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move this House to go into committee of the whole upon the subject of the public school funds of this Province generally, but

Of certain grants for schools.

more especially to enable him to move for an annual grant for three years of twenty thousand pounds from the revenues of the Province for the support of common schools including the district schools within the several districts of the same, unless the available annual public school fund arising from the rents or interest on sales of the school lands or clergy reserves of this Province applicable to the support of common schools within the same shall, together with such other sum as may have been permanently appropriated for that purpose, amount to not less than £20,000 annually.

Mr. Norton gives notice, that he will, on to-morrow, move for a committee of the whole House, to take into consideration the propriety of passing a bill to enable the Government of this Province to dispose of the stock now held by it in the capital stock of the Bank of Upper Canada.

On motion of Mr. Shibley, seconded by Mr. Wells,  
*Ordered*—That the petition of Nicholas Amey be referred to a select committee, composed of Messrs. Rykert and Shaver, to report thereon by bill or otherwise.

On motion of Mr. Lount, seconded by Mr. McIntosh,  
*Ordered*—That the petition of John Keenan and others, be referred to the committee on roads and bridges.

On motion of Mr. Thorburn, seconded by Mr. Woolverton,  
*Ordered*, That the petition of James Henry & others, be referred to the standing committee on banking and fire assurance companies.

On motion of Mr. McMicking, seconded by Mr. Thorburn,  
*Ordered*—That the petition of Crowell Wilson and others, be referred to the committee on roads, macadamized roads and bridges.

On motion of Mr. Mackenzie, seconded by Mr. Wells,  
*Ordered*—That the petition of Edward H. Molloy, of Port Stanley, be referred to the committee on finance.

On motion of Mr. Mackenzie, seconded by Mr. Gibson,  
*Ordered*—That the petition of John Coates, Esq. of Albion, and eighty-four others, be referred to a select committee, to be composed of Messrs. McIntosh and Lount.

On motion of Mr. Mackenzie, seconded by Mr. Wilson,  
*Ordered*—That the petition of Love Newlove, of Albion, late a contractor on the Welland Canal, be referred to the committee on the Welland Canal affairs.

On motion of Mr. Mackenzie, seconded by Mr. Parke,  
*Ordered*—That the petition of Charles L. Collins be referred to the committee on the naturalization of aliens.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,  
*Ordered*—That the petition of J. Cook and five hundred and nineteen others, of the township of Toronto, be referred to the committee on roads and bridges.

On motion of Mr. Small, seconded by Mr. Cornwall,  
*Ordered*—That the order of the day, relative to the second reading of the Toronto pipe water bill be discharged, and that the said bill be referred to a select committee, to be composed of Messrs. Solicitor General, Morrison, and McIntosh, with power to send for persons and papers, to amend and alter the same, and report thereon.

On motion of Mr. Mackenzie, seconded by Mr. Wells,  
*Ordered*—That the petitions of S. H. Merrick and one hundred and seventy-nine others, and of Alexander McCrae and one hundred and seven others, of the county of Grenville, be referred to the committee on the division of districts.

Of Bill to sell public stock in bank of U. C.

Petitions referred. Of N. Amey.

Of J. Keenan and others

James Henry and others.

Of C. Willson and others.

Of E. H. Molloy.

Of J. Coates and others.

Of John Newlove

Charles L. Collins

Of J. Cook and others.

Pipe water Bill referred to select committee.

Alex. McCrae and others.

On motion of Mr. Mackenzie, seconded by Mr. Malloch,  
*Ordered*—That the petition of Harcar Lyons, George Rolph,  
 Esq. and thirty others, be referred to the committee on finance.

Of H. Lyons and  
 others.

Mr. Norton from the committee to wait on His Excellency, the  
 Lieutenant Governor, with the address of this House for information  
 as to certain monies granted for the purpose of erecting parsonage  
 houses, reported delivering the same, and that His Excellency had  
 been pleased to make thereto, the following answer :

Committee with  
 address on parsonage  
 houses, report an-  
 swer.

GENTLEMEN: I will transmit to the House, with as little delay as possible, the docu-  
 ments required by this address.

Answer.

Pursuant to the order of the day, the bill to extend the time for  
 commencement of operations by the Cobourg rail-road company, was  
 read the second time.

Cobourg rail road bill  
 read second time

Committed.

The House was put into committee of the whole on the bill.

Mr. Lount in the chair.

The House resumed.

Bill reported a-  
 mended.

The chairman reported that the committee had gone through the  
 provisions of the bill, amended the same, and submitted it for the  
 adoption of the House.

3rd reading to-  
 morrow.

The report was received.

*Ordered*, That the bill be engrossed & read a third time to-morrow.

Pursuant to the order of the day, the Cobourg Police bill was  
 read the second time.

Cobourg police  
 bill read 2d time.

Committed.

The House was put into committee of the whole on the bill.

Mr. Roblin in the chair.

The House resumed.

The chairman reported that the committee had gone through  
 the provisions of the bill, amended the same, and submitted it for  
 the adoption of the House.

Bill reported a-  
 mended.

The report was received.

3rd reading to-mor-  
 row.

*Ordered*, That the bill be engrossed & read a third time to-morrow

Pursuant to notice, Mr. Wells, seconded by Mr. Chesser, moves  
 for leave to bring in a bill to regulate partnerships in this Province.

Partnership bill  
 brought in and read.

Which was granted, and the bill read.

*Ordered*—That the bill to regulate partnerships be read a se-  
 cond time to-morrow.

2d reading to-mor-  
 row.

Pursuant to notice, Mr. Robinson, seconded by Mr. Lount,  
 moves, that the select committee be discharged from the further con-  
 sideration of the West Gwillimbury road petition, and that the same  
 be referred to a committee of the whole House forthwith.

Committee on Gwil-  
 limbury road peti-  
 tion discharged, ref'd  
 to com'tee of whole.

Which was carried, and the House was put into committee of  
 the whole on the subject.

House in commit-  
 tee on the petition.

Mr. Wilson in the chair.

The House resumed.

The chairman reported that the committee had agreed to a reso-  
 lution which he was directed to submit for the adoption of the House.

Com. report a re-  
 solution.

The report was not received.

Report not receiv-  
 ed.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

Committee resume

The House resumed.

The chairman reported that the committee had agreed to a reso-  
 lution which he was directed to submit for the adoption of the House.

Com. report reso-  
 lution.

The report was received.

Received.

The resolution was then put and adopted as follows :

*Resolved*—That it is expedient to authorise His Majesty's Receiver General to  
 raise by way of loan, and advance to commissioners to be appointed by the Legislature

Resolution.

a sum not exceeding one thousand pounds to improve and keep in repair the bridge and road leading from Yonge Street to near Holland Landing, through part of West Gwillimbury across the West branch of the Holland River to Evans' Tavern, in said township—the same to be re-paid by tolls.

Committee to draft bill on resolution

On motion of Mr. Robinson, seconded by Mr. Boulton, *Ordered*, That Messrs. Lount and Gibson be a committee to draft and report a bill pursuant to the resolution.

Election amendment bill read second time. Committed.

Pursuant to the order of the day the election amendment bill was read the second time.

House resumes.

The House was put into committee of the whole on the bill. Mr. Rymal in the chair.

Committee resumes.

The House resumed, black rod being at the door. The Speaker left the chair.

House again resumes.

The chairman resumed the chair of committee. The House again resumed to receive a message from the Honorable the Legislative Council.

Committee again resumes.

Mr. Speaker left the chair. The Chairman resumed the chair of committee.

Progress, sit again this day.

The House resumed. The chairman reported that the committee had made some progress in the bill and asked leave to sit again this day.

Message for joint committee.

The report was received. *Ordered*,—That the committee have leave to sit again this day. Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a message, which was read as follows:

Mr. SPEAKER:

The Legislative Council has appointed the Honorable Messrs. Morris and Vankoughnet, a committee on the part of this House, who will be ready to-morrow at eleven o'clock to meet a committee of the Assembly, to wait on His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the joint addresses to His Majesty on the subject of duties on Tobacco and Chelsea Pensioners, and to present the same.

JOHN B. ROBINSON,  
*Speaker.*

*Legislative Council Chamber,*  
*22d day of March, 1836.*

Committee appointed to join with committee of Legislative Council to wait on His Excellency with addresses to the King

Mr. Solicitor General, seconded by Mr. Gibson, moves, that Messrs Caldwell, Cornwall, Boulton and Macnab, be a committee to wait upon His Excellency, the Lieutenant Governor, with the committee of the Honorable the Legislative Council, to know when His Excellency will be pleased to receive the joint addresses of the Honorable the Legislative Council and this House, on the subject of a reduction of duties on Tobacco, and also relative to certain Chelsea Pensioners, and that a message be sent to the honorable the Legislative Council to inform them of the same.

Which was carried, and Messrs. Solicitor General and Boulton were ordered by the Speaker to carry up the message.

House again in committee on election bill.

Pursuant to the order of the day, the House was again put into committee of the whole on the election amendment bill.

Progress reported.

Mr. Rymal in the chair. The House resumed.

Clergy Reserves bill sent down from

The chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow. The report was received, and leave was granted accordingly. Mr. Speaker reported that the Master-in-Chancery had brought down from the honorable the Legislative Council, the bill sent up from this House, entitled, "*An Act for the disposal of the Clergy Reserves*"

in this Province for the purposes of general Education," which that honorable House had passed with some amendments, to which the concurrence of this House was requested.

Legislative Council, amended.

The amendments made by the honorable the Legislative Council, in and to the bill entitled, "*An Act for the disposal of the Clergy Reserves in this Province for the purposes of general Education.*" were read the first time as follows :

Amendments read 1st time.

AMENDMENTS made by the Legislative Council in and to the Bill sent up from the Commons House of Assembly, entitled "*An Act for the Disposal of the Clergy Reserves in this Province for the purposes of General Education.*"

In the title after "Act" expunge the remainder, and insert "to repeal part of an Act passed in the Parliament of Great Britain entitled "*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled "*An Act for making more effectual provision for the Government of the Province of Quebec in North America,*" and to make further provision for the Government of the Province and to vest certain lands therein mentioned, in His Majesty to be applied for the maintenance of public worship and the support of Religion within this Province."*

Press 1, line 1, after "Whereas," expunge the remainder of the Bill, and insert—"in and by an Act of the Parliament of Great Britain, passed in the thirty-first year of the reign of His late Majesty King George the Third, entitled "*An Act to repeal certain parts of an Act passed in the Parliament of Great Britain entitled "*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign entitled "*An Act for making more effectual provision for the Government of the Province of Quebec in North America,*" and to make further provision for the Government of the said Province,*" it is, among other things, recited and declared, that his said late Majesty had been graciously pleased, by message to both Houses of Parliament, to express His Royal desire to be enabled to make a permanent appropriation of lands in the said Provinces for the support and maintenance of a Protestant Clergy within the same, in proportion to such lands as had been already granted within the same by his Majesty; and further, that such provision might be made with respect to all future grants of land within the said provinces respectively as might best conduce to the due and sufficient support and maintenance of a Protestant Clergy within the said Provinces in proportion to such increase as should happen in the population and cultivation thereof:—And whereas, for the purpose of more effectually fulfilling His said Majesty's gracious intentions as aforesaid, and of providing for the due execution of the same in all time to come, certain provisions were made, in and by the said Act, respecting the support and maintenance of a Protestant Clergy within the said Provinces, which provisions are contained in the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first and forty-second clauses of the said statute passed in the thirty-first year of the reign of His late Majesty King George the Third, and are in the words following, that is to say:—*

35. And whereas by the above mentioned Act, passed in the fourteenth year of the reign of His present Majesty, it was declared, That the clergy of the Church of Rome, in the Province of Quebec, might hold, receive and enjoy their accustomed dues and rights, with respect to such persons only as should profess the said religion; provided nevertheless, that it should be lawful for His Majesty, his heirs or successors, to make such provision out of the rest of the said accustomed dues and rights, for the encouragement of the Protestant religion, and for the maintenance and support of a Protestant Clergy within the said Province, as he or they should from time to time think necessary and expedient; and whereas by His Majesty's royal instructions, given under His Majesty's royal sign-manual on the third day of January, in the year of our Lord one thousand seven hundred and seventy-five, to Guy Carleton Esquire, now Lord Dorchester, at that time His Majesty's Captain General and Governor in Chief in and over His Majesty's Province of Quebec, His Majesty was pleased, amongst other things, to direct, "That no incumbent professing the religion of the church of Rome, appointed to any parish in the said province, should be entitled to receive any tithes for lands or possessions occupied by a Protestant, but that such tithes should be received by such persons as the said Guy Carleton, Esquire, his Majesty's Captain General and Governor in Chief in and over his Majesty's said province of Quebec, should appoint, and should be reserved in the hands of His Majesty's Receiver General of the said Province, for the support of a Protestant Clergy in His Majesty's said Province, to be actually resident within the same, and not otherwise, according to such directions as the said Guy Carlton, Esquire, His Majesty's Captain General and Governor in Chief in and over his Majesty's said Province, should receive from his Majesty in that behalf; and that in like manner all growing rents and profits of a vacant benefice should, during such vacancy, be reserved for and applied to the like uses; and whereas his Majesty's pleasure has likewise been signified to the same effect in his Majesty's royal instructions, given in like manner to Sir Frederick Haldimand, Knight of the most honorable order of the Bath, late his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province of Quebec; and also in his Majesty's royal instructions, given in



## Amendment.

like manner to the said right honorable Guy, Lord Dorchester, now his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province of Quebec, Be it enacted by the authority aforesaid, That the said declaration and provision contained in the said above mentioned Acts, and also the said provision so made by his Majesty in consequence thereof, by his instructions above recited, shall remain and continue to be of full force and effect in each of the said two Provinces of Upper Canada and Lower Canada respectively, except in so far as the said declaration or provisions respectively, or any part thereof, shall be expressly varied or repealed by any act or acts which may be passed by the Legislative Council and Assembly of the said Provinces respectively, and assented to by his Majesty, his heirs or successors, under the restriction hereinafter provided.

36. And whereas his Majesty has been graciously pleased, by message to both houses of Parliament, to express his royal desire to be enabled to make a permanent appropriation of lands in the said Provinces, for the support and maintenance of a Protestant Clergy within the same, in proportion to such lands as have been already granted within the same by his Majesty: And whereas, his Majesty has been graciously pleased by his said message, further to signify his royal desire that such provision may be made, with respect to all future grants of land within the said provinces respectively, as may best conduce to the due and sufficient support and maintenance of a Protestant Clergy within the said Provinces, in proportion to such increase as may happen in the population and cultivation thereof: therefore, for the purpose of more effectually fulfilling his Majesty's gracious intentions, as aforesaid, and of providing for the due execution of the same in all time to come—Be it enacted by the authority aforesaid, that it shall and may be lawful for his Majesty, his heirs or successors, to authorise the Governor or Lieutenant Governor of each of the said Provinces respectively, or the person administering the government therein, to make from and out of the lands of the Crown within such Provinces, such allotment and appropriation of lands, for the support and maintenance of a Protestant Clergy within the same, as may bear a due proportion to the amount of such lands within the same as have at any time been granted by or under the authority of his Majesty: and that whenever any grant of lands within either of the said Provinces shall hereafter be made, by or under the authority of his Majesty, his heirs or successors, there shall at the same time be made, in respect of the same, a proportionable allotment and appropriation of lands for the above mentioned purpose, within the township or parish to which such lands so to be granted shall appertain or be annexed, or as nearly adjacent thereto as circumstances will admit; and that no such grant shall be valid or effectual unless the same shall contain a specification of the lands so allotted and appropriated, in respect of the lands to be thereby granted; and that such lands, so allotted and appropriated, shall be, as nearly as the circumstances and nature of the case will admit, of the like quality as the lands in respect of which the same are so allotted and appropriated, and shall be, as nearly as the same can be estimated at the time, of making such grant, equal in value to the seventh part of the lands so granted.

37. And be it further enacted by the authority aforesaid, that all and every the rents, profits, or emoluments, which may at any time arise from such lands, so allotted and appropriated as aforesaid, shall be applicable solely to the maintenance and support of a Protestant Clergy, within the province in which the same shall be situated, and to no other use or purpose whatever.

38. And be it further enacted by the authority aforesaid, that it shall and may be lawful for His Majesty, his heirs or successors, to authorise the Governor or Lieutenant Governor of each of the said Provinces respectively, or the person administering the Government therein from time to time, with the advice of such Executive Council as shall have been appointed by His Majesty, his heirs or successors, within such Province, for the affairs thereof, to constitute and erect, within every township or parish which now is or hereafter may be formed, constituted, or erected within such Province, one or more parsonage or rectory, or parsonages or rectories, according to the establishment of the Church of England; and from time to time, by an instrument under the great seal of such Province, to endow every such parsonage or rectory with so much or such a part of the lands so allotted and appropriated as aforesaid, in respect of any lands within such township or parish, which shall have been granted subsequent to the commencement of this Act, or of such lands as may have been allotted and appropriated for the same purpose, by or in virtue of any instruction which may be given by His Majesty, in respect of any lands granted by His Majesty before the commencement of this Act, as such Governor, Lieutenant Governor, or person administering the government, shall, with the advice of the said Executive Council, judge to be expedient under the then existing circumstances of such township or parish.

39. And be it further enacted by the authority aforesaid, That it shall and may be lawful for His Majesty, his heirs or successors, to authorize the Governor, Lieutenant Governor, or person administering the Government of each of the said Provinces respectively, to present to every such parsonage or rectory, an incumbent or minister of the Church of England, who shall have been duly ordained according to the rites of the said Church, and to supply from time to time such vacancies as may happen therein; and that every person so presented to any such parsonage or rectory, shall hold and en-

joy the same, and all rights, profits, and emoluments thereunto belonging or granted, as fully and amply, and in the same manner, and on the same terms and conditions, and liable to the performance of the same duties, as the incumbent of a parsonage or rectory in England.

Amendment.

40. Provided always, and be it further enacted by the authority aforesaid, That every such presentation of an incumbent or minister to any such parsonage or rectory, and also the enjoyment of any such parsonage or rectory, and of the rights, profits, and emoluments thereof, by any such incumbent or minister, shall be subject and liable to all rights of institution, and all other spiritual and ecclesiastical jurisdiction and authority, which have been lawfully granted by His Majesty's royal letters patent to the Bishop of Nova Scotia, or which may hereafter, by His Majesty's royal authority, be lawfully granted or appointed to be administered and executed within the said Provinces, or either of them respectively, by the said Bishop of Nova Scotia, or by any other person or persons, according to the laws and canons of the Church of England, which are lawfully made and received in England.

41. Provided always, and be it further enacted by the authority aforesaid, That the several provisions hereinbefore contained, respecting the allotment and appropriation of lands for the support of a Protestant Clergy within the said Provinces, and also respecting the constituting, erecting, and endowing parsonages or rectories within the said Provinces; and also respecting the presentation of incumbents or ministers to the same; and also respecting the manner in which such incumbents or ministers shall hold and enjoy the same, shall be subject to be varied or repealed by any express provisions for that purpose, contained in any Act or Acts which may be passed by the Legislative Council and Assembly of the said Provinces respectively, and assented to by His Majesty, his heirs or successors, under the restriction hereinafter provided.

42. Provided nevertheless, and be it further enacted by the authority aforesaid, That whenever any act or acts shall be passed by the Legislative Council and Assembly of either of the said Provinces, containing any provisions to vary or repeal the above recited declaration and provisions contained in the said Act passed in the fourteenth year of the reign of his present Majesty; or to vary or repeal the above recited provision contained in His Majesty's royal instructions, given on the third day of January, in the year of our Lord one thousand seven hundred and seventy five, to the said Guy Carleton, Esquire, now Lord Dorchester; or to vary or repeal the provisions hereinbefore contained for continuing the force and effect of the said declaration and provisions; or to vary or repeal any of the several provisions hereinbefore contained respecting the allotment and appropriation of lands for the support of a Protestant Clergy within the said Provinces; or respecting the constituting, erecting, or endowing parsonages or rectories within the said Provinces; or respecting the presentation of incumbents or ministers to the same; or respecting the manner in which such incumbents or ministers shall hold & enjoy the same; and also that whenever any Act or Acts shall be so passed, containing any provisions which shall in any manner relate to or affect the enjoyment or exercise of any religious form or mode of worship; or shall impose or create any penalties, burthens, disabilities, or disqualifications, in respect of the same; or shall in any manner relate to or affect the payment, recovery or enjoyment of any of the accustomed dues or rights hereinbefore mentioned; or shall in any manner relate to the granting, imposing, or recovering any other dues, or stipends, or emoluments whatever, to be paid to or for the use of any minister, priest, ecclesiastic, or teacher, according to any religious form or mode of worship, in respect of his said office or function; or shall in any manner relate to or affect the establishment or discipline of the Church of England, amongst the ministers and members thereof within the said Provinces; or shall in any manner relate to or affect the King's prerogative touching the granting of waste lands of the crown within the said Provinces, every such Act or Acts shall, previous to any declaration or signification of the King's assent thereto, be laid before both Houses of Parliament in Great Britain; and that it shall not be lawful for His Majesty, his heirs or successors, to signify his or their assent to any such Act or Acts, until thirty days after the same shall have been laid before the said houses, or to assent to any such act or acts, in case either House of Parliament shall, within the said thirty days, address His Majesty, his heirs or successors, to withhold his or their assent from such act or acts; and that no such act shall be valid or effectual to any of the said purposes, within either of the said Provinces, unless the Legislative Council and Assembly of such Province shall, in the session in which the same shall have been passed by them, have presented to the Governor, Lieutenant Governor, or person administering the government of such Province, an address or addresses, specifying that such act contains provisions for some of the said purposes hereinbefore specially described, and desiring that, in order to give effect to the same, such act should be transmitted to England without delay, for the purpose of being laid before Parliament previous to the signification of His Majesty's assent thereto:

And whereas, since the passing of the said Act, divers allotments and appropriations of land have been made within the Province of Upper Canada, in pursuance of the aforesaid provisions for the support and maintenance of a Protestant Clergy,—

## Amendment.

which allotments are commonly known by the name of Clergy Reserves, and have been made in the proportion of one-seventh of the lands granted or to be granted within the said Province—and whereas, of these allotments of land, some portions have been demised by His said late Majesty or his successors, for term of years, and other portions have been from time to time sold under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the seventh and eighth years of the reign of His late Majesty King George the Fourth, entitled, “An Act to authorise the sale of a part of the Clergy Reserves in the Provinces of Upper and Lower Canada,”—under the provisions of which Act the monies accruing from such lands sold are to be appropriated, applied, and disposed of for the purposes for which the said lands were so reserved as aforesaid, and for no other purpose whatsoever, and the residue of the said allotments or reserves, not being leased or otherwise disposed of, continue vested in the crown, subject to the provisions of the Act first herein recited :

And whereas doubts have arisen respecting the proper legal construction of the said Act passed in the thirty-first year of the reign of His late Majesty King George the Third, and it has been made a question to what sects or denominations of Protestants the term “Protestant Clergy,” used in the said Act, was intended to be applicable, and what clergy can of right claim to participate, or can be legally admitted to participate, in the advantages of the said allotments or reserves :

And whereas the continuance of such doubts, and the controversies to which they have given rise, are in a high degree prejudicial to the peace and good government of this Province, and unfavourable to the spiritual and temporal interests of the people thereof, and it is expedient to put an end to such doubts and controversies by enabling His Majesty, his heirs or successors, to dispose of the said allotments or appropriations of land, and of the monies which have accrued or may hereafter accrue from the sale or other disposal of the same, or any part thereof, in such manner as to His Majesty, his heirs or successors may seem just and fit for the maintenance of public worship and the support of religion within this Province :

Be it therefore enacted, by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted & assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled “An Act to repeal certain parts of an act passed in the fourteenth year of His Majesty’s Reign, entitled ‘An Act for making more effectual provision for the Government of the province of Quebec in North America, and to make further provision for the government of the said Province,’” and by the authority of the same, that the thirty-sixth and thirty-seventh clauses of the said statute, and so much of the thirty-eighth clause thereof as relates to the endowment of any parsonage or rectory with land, shall be and the same are hereby repealed, and that all and every the lands which are now vested in His Majesty, and which before the passing of this Act were reserved, allotted, and appropriated for the maintenance and support of a Protestant Clergy within this Province under the authority of the said Act of the Parliament of Great Britain passed in the thirty-first year of His said late Majesty’s reign, shall be and remain vested in His Majesty, his heirs and successors, freed and absolutely discharged from all and every of the trusts, conditions, limitations or restrictions contained in, or imposed or declared by, the said last mentioned Act.—Provided always, nevertheless, that the said lands are, by this Act vested in His Majesty, his heirs and successors, discharged from the trusts and conditions aforesaid, to the intent and in order that the same lands may be by His Majesty, his heirs and successors, or by and under the authority of the Parliament of the United Kingdom of Great Britain and Ireland, applied and appropriated, by way of endowment or otherwise, solely for the maintenance of public worship and the support of religion within this Province, and to no other use or purpose whatsoever

II. And be it further enacted by the authority aforesaid, That nothing in this act contained shall extend to interfere with or make void any grant, sale or lease which before the passing of this act may have been made of any part or portion of the said allotments or appropriations of land called Clergy Reserves; Provided nevertheless, that the monies which shall have arisen and accrued, and which now remain unexpended, or which shall hereafter arise and accrue from such sale, or in consequence of such lease having been made, shall be applicable to the same purposes to which the lands so allotted and appropriated as aforesaid shall be applicable after the passing of this Act, and to no other; and that such monies shall be paid over, applied and accounted for, in such manner and form as His Majesty, his heirs, or successors, shall be graciously pleased to direct.

III. And be it further enacted by the authority aforesaid, That from and after the passing of this act, no grant, sale, lease, or other disposition of any of the said allotments or appropriations of land, or of any part thereof, shall be made otherwise than in pursuance of instructions which shall from time to time be given by His Majesty, his heirs, or successors, after the passing of this Act.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
22nd day of March, 1836. }

On the question for the second reading of the amendments to-morrow. On 2d reading to-morrow.

In amendment—Mr. Perry, seconded by Mr. Shibley, moves, that the amendments made to the Clergy Reserve sale bill, be referred to a select committee, composed of Messrs. C. Duncombe, Morrison, Shaver, and McVicking, with power to send for persons and papers, and leave to report thereon. Bill amended. Referred to select committee.

Which was ordered.

Mr. Robinson from the committee appointed to draft a bill in pursuance of a resolution of this House, authorising His Majesty's Receiver General to raise by loan one thousand pounds to amend the Gwillimbury Swamp, reported a draft of a bill, which was received and read the first time. Committee to draft bill for Gwillimbury road—report draft. Read 1st time.

Ordered—That the Gwillimbury road bill be read a second time to-morrow. 2nd reading to-morrow.

On motion of Mr. Small, seconded by Mr. Robinson,

Ordered—That it be a standing order that the committee on the Welland Canal affairs do meet each day at nine o'clock and sit until three 'till Mr. Mackenzie closes the evidence he intends producing, in support of his charges against that company—and that this House when it adjourns do adjourn 'till three o'clock each day, 'till further ordered. House to meet at 3 P. M., until further order.

The House then adjourned 'till three o'clock, P. M. to-morrow.

### Wednesday, 23rd March, 1836.

The House met pursuant to adjournment.  
The minutes of yesterday were read.

Mr. Wilson brought up the petition of Andrew Lawler and one hundred and one others, of the township of Nottawasaga; which was laid on the table. Petitions bro't up. Of A. Lawler and others.

Mr. Smith brought up the petition of Andrew Miller and fifty-six others, of the town of Hamilton, Gore district; which was laid on the table. Of A. Miller and others.

Mr. Solicitor General brought up the petition of John Milner and Thomas Milner; which was laid on the table. Of J. Milner and T. Milner.

Mr. Charles Duncombe brought up the petition of John Hammill, a contractor for building Paris bridge; which was laid on the table. Of J. Hammill.

Pursuant to the order of the day, the Cobourg rail road amendment bill, was read the third time and passed. Cobourg rail road bill passed.

Mr. Gilchrist, seconded by Mr. Charles Duncombe, moves, that the bill be entitled, "*An Act to extend the time of commencing the Cobourg rail-road.*" Title.

Which was carried, and Messrs. Gilchrist and Charles Duncombe were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Cobourg Police bill was read the third time and passed. Cobourg police bill read and passed.

Mr. Boulton, seconded by Mr. Gilchrist, moves, that the bill be entitled, "*An Act to incorporate the town of Cobourg and to establish a Police therein.*" Title.

Which was carried, and Messrs. Boulton and Gilchrist were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Notice, com of whole on lunatic asylum.

Mr. Small gives notice, that he will, on to-morrow, move that the House do resolve itself into a committee of the whole, to take into consideration the propriety of providing by law for the erection of a Provincial lunatic asylum.

Notice for resolution respecting Executive Council.

Mr. Perry gives notice, that he will, on to-morrow, move a resolution expressive of the confidence of this House in the late Executive Council of this Province, and their utter want of confidence in the Council latterly appointed, with the intention to found an address to His Excellency on the same.

Petitions read.

Pursuant to the order of the day, the following petitions were read :

O. R. Bullock and others.

Of Richard Bullock and fifteen others, inhabitants of the Province, praying that relief Unions may be incorporated.

Of W. Rorke and others.

Of William Rorke and thirty-five others, inhabitants of the Province, praying that a grant be made to distillers of ardent spirits, to induce them to abandon the said trade.

Of J. Coates and others.

Of John Coates and eighty-four others, of the township of Albion, (York), praying that a tax be laid upon unlocated lands for the benefit of the roads.

Com. on petition of James Wilson—report.

Mr. Wilson, from the committee to which was referred the petition of Mr. James Wilson, informed the House that the committee had agreed to a report, which he was directed to submit whenever the House would be pleased to receive the same.

The report was received, and is as follows :

*To the Honorable the Commons' House of Assembly.*

The committee to which was referred the petition of James Wilson, Esquire, praying for the erection of a Light House on Presque Isle Point, in the township of Murray

Report on petition of James Wilson for L't house at Presque Isle.

BEG LEAVE TO REPORT :

That your committee having bestowed upon the subject of the petition due consideration, are of opinion that the erection of a Light House as prayed for would be the means of conferring a signal benefit upon the shipping interests of the Lake in facilitating the ingress and egress to and from an excellent harbour, at present dangerous of access by night, to which vessels are often driven by stress of weather, independent of the regular trade to that port, which, by the Collector's returns appears to be greatly on the advance, and under all the circumstances of the case humbly beg leave to submit to your Honorable House the expediency and propriety of granting to His Majesty a sum of money sufficient for the erection and completion of a suitable Light House on Presque Isle Point, aforesaid, on such site as may be selected by commissioners to be appointed by your Honorable House for the purpose.

All which is respectfully submitted.

JAMES WILSON,  
Chairman.

Committee Room, House of Assembly, }  
23rd March, 1836. }

Referred to committee of whole.

Mr. Wilson, seconded by Mr. Boulton, moves, that the House do resolve itself into a committee of the whole on the report of the committee for a light house at Presque Isle.

Which was carried, and the House was put into committee on the report.

Mr. Merritt in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The resolution was put and carried, and is as follows :

£1000 to erect lighthouse at Presque Isle.

*Resolved,* That the sum of one thousand pounds be granted to His Majesty, for the erection of a Light House at Presque Isle, in the township of Murray.

On motion of Mr. Wilson, seconded by Mr. Parke,  
*Ordered*—That Messrs. Boulton and Gilchrist, be a committee to draft a bill in pursuance of the Resolution of this House, granting one thousand pounds for the erection of a light house at Presque Isle, in the township of Murray.

Committee to draft bill.

Mr. Gilchrist from the committee on Agriculture, informed the House that the committee had agreed to a report, which he was ready to submit, whenever the House would be pleased to receive the same.

Committee on agriculture, report.

The report was received and is as follows:

*To the Honorable the Commons House of Assembly.*

The select committee to which was referred the subject of Agriculture, beg leave to submit the following report:

Your committee are of opinion that the subject of agriculture has in all enlightened ages and countries claimed the attention of men of the highest stations and most distinguished talents in society.

Report of committee on agriculture.

That agriculture is the only true and solid basis on which the permanent prosperity and wealth of most nations must rest, and in proportion as it is properly adapted to the soil and various capabilities of a country and fostered by a liberal and enlightened government will be its successful and permanent advancement.

That in a country like Upper Canada, where manufactures and the mechanical arts do not at present, and will not probably for some time to come, add much to the general wealth, the encouragement of agriculture in its various branches should claim the particular attention of the Legislature.

Your committee would submit that by opening to the farmer the easiest conveyances to the best market for his products, and the cheapest for his wants, and by diffusing a knowledge of the best manner of conducting agricultural operations so that the greatest quantity and best quality may be produced by the least labour and expense, and by assisting the farmer in the means of improving his stock, grain, &c. are duties and objects worthy the particular attention of your Honorable House.

Your committee having steadily in view the *permanent* prosperity of agriculture have turned their attention and inquiries to the best manner of accomplishing this object so far as Legislative aid can be directed towards it.

From observations and facts which have come to the knowledge of your committee they are convinced that the benefits anticipated by the Legislature, from the former grants made to district and county agricultural societies have not been realized, nor produced that good which might reasonably have been expected to result from such liberal appropriations. The money has for the most part been divided in premiums among those in the vicinity of the places of holding the shows or fairs, while others at a distance, perhaps equally deserving, were in a measure excluded from a participation in the premiums, or from the benefits derived from procuring the best seeds of grain, and breeds of stock; and your committee are of opinion that the system of giving premiums has not the best tendency to promote agriculture.

Your committee believe if a sum of money were granted to each district to be distributed among the different townships proportioned in some measure to the number of inhabitants, and amount raised by an agricultural society in each township to be expended in procuring the best and most approved seeds of grain and grass and breeds of live stock, and also in procuring some practical works or treatises on this subject, and circulating them among the members of the societies, that agriculture would be much more benefited than by the system heretofore practised—and your committee beg to recommend Mr. Evans' treatise on agriculture, and the monthly Genesee Farmer and Horticulturalist as works calculated to be peculiarly useful to the agriculturist of this Province.

Your committee therefore recommend to your honorable House that a sum of money be granted in aid of township agricultural societies.

All which is respectfully submitted.

JOHN GILCHRIST, *Chair*.  
 CALEB HOPKINS,  
 JOHN M'INTOSH,  
 DENNIS WOOLVERTON,  
 PETER SHAVER,  
 CHARLES WATERS,  
 SAMUEL LOUNT,  
 A. CHISHOLM,  
 ELIAS MOORE.

Committee Room, House of Assembly,  
 23d March, 1836. }

Mr. Gilchrist, seconded by Mr. Morrison, moves, that the House do now go into committee of the whole on the report of the committee on agriculture.

House in com. on report.

Which was carried, and the House was put into committee on the report.

Mr. Macnab in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The resolution was put and carried, and is as follows :

£12 10s to township agricultural societies.

*Resolved*—That a sum of money be granted to His Majesty in aid of township agricultural societies, not to exceed in any instance, the sum of twelve pounds ten shillings to any one township society.

Committee to draft bill.

On motion of Mr. Gilchrist, seconded by Mr. Morrison, *Ordered*—That Messrs. Roblin and McIntosh, be a committee to draft a bill in pursuance to the foregoing resolution.

Township agricultural societies' bill read.

Mr. Roblin from the committee to draft a bill in pursuance to the resolution in aid of township agricultural societies, reported a draft, which was received and read.

2nd reading to-morrow.

*Ordered*—That the bill in aid of township agricultural societies, be read a second time to-morrow.

Committee, on Executive Council correspondence, report.

Mr. Perry, from the committee to which was referred the answer of His Excellency, the Lieutenant Governor, to the address of this House, relative to a responsible government, presented a first report and the draft of an address.

The report was received and read, and is as follows :

*To the Honorable the Commons House of Assembly.*

First report of committee on Executive Council correspondence.

The Committee to whom was referred the correspondence between His Excellency and the late Executive Council, beg leave to make this their first report :

Your committee deeming it necessary to procure a certified copy of the oath taken by the Executive councillors, and also of the King's instructions to the Governors of Upper and Lower Canada, to both of which reference was made in His Excellency's correspondence with his late Council, addressed a note to His Excellency's private secretary, requesting that the copies might be furnished, to which they received on the 21st instant, the following letter :

} *Government House,*  
} *Toronto, 21st March, 1836.*

SIR :

I have the honor to inform you that I have laid before the Lieutenant Governor your letter to me of this date, requesting His Excellency to be pleased to direct the proper Officer to furnish the Committee of which you are chairman, with a certified copy of the oath taken by the members of the Executive Council; and also of the document which is generally termed the King's Instructions.

I am commanded by the Lieutenant Governor to acquaint you, that the clerk of the Executive Council shall immediately be directed to furnish you with a certified copy of the oath taken by the members of that body. And with regard to the request for the other document, I have to state to you, that His Excellency, after perusing it, will inform you to-morrow, whether or not he will be able to order a copy to be transmitted to you.

I have the honor to be,

Sir,

Your most obedient,

Humble servant,

J. JOSEPH.

Peter Perry, Esq. M. P. P.

Chairman, &c. &c. &c.

Since which, on 23d of March instant, your committee also received from Mr. Joseph, His Excellency's private Secretary, a written paper, purporting to be a copy of extracts from the King's instructions to the Governors of Upper and Lower Canada—that your committee have examined the said extracts and are concerned to find that His Excellency not only omitted several parts pertinent to the question under discussion, but did also give garbled extracts in the quotations which he professed to make, and therefore your committee regret to inform your Hon. House, that they cannot place reliance on the extracts which they have received; and recommend that your Honorable House would address His Excellency for an entire copy of the King's Instructions to the Governors of Upper and Lower Canada, and also copies of any

other Instructions not heretofore laid before your Hon. House, touching the duties, or responsibilities of the Executive Council of this province—As also any instructions from His Majesty's Government touching the administering the government of this Province by any Executive Councillor, in the event of the death or absence from the Province of the Governor, Lieutenant Governor, or person administering the Government; and also copies of any bond or agreement between His Excellency and any of his present Executive Council, or between any two or more of the said Council, by which it is stipulated in what manner the government shall be administered, or who shall administer the government of this Province in case of the above named occurrence.

All which is respectfully submitted.

Signed PETER PERRY,  
Chairman.

Committee Room, House of Assembly, }  
March 23rd, 1836. }

The address to His Excellency, the Lieutenant Governor, for an entire copy of "the King's Instructions," &c., was read twice, concurred in, and ordered to be engrossed and read a third time this day.

Address to His Excellency for King's instructions, &c.—read 2d time.  
3d reading to-day.  
Bill for improvem't of York roads, read 1st time.

Mr. Small, from the committee to draft a bill in pursuance to certain resolutions for the improvement of the York roads, reported a draft, which was received and read.

*Ordered*—That the bill for the further improvement of the York roads, be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Durand, seconded by Mr. Smith,

Petitions referred.

*Ordered*—That the petition of Merrick Thomas and seventy two others, and the petition of James Lockhart and fourteen others, ship owners, praying for a light house at Oakville, be referred to the committee to whom was referred the petition of A. Chewett and other inhabitants of the Western district, praying for the erection of a light house at the mouth of the river Thames.

Of M. Thomas and others.  
Of Jas. Lockhart and others

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

*Ordered*—That the petition of Abijah Lewis, Esq. of Toronto township and thirty-one others; the petition of James Armstrong and thirty-five others, of Chinguacousey; the petition of John Watson and sixty-six others, also of Chinguacousey; the petition of James Sleightham and fifty-eight others, of the Gore of Toronto; the petition of Daniel Hopkins and ninety-two others, of the West riding of York; the petition of Israel Ransom and W. H. Paterson, Esq's. and sixty-six others, of Streetsville and its neighborhood; the petition of James Robinson and forty-nine others, of the sixth line of Toronto and its vicinity; the petition of Thomas Burrell, James Wilson and one hundred and eleven others, of the Gore of Toronto, and the townships in the rear thereof; and the petition of John Gilmore and one hundred and twelve others, of the township of Caledon; praying for aid for roads and bridges, be referred to the committee on roads and bridges.

Of A. Lewis and others.  
Of J. Armstrong and others.  
Of John Watson and others.  
Of J. Sleightham and others.  
Of D. Hopkins and others.  
Of I. Ransom and others.  
Of J. Robinson & others.  
Of T. Burrell and others.  
Of J. Gilmore and others.

On motion of Mr. Mackenzie, seconded by Mr. Parke,

Petitions referred

*Ordered*—That the petition of Edward Lee and twenty-one others, of Howard, in the Western district, praying for an aid to a road in that township, be referred to a select committee, to be composed of the members for the Western district, and exclusive of the mover of this resolution.

Of E. Lees and others.

Mr. Mackenzie, seconded by Mr. Wells, moves, that the petition of William Rees, Surgeon, praying for the granting of a sum of money for the erection of a Provincial museum or institution, be referred to the committee of supply.

Motion to refer W. Rees' petition.

Lost.

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

Lost.

*Ordered*—That the petition of William Ogden, of Springfield, be referred to the committee on naturalization of aliens.

Of Wm. Ogden.



John Kirkpatrick  
and others.

On motion of Mr. Thorburn, seconded by Mr. McMicking,  
*Ordered*—That the petition of John Kirkpatrick and others, be referred to the special committee on the erection of suspension bridges, tunnels, &c. on the Niagara river.

Joseph Wynn.

On motion of Mr. Thorburn, seconded by Mr. Woolverton,  
*Ordered*—That the petition of Joseph Wynn and others be referred to the special committee on the erection of suspension bridges, tunnels, &c. on the Niagara river.

Ottawa school bill  
read 2nd time.

Pursuant to the order of the day, the Ottawa school appropriation bill was read the second time.

Committed.

The House was put into committee of the whole on the bill.  
Mr. Dunlop in the chair.

Bill reported &  
mended.  
3rd reading to-  
morrow.

The House resumed.

The chairman reported the bill without amendment.

The report was received, and the bill ordered to be engrossed and read a third time to-morrow.

Cayuga bridge bill  
read second time.

Pursuant to the order of the day, the Cayuga bridge bill was read a second time.

Committed.

The House was put into committee of the whole on the bill.

Mr. Norton in the chair.

The House resumed.

Bill amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

3rd reading to-mor-  
row.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

House in commit-  
tee on report of se-  
lect committee on  
petition of Pearse &  
others.

Pursuant to the order of the day, the House went into committee on the report of the select committee on the petition of Pearse, Dumble and Hoar.

Mr. Robinson in the chair.

The House resumed.

Resolution repor-  
ted.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

Carried.

The report was received.

The resolution was put and carried, and is as follows :

Resolution.  
£766 to Pearse  
and others.

*Resolved*, That the sum of seven hundred and sixty-six pounds be granted to His Majesty to be paid to John Pearse and others, as a balance due them for work done and money expended in completing a canal and locks under commissioners appointed by the Legislature.

Committee to draft  
bill on resolution

On motion of Mr. Gilchrist, seconded by Mr. Chas. Duncomb,  
*Ordered*—That Messrs. Roblin and Chisholm, be a committee to draft a bill in pursuance of the forgoing resolution.

London & Devonport  
rail road bill read 2d  
time.

Pursuant to the order of the day, the London and Devonport rail-road bill was read the second time.

Committed.

The House was put into committee of the whole on the bill.

Bill amended.

Mr. Yager in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

3d reading to-mor-  
row.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Pursuant to the order of the day, the address to His Excellency for copy of the Royal Instructions, &c. was read the third time and passed, and is as follows:

To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelfic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY.

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to request, that Your Excellency will cause to be laid before this House, with as little delay as possibly, an entire copy of what is generally termed "*The King's Instructions*" to the Governors of Upper and Lower Canada; and also copies of any other instruction not heretofore laid before this House, touching the duties or responsibilities of the Executive Council of this Province; as also any instructions from His Majesty's Government touching the administering the Government of this Province by any Executive Councilor, in the event of the death or removal from the Province of the Governor, Lieutenant Governor, or person administering the Government, and also copies of any bond or agreement between Your Excellency and any of your present Executive Council, or between any two or more of the said Council, by which it is stipulated in what manner the Government shall be administered, or who shall administer the Government of this Province in case of the above named occurrence.

Address.  
for royal instructions

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
23rd day of March, 1836. }

On motion of Mr. Perry, seconded by Mr. McMicking,  
*Ordered*—That Messrs. Charles Duncombe, and Roblin be a committee to wait on His Excellency with the address, and present the same.

Pursuant to the order of the day, the bill to improve the navigable waters of the Newcastle district was read the second time.

Bill to improve waters of Newcastle district, read 2d time

The House was put into committee of the whole on the bill.

Committed.

Mr. Woolverton in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

3d reading to-morrow.

Mr. Roblin, seconded by Mr. Perry, moves, that a select committee be appointed to examine the Journals of the Honorable the Legislative Council, and report to this House what proceedings have been had by that Honorable body on the following bills sent up from this House, viz:—the bill entitled, "*An Act to repeal the several laws now in force, imposing fines on Quakers, Menonists and Tunkers, for non-performance of Militia duty in time of peace*"—and also the bill entitled, "*An Act to establish Mutual Insurance Companies in the several districts in this Province,*" and that Messrs. Thorburn and Wilkinson do compose said committee.

Committee appointed to search journals of Legislative Council on proceedings of certain bills.

Which was carried.

Pursuant to notice, Mr. C. Duncombe, seconded by Mr. Brown, moves for leave to bring in a bill to continue the Road Act of 1834.

Road continuation Act brought in.

Which was granted, and the bill was read the first time.

*Ordered*—That the bill to continue the road acts of 1833 and 1834 be read a second time to-morrow.

2d reading to-morrow.

Adjourned.

**Thursday, 24th March, 1836.**

The House met pursuant to adjournment.

The minutes of yesterday were read.

Mr. Solicitor General brought up the petition of George O'Kill Stuart and sixteen others, of the town of Kingston and vicinity; which was laid on the table.

Petitions bro't up. Of G. O'K. Stuart and others.

- Of W. K. Cornish and others. Mr. Parke brought up the petition of W. K. Cornish and three hundred and five others, of the town of London and vicinity; which was laid on the table.
- Of J. Wadsworth and others. Mr. Malloch brought up the petition of James Wadsworth and three others, lumber dealers, on the river Bonne Chere; which was laid on the table.
- Of J. M. Whyte & others. Mr. Thorburn brought up the petition of J. M. Whyte and thirty-two others; which was laid on the table.
- Of K. Grant and others. Mr. Thorburn brought up the petition of Robert Grant and one hundred and five others, of Queenston and vicinity; which was laid on the table.
- Of R. Stanton and others. Mr. Robinson brought up the petition of Robert Stanton, Esq.; which was laid on the table.
- Of Job Mattison. Mr. Mackenzie brought up the petition of Job Mattison, of Wolford, in the district of Johnstown; which was laid on the table.
- Ottawa School bill passed. Pursuant to the order of the day, the Ottawa school money bill was read the third time and passed.
- Title. Mr. McKay, seconded by Mr. Smith, moves, that the bill be entitled, "*An Act to authorise the payment to the Treasurer of the district of Ottawa of the appropriation towards the support of common schools in said district, for the years 1835 and 1836.*"
- Which was carried, and Messrs. McKay and Smith were ordered by the Speaker to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.
- Cayuga bridge Bill passed. Pursuant to the order of the day, the Cayuga bridge bill was read the third time and passed.
- Title. Mr. Macnab, seconded by Mr. Rykert, moves, that the bill be entitled, "*An Act to incorporate certain persons under the style and title of the Cayuga bridge company.*"
- Which was carried, and Messrs. Macnab and Rykert, were ordered by the Speaker to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.
- London & Devonport rail road bill passed. Pursuant to the order of the day, the London and Devonport rail-road bill was read the third time and passed.
- Title. Mr. Parke, seconded by Mr. Alway, moves, that the bill be entitled "*An Act to incorporate a Joint Stock Company under the style and title of the London and Devonport Rail-road and Harbor Company.*"
- Which was carried, and Messrs. Parke and Alway were ordered by the Speaker to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.
- Bill to improve inland waters, Newcastle district—read 3rd time. Pursuant to the order of the day, the bill for the improvement of the inland waters of the district of Newcastle was read the 3d time.
- Amendment to the bill. Mr. Macnab, seconded by Mr. McDonell, moves, that the bill be amended by adding the names of John Brown and George S. Boulton, Esquires, to those named in the bill.
- Which was ordered.
- On motion of Mr. Macnab, seconded by Mr. Robinson, Ordered—That the bill be amended by expunging the following words in the last clause of the bill: "shall be raised by debenture under the provisions of this act," and also the word "and," in the seventh line of the same clause.
- Petitions read. Pursuant to the order of the day the following petitions were read.
- Of A. McMillan and others. Of Alexander McMillan and eleven others, of the township of Roxborough, in the Eastern district, praying for aid for roads.
- Of H. Munro and others. Of Henry Munro and thirty-one others, inhabitants of Brantford, in the Gore district, praying that one Charles Lemons may be

remunerated for losses sustained by the improper state of Brantford bridge.

Of Timothy McGuire and two hundred and seventeen others, inhabitants of the Province, praying that a remedy may be provided against Orange processions.

Of T. McGuire and others.

Of the Mayor, Aldermen, and Commonalty, of the City of Toronto, praying for power to regulate the city assessments.

Of Mayor, &c. Toronto.

Of Ogden Creighton, A. McDonell, and T. Butler, directors of the Welland canal company, praying that the stock of the said company may be invested altogether in the government or the private stockholders, &c.

Of O. Creighton & others.

Of Andrew Miller and three hundred and thirty-five others, directors and stockholders in the London and Gore rail-road company, praying for banking powers.

Of A. Miller and others.

Mr. Gilchrist, from the committee to draft a bill founded on the resolution of this House, relative to the relief of Pearse and others, presented a draft which was received and read a first time.

Bill for relief of Pearse, &c. read 1st time.

*Ordered*—That the bill for the relief of Pearse, Dumble and Hoar, be read a second time to-morrow.

2d reading to-morrow.

Mr. Rykert, from the committee to which was referred the petition of Nicholas Amey and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Committee on petition of N. Amey and others, report Loughboro' survey bill. Bill read 1st time.

The report was received and the bill was read the first time.

*Ordered*—That the Loughborough Survey bill, be read a second time to-morrow.

2d reading to-morrow.

Mr. Macnab from the select committee to which was referred the petition of G. W. Whitehead and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Com. on pet. of G. W. Whitehead and others, report London and Gore rail road amendment bill.

The report was received, and the bill was read the first time.

Bill read 1st time.

*Ordered*—That the London and Gore rail-road amendment bill, be read a second time to-morrow.

2d reading to-morrow.

Mr. Gilchrist, chairman of the standing committee on canals and internal improvements, presented the draft of a bill, which was received and read the first time.

Committee, on canals, &c., report Sandwich and Hamilton rail road bill.

*Ordered*—That the Hamilton and Sandwich rail-road bill be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Robinson, seconded by Mr. Cornwall,

Petitions referred

*Ordered*—That the petition of the Mayor of the city of Toronto, be referred to the committee to whom was referred the resolutions of this House upon the subject of the assessment laws of this Province so far as the same refer to or affect the city of Toronto.

Of Mayor, &c. Toronto.

Mr. Thorburn, seconded by Mr. McMicking, moves, that the petitions of James M. Whyte and Robert Grant, be now read, and that the 41st rule of this House be dispensed with so far as regards the same.

Petition of J. M. Whyte and R. Grant read.

Which was carried, and the petitions of J. M. Whyte and thirty-two others, and Robert Grant and one hundred and five others, of Queenston and vicinity, praying for authority to construct a rail-road from Queenston to Hamilton, and thence to the city of Toronto, were read.

Petitions referred

On motion of Mr. Robinson, seconded by Mr. Wilkinson, *Ordered*—That the petition of Timothy McGuire and others, be referred to the committee to whom was referred the petition of C. J. Baldwin and others.

Of T. McGuire & others.

Of O. Creighton and others.

On motion of Mr. Robinson, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Ogden Creighton and others, be referred to the committee upon the affairs of the Welland Canal Company.

Report of Kingston bank commissioners referred.

On motion of Mr. Robinson, seconded by Mr. Wilkinson,  
*Ordered*—That the report of the Bank commissioners at Kingston, transmitted to this House by His Excellency the Lieutenant Governor, be referred to a select committee to consist of the Solicitor General, and Messrs. Macnab and Roblin, with power to send for persons and papers and to report by bill or otherwise.

Com'tee on canals and internal improvements, report.

Mr. Gilchrist, chairman of the standing committee on canals and internal improvements, presented a report which was received and read as follows :

*To the Honorable the Commons House of Assembly.*

The committee on canals and internal improvements, having taken into consideration the propriety of connecting the waters of the head of the Bay of Quinte with Lake Ontario by a ship canal through Weller's Bay, are of opinion that such canal would be of great advantage and safety to the shipping on Lake Ontario, as, in rough and dangerous weather, steam-boats and other vessels would be enabled to take the safe route of the Bay of Quinte' and avoid the dangerous navigation round Long Point and the False Ducks, and such canal will also open a direct communication between the upper part of the Bay of Quinte' and the United States,—according to the estimate of N. H. Baird, Civil Engineer, a ship canal may be completed for the sum of £43,000,—Your committee therefore recommend to your honorable House to grant said sum, the fourth part of which to be expended annually, for the completion of said canal.

All which is respectfully submitted.

JOHN GILCHRIST,  
*Chairman.*

*Committee Room, House of Assembly, }  
24th day of March, 1836.*

Report referred to committee of whole.

On motion of Mr. Gilchrist, seconded by Mr. Roblin,  
*Ordered*—That the report of the committee on canals and internal improvements be referred to a committee of the whole on to-morrow.

Bill to improve inland waters, Newcastle district, read 3d time.  
On passing.  
Amendment.

Pursuant to the order of the day, the bill for the improvement of the navigation of the inland waters of the district of Newcastle as amended was read the third time.

On the question for passing the bill,

Mr. Mackenzie, seconded by Mr. Alway, moves, that the question be not now put, but that it be taken to-morrow, and be the first on the order of the day.

Division.

On which the yeas and nays were taken as follows :

YEAS—MESSIEURS,

|          |         |                             |          |                 |
|----------|---------|-----------------------------|----------|-----------------|
| Yeas 11. | Alway,  | Lount,                      | Malloch, | Wells,          |
|          | Cook,   | McDonell, <i>Stormont</i> , | Shaver,  | Woolverton,—11. |
|          | Gibson, | Mackenzie,                  | Waters,  |                 |

NAYS—MESSIEURS,

|          |                            |                              |            |                    |
|----------|----------------------------|------------------------------|------------|--------------------|
| Nays 37. | Boulton,                   | Gilchrist,                   | McMicking, | Smith,             |
|          | Brown,                     | Hopkins,                     | Macnab,    | Solicitor General, |
|          | Caldwell,                  | Lewis,                       | Norton,    | Strange,           |
|          | Chesser,                   | McCrae,                      | Parke,     | Thom,              |
|          | Chisholm,                  | M'Donell, <i>Glongarry</i> , | Perry,     | Thorburn,          |
|          | Cornwall,                  | M'Donell, <i>Northumb.</i>   | Robinson,  | Walsh,             |
|          | Duncombe, <i>Oxford</i> ,  | McIntosh,                    | Roblin,    | Wilkinson,         |
|          | Duncombe, <i>Norfolk</i> , | McKay,                       | Rymal,     | Wilson,            |
|          | Dunlop,                    | McLean,                      | Shibley,   | Yager—37.          |
|          | Durand,                    |                              |            |                    |

The question of amendment was decided in the negative, by a majority of twenty-six. Amd't. lost maj. 26

Mr. McLean, seconded by Mr. Thom, moves, that the bill do not now pass, but that the question for the passing of the same be postponed 'till the first day of April. Amendment.

On which the yeas and nays were taken as follows : Division.

YEAS—MESSIEURS,

|         |                             |         |                 |           |
|---------|-----------------------------|---------|-----------------|-----------|
| Cook,   | McDonell, <i>Stormont</i> , | Shaver, | Waters,         |           |
| Gibson, | Mackenzie,                  | Thom,   | Wells,          |           |
| Lewis,  | McLean,                     | Walsh,  | Woolverton,—14. | Yeas, 14. |
| Lount,  | Malloch,                    |         |                 |           |

NAYS—MESSIEURS,

|                           |                              |            |               |          |
|---------------------------|------------------------------|------------|---------------|----------|
| Alway,                    | Duncombe, <i>Norfolk</i> ,   | McIntosh,  | Roblin,       |          |
| Boulton,                  | Dunlop,                      | McKay,     | Rymal,        |          |
| Brown,                    | Durand,                      | McMicking, | Shibley,      |          |
| Caldwell,                 | Gilchrist,                   | Macnab,    | Smith,        |          |
| Chesser,                  | Hopkins,                     | Norton,    | Sol. General, |          |
| Chisholm,                 | McCrae,                      | Parke,     | Strange,      |          |
| Cornwall,                 | M'Donell, <i>Glengarry</i> , | Perry,     | Wilkinson,    | Nays 32. |
| Duncombe, <i>Oxford</i> , | M'Donell, <i>Northumb.</i>   | Robinson,  | Yager—32.     |          |

The question was decided in the negative by a majority of eighteen. Amendment lost, majority 18.

In amendment to the original question, Mr. Mackenzie, seconded by Mr. Parke, moves, that the bill do not now pass, but that it be referred to a committee of the whole forthwith, for the purpose of being amended by adding the name of Wilson Seymour Conger, to the commissioners therein named. Further amend-ment.

On which the yeas and nays being taken, were as follows : Division.

YEAS—MESSIEURS.

|                            |                             |          |             |          |
|----------------------------|-----------------------------|----------|-------------|----------|
| Alway,                     | Hopkins,                    | Malloch, | Thorburn,   |          |
| Chisholm,                  | Lewis,                      | Parke,   | Waters,     |          |
| Cook,                      | Lount,                      | Rymal,   | Wells,      | Yeas 22. |
| Duncombe, <i>Norfolk</i> , | McDonell, <i>Stormont</i> , | Shaver,  | Woolverton, |          |
| Durand,                    | McIntosh,                   | Smith,   | Yager—22.   |          |
| Gibson,                    | Mackenzie,                  |          |             |          |

NAYS—MESSIEURS,

|                           |                              |            |               |          |
|---------------------------|------------------------------|------------|---------------|----------|
| Brown,                    | Gilchrist,                   | McMicking, | Shibley,      |          |
| Caldwell,                 | McCrae,                      | Macnab,    | Sol. General, |          |
| Chesser,                  | McDonell, <i>Glengarry</i> , | Norton,    | Strange,      |          |
| Cornwall,                 | McDonell, <i>Northumb.</i>   | Perry,     | Thom,         |          |
| Duncombe, <i>Oxford</i> , | McKay,                       | Robinson,  | Wilkinson—23. | Nays 23. |
| Dunlop,                   | McLean,                      | Roblin,    |               |          |

The question of amendment was decided in the negative by a majority of one. Amendment lost, majority 1.

On the question for the passing of the bill, the yeas and nays were taken as follows : On passing the bill

YEAS—MESSIEURS

|                            |                              |            |                    |          |
|----------------------------|------------------------------|------------|--------------------|----------|
| Alway,                     | Dunlop,                      | McMicking, | Shibley,           |          |
| Boulton,                   | Durand,                      | Macnab,    | Smith,             |          |
| Brown,                     | Gibson,                      | Norton,    | Solicitor General, |          |
| Caldwell,                  | Gilchrist,                   | Parke,     | Strange,           |          |
| Chesser,                   | Hopkins,                     | Perry,     | Thorburn,          |          |
| Chisholm,                  | McCrae,                      | Robinson,  | Waters,            |          |
| Cornwall,                  | M'Donell, <i>Glengarry</i> , | Roblin,    | Wilkinson,         |          |
| Duncombe, <i>Oxford</i> ,  | McDonell, <i>Northumb.</i>   | Rymal,     | Yager—34.          | Yeas 34. |
| Duncombe, <i>Norfolk</i> , | McKay,                       |            |                    |          |

Nays, 11.

NAYS—MESSIEURS.

|                           |                                   |  |                           |
|---------------------------|-----------------------------------|--|---------------------------|
| Cook,<br>Lewis,<br>Lount, | McDonell,<br>McIntosh,<br>McLean, | Stormont, Malloch,<br>Shaver,<br>Thom, | Wells,<br>Woolverton,—11. |
|---------------------------|-----------------------------------|--|---------------------------|

Question carried,  
majority 23.

The question was carried in the affirmative by a majority of twenty-three, and the bill was passed.

Title.

Mr. Boulton, seconded by Mr. Gilchrist, moves, that the bill be entitled "*An Act to improve the navigation of the inland waters of the district of Newcastle.*"

Which was carried, and Messrs. Boulton and Gilchrist were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Resolution, expressive of the opinion of the House on Executive Council

Pursuant to notice Mr. Perry, seconded by Mr. Roblin, moves that it be

*Resolved*—That an humble address be presented to His Excellency, the Lieutenant Governor, respectfully informing him that this House have with deep regret learned that His Excellency has been induced to cause the late Executive Council to tender their resignations to seats in the Council under circumstances which still enabled His Excellency to declare that his estimation of their talents and integrity, as well as his personal regard for them remained unchanged, and that under the present excited state of public feeling in this colony occasioned by the recent proceedings between His Excellency and the late Executive Council, and the appointment of a new Council (as appears by the Gazette extraordinary of Monday, 14th March instant) composed of Robert Baldwin Sullivan, John Elmsley, Augustus Baldwin and William Allan, Esquires, this House feel it to be a duty they owe alike to His Most Gracious Majesty and to the People of this Colony, whose Representatives they are, to avail themselves of the first opportunity to declare at once to His Excellency the entire want of confidence of this House in the last mentioned appointments, and deep regret, that His Excellency consented to accept the tender of resignation of the late Council, and requesting His Excellency to take immediate steps to remove the present Council from their situation in such Council—and that Messrs. Shaver and Parke be a committee to draft and report said address.

Amendment.

In amendment, Mr. Macnab, seconded by Mr. Robinson, moves, that all the words in the original motion, after "*Resolved,*" be expunged and the following inserted :

"That the communication from the Executive Council of the 4th of March, instant and His Excellency's reply thereto having been referred to a select committee to report thereon, with power to send for persons and papers—this House is unwilling to express any opinion, on so important a subject, until the select committee appointed to enquire and report thereon shall have finally done so."

Division.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |           |                                       |                    |
|----------|-----------|---------------------------------------|--------------------|
| Yeas 18. | Boulton,  | M'Donell, <i>Glengarry</i> , Malloch, | Solicitor General, |
|          | Caldwell, | McDonell <i>Northumb.</i> Merritt,    | Strange,           |
|          | Cornwall, | McKay,                                | Robinson,          |
|          | Lewis,    | McLean,                               | Rykert,            |
|          | McCrae,   | Macnab,                               | Thom,              |
|          |           |                                       | Wilkinson,—18.     |

NAYS—MESSIEURS.

|          |                                      |                                   |           |             |
|----------|--------------------------------------|-----------------------------------|-----------|-------------|
| Nays 23. | Alway,                               | Gilchrist,                        | Morrison, | Shibley,    |
|          | Bruce,                               | Hopkins,                          | Norton,   | Small,      |
|          | Chesser,                             | Lount,                            | Parke,    | Smith,      |
|          | Chisholm,                            | McDonell, <i>Stormont.</i> Perry, | Roblin,   | Thorburn,   |
|          | Cook,                                | McIntosh,                         | Rymal,    | Wilson,     |
|          | Duncombe, <i>Oxford</i> , Mackenzie, | McMicking,                        | Shaver    | Woolverton, |
|          | Duncombe, <i>Norfolk</i> ,           |                                   |           | Yager—29.   |
|          | Durand,                              |                                   |           |             |
|          |                                      |                                   |           |             |
|          |                                      |                                   |           |             |

Amendment lost,  
majority 11. ven.

The question was decided in the negative by a majority of eleven.

In amendment Mr. McLean, seconded by Mr. Boulton, moves that all the original motion after the word "resolved," be expunged and the following inserted: Further amend-  
ment.

"That this House observe with regret that efforts are made by individuals to create an excitement in the Province on occasion of the recent changes in the Executive Council, which changes have been produced by a difference of opinion on a great Constitutional question between His Excellency, the Lieutenant Governor, and the members of his Council—that this House are unwilling to embarrass His Excellency, the Lieutenant Governor, in the administration of the Government which he has so recently assumed, and that in the full confidence that His Excellency does not seek to assume any power or responsibility which has not invariably been exercised by his predecessors since this Province first became entitled to a separate government, and that His Excellency, the Lieutenant Governor, will not fail to submit the question which has unhappily arisen as to the extent of the powers of the Executive Council, to the consideration and decision of His Majesty's government, this House will forbear to take any further measures which may have the effect of destroying that harmony which ought to exist between the Executive government and the Legislature, and which this House must at all times feel anxious to maintain."

On which the yeas and nays were taken, as follows:

Division

YEAS—MESSIEURS.

|   |   |   |  |          |
|---|---|---|--|----------|
| Boulton,<br>Caldwell,<br>Cornwall,<br>Dunlop,<br>Lewis, | McCrae,<br>McDonell,<br>McDonell,<br>McKay, | McLean,<br><i>Glengarry</i> , Malloch,<br><i>Northumb.</i> Robinson,<br>Rykert, | Solicitor General,<br>Strange,<br>Thom,<br>Wilkinson—17. | Yeas 17. |
|---|---|---|--|----------|

NAYS—MESSIEURS

|   |   |   |  |          |
|---|---|---|--|----------|
| Alway,<br>Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson,<br>Gilchrist, | Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Macnab,<br>Merritt, | Morrison,<br>Norton,<br>Parke,<br>Perry<br>Roblin,<br>Rymal,<br>Shaver,<br>Shibley, | Small,<br>Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager,—33. | Nays 33. |
|---|---|---|--|----------|

The question of amendment was decided in the negative by a majority of sixteen. Amd't. lost maj. 16.

On the original question the yeas and nays were taken as follows: On original question.

YEAS—MESSIEURS.

|  |   |  |   |          |
|--|---|--|---|----------|
| Alway,<br>Bruce,<br>Chesser,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand, | Gibson,<br>Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking, | Morrison,<br>Norton,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal,<br>Shaver,<br>Shibley, | Small,<br>Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—32. | Yeas 32. |
|--|---|--|---|----------|

NAYS—MESSIEURS.

|   |  |   |  |          |
|---|--|---|--|----------|
| Boulton,<br>Cornwall,<br>Caldwell,<br>Dunlop,<br>Lewis, | McCrae,<br>McDonell, <i>Glengarry</i> ,<br>McDonell, <i>Northumb.</i><br>McKay,<br>McLean, | Macnab,<br>Malloch,<br>Merritt,<br>Robinson,<br>Rykert, | Solicitor General,<br>Strange,<br>Thom,<br>Wilkinson—19. | Nays 19. |
|---|--|---|--|----------|

The question was carried in the affirmative by a majority of thirteen, and ordered accordingly. Question carried,  
majority 13.

Mr. Shaver, from the select committee to draft and report an address to His Excellency on the subject of the Executive Council, presented a draft, which was received, read twice, concurred in, and read a third time. Committee to draft  
an address to His  
Excellency on Exec-  
utive Council, report  
draft, read 3d time.



On passing address.

On the question for passing the address the yeas and nays were taken as follows :

YEAS—MESSIERS.

|          |                            |                             |           |             |
|----------|----------------------------|-----------------------------|-----------|-------------|
| Yeas 32. | Alway,                     | Gibson,                     | Morrison, | Small,      |
|          | Bruce,                     | Gilchrist,                  | Norton,   | Smith,      |
|          | Chesser,                   | Hopkins,                    | Parke,    | Thorburn,   |
|          | Chisholm,                  | Lount,                      | Perry,    | Waters      |
|          | Cook,                      | McDonell, <i>Stormont</i> , | Roblin,   | Wells,      |
|          | Duncombe, <i>Oxford</i> ,  | McIntosh,                   | Rymal,    | Wilson,     |
|          | Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Shaver,   | Woolverton, |
|          | Durand,                    | McMicking,                  | Shibley,  | Yager,—32.  |

NAYS—MESSIEURS.

|          |           |                             |           |                |
|----------|-----------|-----------------------------|-----------|----------------|
| Nays 10. | Boulton,  | McCrac,                     | McNab,    | Sol. General,  |
|          | Caldwell, | McDonell <i>Glengarry</i> , | Malloch,  | Strange,       |
|          | Cornwall, | Duncombe, <i>Norfolk</i> ,  | Merritt,  | Thom,          |
|          | Dunlop,   | McKay,                      | Robinson, | Wilkinson,—19. |
|          | Lewis,    | McLean,                     | Rykert,   |                |

Question carried majority 13.

The question was carried in the affirmative by a majority of thirteen and the address was passed, and is as follows :

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address to His Excellency on the subject of Executive Council.

"We His Majesty's dutiful and loyal subjects the Commons of Uper Canada, in Provincial Parliament assembled, humbly beg leave to inform Your Excellency, that we have with deep regret learnt that Your Excellency has been induced to cause the late Executive Council to tender their resignations to seats in the Council under circumstances which still enabled Your Excellency to declare that your estimation of their talents and integrity, as well as your personal regard for them, remained unchanged; and that under the present excited state of public feeling in this colony, occasioned by the recent proceedings between Your Excellency and the late Executive Council, and the appointment of a new Council, (as appears by the Gazette extraordinary, of Monday, 14th March, instant,) composed of Robert Baldwin Sullivan, John Elmsley, Augustus Baldwin, and William Allan, Esquires,—this House feel it to be a duty they owe alike to His most gracious Majesty, and to the people of this colony, whose representatives they are, to avail themselves of the first opportunity to declare at once to Your Excellency the entire want of confidence of this House in the last mentioned appointments, and deep regret that Your Excellency consented to accept the tender of resignation of the late Council, and humbly request Your Excellency to take immediate steps to remove the present Council from such their situation."

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly. }  
24th March, 1836. }*

Com. to carry up address.

On motion of Mr. Roblin, seconded by Mr. Yager,  
*Ordered*—That Messrs. Wells and Waters be a committee to wait on His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the address and present the same.  
Adjourned.

**Friday, 25th March, 1836.**

The House met pursuant to adjournment.  
The minutes of yesterday were read.

Petitions bro't up. Of P. Glasford and others.

Mr. Jones brought up the petition of Paul Glasford and forty-nine others, of the town of Brockville; which was laid on the table.

Of T. Sinnott.

Mr. Jones brought up the petition of Thomas Sinnott, of the town of Brockville; which was laid on the table.

Mr. Parke brought up the petition of George Weaver and one hundred and sixty-three others, inhabitants of Bayham and vicinity, (Middlesex); which was laid on the table. Of G. Weaver and others.

Mr. Jones brought up the petition of John Farrell, of the town of Brockville, Grocer; which was laid on the table. Of J. Farrell.

Mr. Wells brought up the petition of Daniel McDonald, of Brockville; which was laid on the table. Of D. McDonald.

Mr. McLean brought up the petition of Allan Macdonell, late a private in the Stormont militia; which was laid on the table. Of A. McDonell.

Pursuant to the order of the day, the following petitions were read: Petitions read.

Of Andrew Lawler and one hundred and one others, of the township of Nottawasaga, praying to be relieved from their present distressed situation. Of A. Lawler and others.

Of John Milner and Joseph Milner, praying relief in consideration of loss sustained by them in their contract for work performed at the Kingston Hospital. Of J. Milner and T. Milner.

Of Andrew Miller and fifty-six others, of the town of Hamilton, Gore district, praying to be incorporated as a Pipe water company. Of A. Miller and others.

And of John Hammill, a contractor for building Paris bridge, praying that commissioners may be appointed to examine into the workmanship of the said bridge. Of J. Hammill.

Mr. Chisholm, from the standing committee on education, reported that the committee had agreed to two bills, drafts of which he was ready to submit, whenever the House would be pleased to receive the same. Committee on education, report two bills.

The report was received

The bill to amend the charter of King's College was read the first time. King's College charter amendment Bill read

*Ordered*—That the bill be read a second time to-morrow.

The bill for the promotion of education was read the first time.

*Ordered*—That the bill be read a second time to-morrow.

Mr. Norton gives notice that he will, on to-morrow, move for leave to bring in a bill to alter and amend an act passed in the third session of the eleventh Provincial Parliament, entitled, "*An Act granting to His Majesty a sum of money to be raised by debenture, for the improvement of the navigation of the River Saint Lawrence.*" 2nd reading to-morrow. Bill to promote education, read. 2d reading to-morrow. Notice of bill to amend St. Lawrence navigation Act.

On motion of Mr. Parke, seconded by Mr. Alway,

*Ordered*—That the report of the select committee on the Gull Island Light House be adopted, and that an address be presented to the Lieutenant Governor, with a copy of such report, requesting His Excellency to transmit the same to the commissioners superintending the erection of that work for their direction, and that Messrs. Thorburn and Roblin be a committee to draft the said address. Report of committee on Gull Island, adopted,—an address to His Excellency ordered.

Mr. Roblin from the select committee to draft an address to His Excellency the Lieutenant Governor founded on the report of the select committee on Gull Island Light House, presented a draft which was received, concurred in, and ordered for a third reading this day. Address to His Excellency on Gull Island Light House,—reported. Address read 2d time. 3rd reading this day.

Mr. McKay, from the select committee to which was referred the subject of duties collected from Crown timber cut on the Ottawa River, presented a report, which was received and read. Committee on duties at Ottawa, report

Report—(See Appendix.)

Joint committee to His Excellency to transmit address to His Majesty, report answers.

Mr. Boulton from the joint committee with the Honorable the Legislative Council, to present the joint address to His Excellency, requesting His Excellency to transmit the joint addresses to His Majesty, on the subjects of duties on tobacco, and commuted pensioners, reported having delivered the same and that His Excellency had been pleased to make the following answer :

*Gentlemen of the Legislative Council, and  
Gentlemen of the House of Assembly.*

Answer to address on tobacco.

I shall lose no time in forwarding to the secretary of state for the colonies, this joint address to the King, of the Legislative Council and House of Assembly, to be laid at the foot of the Throne.

*Gentlemen of the Legislative Council, and  
Gentlemen of the House of Assembly.*

Answer to address on commuted pensioners.

I shall take an early opportunity of transmitting to the secretary of state for the colonies, this joint address to the King, of the Legislative Council and Assembly, to be laid at the foot of the Throne.

Committee to search journals of Legislative Council on Quakers' relief bill, and Mutual assurance bill, report.

Mr. Thorburn, from the committee appointed to search the Journals of the Hon. the Legislative Council, and report to this House the proceedings had on the bills sent up from this House, entitled, "*An Act to repeal the several laws now in force imposing fines on Quakers, Menonists, and Tunkers, for non-performance of militia duty in time of peace,*" and "*An Act to authorise the establishment of mutual insurance companies in the several districts of this Province,*"—presented a report, which was received and read as follows :

*To the Honorable the Commons' House of Assembly,*

Report of select committee to search journals of Legislative Council.

Your committee ordered to search the Journals of the Honorable the Legislative Council, and to report to your Honorable House the proceedings had by that honorable body on the subject matter of the bills sent up from this House, entitled "An Act to repeal the several laws now in force imposing fines on Quakers, Menonists and Tunkers for non-performance of militia duty in time of peace," and "An Act to authorise the establishment of mutual insurance companies in the several districts of this Province," beg leave to report as follows :

Your committee proceeded to the examination of the Journals of the Honorable the Legislative Council and found recorded, as follows :

*" Wednesday, 10th February.*

" Deputation from the Commons House of Assembly brought up a bill entitled "An Act to repeal the several laws now in force imposing fines on Quakers, Menonists and Tunkers for non-performance of militia duty in time of peace"—" to which they requested the concurrence of this House and then withdrew."

" The bill was then read, and it was ordered—that it be read a second time to-morrow."

*" Thursday, 11th February.*

" Pursuant to the order of the day, a bill entitled "An Act to repeal the several laws now in force imposing fines on Quakers, Menonists and Tunkers for non-performance of militia duty in time of peace," " was read a second time, and it was ordered—that the House be put into a committee of the whole to-morrow, to take the same into consideration."

*" Friday, 12th February.*

" Pursuant to the order of the day, the House was put into a committee of the whole upon the bill entitled "An Act to repeal the several laws now in force imposing fines on Quakers, Menonists and Tunkers for non-performance of militia duty in time of peace."

" The Honorable Mr. Boswell took the chair."

" After some time the House resumed."

" The chairman reported that the committee had taken the said bill into considera-

tion, had made some progress therein, and asked leave to sit again on Monday next.”  
 “*Ordered*—That the report be received and leave granted accordingly.”

Report of select committee to search journals of Legislative Council.

“*Monday, 15th February.*”

“Pursuant to the order of the day, the House was again put into committee of the whole on the bill entitled “An Act to repeal the several laws now in force imposing fines on Quakers, Menonists and Tunkers for non-performance of militia duty in time of peace.”

“The Honorable Mr. Boswell took the chair.”

“After some time the House resumed.”

“*Monday, 7th March.*”

“A deputation from the Commons’ House of Assembly brought up a bill, entitled, “An Act to authorise the establishment of Mutual Insurance Companies, in the several districts of this Province,”—“to which they requested the concurrence of this House, and then withdrew.”

“The bill entitled, “An Act to authorise the establishment of Mutual Insurance Companies in the several districts of this Province,”—“was read, and it was

“*Ordered*—That it be read a second time to-morrow.”

“*Tuesday, 8th March.*”

“Pursuant to the order of the day, a bill entitled, “An Act to authorise the establishment of Mutual Insurance Companies in the several districts of this Province,”—“was read a second time, and it was *Ordered*—that the House be put into a committee of the whole to-morrow, to take the same into consideration.”

“*Wednesday, 9th March.*”

“Pursuant to the order of the day, the House was put into a committee of the whole upon the bill entitled, “An Act to authorise the establishment of Mutual Insurance Companies in the several districts of this Province.”

“The Honorable Mr. Elmsley took the chair.

“After some time the House resumed.

“The chairman reported that the committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Monday next.

“*Ordered*—That the report be received and leave granted accordingly, and *Ordered*—that the said bill, be in the mean time printed for the use of members.”

“*Wednesday, 16th March.*”

“Pursuant to the order of the day, the House was again put into committee of the whole upon the bill entitled, “An Act to authorise the establishment of Mutual Insurance Companies in the several districts of this Province.”

“The Honorable Mr. Vankonghnet took the chair.

“After some time the House resumed.

“The chairman reported that the committee had taken the said bill into consideration, and had made some further progress therein, and recommended, that it be referred to a select committee to report thereon by amendments or otherwise.

“*Ordered*—That the report be received—and

“*Ordered*—That the said bill be referred to a select committee to report thereon by amendments or otherwise—and

“*Ordered*—That the Honorable Messrs. Allan, Elmsley, and Macaulay, do compose the same for that purpose.”

All which is most respectfully submitted.

DAVID THORBURN,  
 JOHN A. WILKINSON,  
 JOHN P. ROBLIN.

Committee Room, House of Assembly, }  
 24th March, 1836.

On motion of Mr. Wilson, seconded by Mr. Mackenzie,  
*Ordered*—That the petition of Andrew Lawler and others be referred to the select committee to whom was referred the petition of Edward Kennedy, with power to send for persons and papers. and

Petition of A. Lawler & others referred.

report by bill or otherwise, and that the names of Messrs. McIntosh, Gibson and Morrison be added to the committee, and that the 29th rule of this House be dispensed with so far as relates to the same.

Committee to draft bill on Presque Isle Light House, report draft.

3d reading to-morrow.

Address to His Excellency on Gull Island Light House passed.

Mr. Wilson, from the committee appointed to draft a bill in conformity with a resolution of this House, authorising a grant of money for the erection of a Light House on Presque Isle Point, in the township of Murray, presented a draft, which was received and read.

*Ordered*—That the Presque Isle Point Light House bill be read a second time to-morrow.

Pursuant to the order of the day, the address to His Excellency on the subject of the Gull Island Light House was read the third time, passed, and is as follows :

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave herewith, to transmit to Your Excellency, the report of a select committee of this House upon the subject of a Light House upon Gull Island, between Port Hope and Cobourg on Lake Ontario, as adopted by this House, and to request that Your Excellency will be pleased to transmit the same to the commissioners appointed to superintend the construction of that work, for their direction.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, }  
March 25th, 1836. }*

On motion of Mr. Roblin, seconded by Mr. Yager,

*Ordered*—That Messrs. Alex. McDonell and Parke, be a committee to wait on His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the address and present the same.

Petitions referred.

On motion of Mr. Smith, seconded by Mr. Rymal,

Of A. Miller and others.

*Ordered*—That the petition of Andrew Miller and others, be referred to a select committee, composed of Messrs. Macnab and Small, with leave to report thereon by bill or otherwise.

On motion of Mr. Bruce, seconded by Mr. Chesser,

Of A. McMillan and others.

*Ordered*—That the petition of Alexander McMillan and others, be referred to the committee on roads, macadamized roads and bridges.

Com'tee of whole on common schools.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Alway, moves, that this House do now resolve itself into a committee of the whole upon the subject of common schools.

Which was carried, and the House was put into committee of the whole on the same.

Mr. Brown was called to the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was received.

The resolution was read and adopted as follows :

Resolution reported.

Received.

£5,650 for common schools.

*Resolved*—That there be granted to His Majesty, the sum of £5,650 for the support of common schools, for the present year 1836 to be distributed among the several Districts in the same manner as the sum of £5650 were distributed for the year 1835.

On motion of Mr. Charles Duncombe, seconded by Mr. Wilson,

Committee to draft bill.

*Ordered*—That Messrs. Chisholm and Roblin be a committee to draft and report a bill in conformity to the foregoing resolution.

Pursuant to the order of the day, the bill for the relief of Wm. Conway Keele, was read a second time. Bill for relief of Wm. C. Keele, read 2d time.

The House was put into committee of the whole on the bill. Committed.

Mr. Gibson in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House. Bill reported with out amendment.

On the question for receiving the report, the yeas and nays were taken as follows: On receiving report.

YEAS—MESSIEURS,

|                            |                             |            |                 |          |
|----------------------------|-----------------------------|------------|-----------------|----------|
| Alway,                     | Gilebrist,                  | McMicking, | Smith,          |          |
| Bruce,                     | Hopkins,                    | Merritt,   | Thorburn,       |          |
| Chisholm,                  | Lount,                      | Parke,     | Walsh,          |          |
| Duncombe, <i>Oxford</i> ,  | McDonell, <i>Stormont</i> , | Rymal,     | Waters,         |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                   | Shaver,    | Wilson,         |          |
| Dunlop,                    | Mackenzie,                  | Shibley,   | Woolverton,—25. | Yeas 25. |
| Gibson,                    |                             |            |                 |          |

NAYS—MESSIEURS.

|           |                            |           |               |         |
|-----------|----------------------------|-----------|---------------|---------|
| Boulton,  | Cornwall,                  | McLean,   | Sol. General, |         |
| Caldwell, | Lewis,                     | Morrison, | Thom          |         |
| Chesser,  | McDonell, <i>Northumb.</i> | Norton,   | Yager—15.     | Nays 15 |
| Cook,     | McKay,                     | Robinson, |               |         |

The question was carried in the affirmative by a majority of ten, and the report was received. Question carried, majority 10.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Pursuant to the order of the day, the bill authorising a bounty for the destruction of Wolves, was read the second time. Wolf bounty bill read second time.

The House was put into committee of the whole on the bill. Committed.

Mr. McMicking in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3rd reading to-morrow.

Pursuant to the order of the day, the bill for the relief of Pearse, Dumble, and Hoar, was read the second time. Bill for relief of Pearse & others. read second time.

The House was put into committee of the whole on the bill. Committed.

Mr. Lount in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

*Ordered*,—That the bill be engrossed and read a third time to-morrow. 3rd reading to-morrow.

Pursuant to the order of the day, the Gwillimbury road bill was read the second time. Gwillimbury Road bill read 2d time.

The House was put into committee of the whole on the bill. Committed.

Mr. Walsh in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

The House then adjourned 'till three p. m. to-morrow.

Saturday, 26th March, 1836.

Petition bro't up. The House met pursuant to adjournment.

The minutes of yesterday were read.

Of R. Marchant. Mr. Small brought up the petition of Robert Marchant and others, of the city of Toronto; which was laid on the table.

Keele relief bill read 3rd time. Pursuant to the order of the day, the bill for the relief of Wm. Conway Keele, was read the third time.

On question for passing the bill. On the question for passing the bill, the yeas and nays were taken as follows:

YEAS—MESSIEURS.

|          |   |   |   |  |
|----------|---|---|---|--|
| Yeas 20. | Alway,<br>Chisholm,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop, | Gilchrist,<br>Hopkins,<br>McCrac,<br>McDonell, <i>Stormont</i> ,<br>McIntosh, | Mackenzie,<br>McMicking,<br>Parke,<br>Rymal,<br>Shaver, | Small,<br>Smith,<br>Waters,<br>Wilson,<br>Woolverton—20. |
|----------|---|---|---|--|

NAYS—MESSIEURS.

|          |   |  |   |  |
|----------|---|--|---|--|
| Nays 20. | Boulton,<br>Caldwell,<br>Chesser,<br>Cook,<br>Cornwall, | Jones,<br>McDonell, <i>Northumb.</i><br>McKay,<br>McLean,<br>Macnab, | Morrison,<br>Perry,<br>Robinson,<br>Roblin,<br>Shibley, | Sol. General,<br>Strange,<br>Thom,<br>Walsh,<br>Wells,—20. |
|----------|---|--|---|--|

Question lost, east-  
ing vote. The question was decided in the negative by the casting vote of the Speaker, and lost accordingly.

Wolf bounty bill passed. Pursuant to the order of the day, the bill to authorise a bounty for the destruction of Wolves, was read the third time and passed.

Title. Mr. Shaver, seconded by Mr. Roblin, moves, that the bill be entitled, "*An Act to repeal an Act passed in the forty-ninth year of the reign of His late Majesty King George the Third, entitled, 'An Act to encourage the destroying of Wolves in this Province,' and to make further provision for exterminating those destructive animals.*"

Which was carried, and Messrs. Shaver and Roblin were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Gwillimbury road bridge bill passed. Pursuant to the order of the day, the Gwillimbury road and bridge bill, was read the third time and passed.

Title. Mr. Robinson, seconded by Mr. Lount, moves, that the bill be entitled, "*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.*"

Which was carried, and Messrs. Robinson and Lount were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pearse, &c., relief bill read 3d time. Pursuant to the order of the day, the bill for the relief of Pearse, Dumble and Hoar, was read the third time.

Amendment. Mr. Gilchrist, seconded by Mr. Gibson, moves, that the bill be amended by expunging the words "or any one of them," in the last clause.

Carried. bill passed. Which was carried, and the bill being amended accordingly, was passed.

Title. Mr. Gilchrist, seconded by Mr. Parke, moves, that the bill be entitled, "*An Act for the relief of John Pearse, William Dumble and William Hoar.*"

Which was carried, and Messrs. Gilchrist and Parke were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Wells, from the committee to wait upon His Excellency the Lieutenant Governor with the address of this House on the subject of the Executive Council, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Com to wait on his Ex'y with address on Executive Council. report His Excellency's answer.

GENTLEMEN,

In reply to your address I assure you I very sincerely regret that the House of Assembly should entertain a want of confidence in the Council I appointed on the 14th instaut, as I faithfully declare, that under the circumstances in which I was placed, I made every exertion to select gentlemen that I thought would be most acceptable to the House and to the people.

Answer.

I can assure the House, that no one lamented more than I did the resignation of the late Council, three of the members of which, namely, Messrs. Dunn, Baldwin, and Rolph, I had myself especially selected.

With respect to the request, "that I should take immediate steps to remove the present Council from such their situation," I might say, that I had hoped the House would have refrained from any such decided expression of its opinion, on the subject, until it had received the report of the committee to whom the subject was referred, and for whom the Government office is now occupied in furnishing the documentary evidence they desire, but I am unwilling to discuss that question.

With respect to the present excited state of "public feeling in this colony, occasioned by the recent proceedings," I feel guiltless of being its cause, inasmuch as to the House of Assembly, as well as to the people of all classes who have addressed me on the subject, I have done every thing in my power to assure them of my desire that the question should be calmly settled according to the spirit of the Constitution, and consequently according to the interests of the people.

I can assure the House, that far from entertaining any determination to maintain my opinion, merely because I have uttered it, I should be, at this moment happy to abandon it, if the duty I owe to my Sovereign and to the people could permit me. My mind invites rather than repels conviction, and hoping that the House, will, on a subject which must sorely occupy the attention of the whole country, meet me with a desire to be governed by reason and truth, I will concisely, once again, submit to it my view of the case.

From the time of General Simcoe to the departure of Sir John Colborne, the practice of every Lieutenant Governor of this Province has been to consider their Executive Councillors as advisers, sworn not to respond, or in other words, not to be responsible to the people.

On my arrival here, finding this had been the practice, I also pursued it, but on preparing to add three popular members to the Council, one of them Mr. R. Baldwin, with the sincerity which forms his character, tells me he thinks my Council, in spite of their oath, *should* respond to the people.

To this project I refused to accede—a long argument ensues—and at last I wrote to Mr. Baldwin a note, of which the following is an extract:—

"I shall rely on your giving me your unbiassed opinion on all subjects respecting which I may feel it advisable to require it."

After receiving this distinct statement of my intention *not* to alter the old practice, Mr. R. Baldwin sends a copy of the same to Dr. Rolph and to Mr. Dunn, and they then knowing my sentiments, all three join my Council.

After sitting in the Council three weeks, Mr. Baldwin's conscientious opinion again appears, convinces the other members, old as well as new, and the subject in a more formal manner is officially brought before me, with a request that, if I disapprove of the opinion, the Council may be allowed to address the people. On referring to the Constitutional Act, I am unable to comprehend their reasoning; and we subsequently part on the same good terms on which we met, I retaining my unaltered opinion, while at least four of the Council have (since my arrival) changed theirs.

The whole correspondence I forward to the House of Assembly with an earnest desire that, regardless of my opinion, the question may be fairly discussed. In the station I hold, I form one branch out of three, of the Legislature, and I claim for myself, freedom of thought as firmly as I wish that the other two branches should retain the same privilege.

If I should see myself in the wrong, I will at once acknowledge my error, but, if I should feel it my duty to maintain my opinion, the House must know that there exists a constitutional tribunal competent to award its decision; and to that tribunal I am ever ready most respectfully to bow.

To appeal to the people is unconstitutional, as well as unwise—to appeal to their passions is wrong;—but on the good sense of the House of Assembly I have ever shown a disposition to rely, and to their good sense I still confidently appeal.

Mr. Macnab, seconded by Mr. Rykert, moves that two thousand copies of the address of this House to His Excellency the Lieu- Motion for printing 3000 copies of the



answer, with the address on the subject.

tenant Governor, on the subject of the retirement of the late Executive Council, and His Excellency's reply thereto—be printed for the use of members.

Amendment.

In amendment, Mr. Perry, seconded by Mr. Cook, moves, that after the word "moves" the whole be expunged, and the following inserted, "that the answer of His Excellency to the address of this House relative to the dismissal of the present Executive Council, be referred to the committee to whom was referred the correspondence between His Excellency and the late Executive Council."

Division.

On which the yeas and nays were taken as follows :

NAYS—MESSIEURS,

|          |  |   |  |   |
|----------|--|---|--|---|
| Yeas 28. | Alway,<br>Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand, | Gibson,<br>Gilchrist,<br>Hopkins,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>Mackenzie,<br>McMicking, | Morrison,<br>Norton,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal,<br>Shaver, | Shibley,<br>Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton—28. |
|----------|--|---|--|---|

NAYS—MESSIEURS.

|          |   |  |   |   |
|----------|---|--|---|---|
| Nays 18. | Caldwell,<br>Cornwall,<br>Dunlop,<br>Jones,<br>Lewis, | M'Donell, <i>Glengarry</i> ,<br>McDonell, <i>Northumb.</i><br>McKay,<br>McLean,<br>Macnab, | Malloch,<br>Robinson,<br>Rykert,<br>Sol. General, | Strange,<br>Thom,<br>Walsh,<br>Wilkinson,—18. |
|----------|---|--|---|---|

Amendment carried, majority 10.

The question of amendment was carried in the affirmative by a majority of ten.

Original question carried.

The original question as amended was then put and carried.

Petitions read.

Pursuant to the order of the day, the following petitions were read :

Of G. O'K. Stuart and others.

Of the Venerable George O'Kill Stuart, and sixteen others, of the town of Kingston and vicinity, praying for the incorporation of relief and instruction union societies.

Of W. K. Cornish and others.

Of William King Cornish, and three hundred and five others, of the town of London and vicinity, praying that the district school may be removed from its present location to the said town of London.

Of J. Wadsworth and others

Of James Wadsworth, and three others, lumber dealers on the River Bonne Chere, praying that the petition of Christopher J. Bell may not be entertained for authority to collect tolls on said river.

Of R. Stanton and others.

Of Robert Stanton, Esquire, praying compensation for services rendered by him in arranging the affairs of the late Kingston Bank;

Of Job Mattison.

And of Job Mattison, of Wolford, in the district of Johnstown, complaining of injustice on the part of Stephen Burritt, Esquire, and praying redress.

Com. on petition of John Patterson—report.

Mr. Durand from the committee to which was referred the petition of John Patterson and others, presented a report; which was received and read.

Report—(See Appendix.)

Report of select committee, on petition of J. Patterson. Referred to committee of whole.

On motion of Mr. Durand, seconded by Mr. Hopkins, Ordered—That the report of the select committee to which was referred the petition of John Patterson and others, be referred to a committee of the whole House on Monday next.

On motion of Mr. Robinson, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Robert Stanton be referred to the same committee to whom was referred the report of the commissioners of the late bank of Kingston. Petitions referred. Of R. Stanton.

On motion of Mr. Parke, seconded by Mr. Alway,  
*Ordered*—That the petition of W. K. Cornish and others, be referred to a select committee, consisting of Messrs. Dunlop and Moore, to report thereon. Of W. K. Cornish and others.

On motion of Mr. Alway, seconded by Mr. Malloch,  
*Ordered*—That the petition of Michael Shower be referred to a select committee composed of Messrs. Roblin, Parke and Bruce, with power to send for persons and papers, and report thereon. Of M. Shower, &c. and others.

Mr. Macnab, seconded by Mr. Donald McDonell, moves, that the order for the adjournment of this House each day 'till three o'clock in the afternoon, be rescinded. Motion for adjournment.

In amendment, Mr. Mackenzie, seconded by Mr. Wilson, moves, that there be added, "after Tuesday next." Amendment.

Which was carried.

The original question as amended was then put and carried.

Mr. Chas. Duncombe from the committee to wait on His Excellency, the Lieutenant Governor, with the address of this House for copy of the royal Instructions, &c., reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer : Committee to wait on His Excellency with address for royal instructions, &c., report answer.

**GENTLEMEN :**  
 I herewith transmit as much of the information desired by the House as I possess. Answer.  
 I have entered into no bond or agreement, of any sort with my present Executive Council, and I do not possess, nor does there exist in Council, any document of such a nature, between two or more of the said Council.

Instructions—(See *Appendix*.)

The House then adjourned 'till three P. M. on Monday next.

**Monday, March 28th, 1836.**

The House met pursuant to adjournment.  
 The minutes of Saturday were read.

Mr. Robinson brought up the petition of the magistrates of the Home District; which was laid on the table. Petition of the Magistrates of the Home District brought up.

Pursuant to the order of the day the following petitions were read.

Of Paul Glasford and forty-nine others, of the town of Brockville, praying that an act may be passed to establish a market in the West Ward of that town. Petitions read. Of P. Glasford & others.

Of Thomas Sinnott, of the town of Brockville; praying assistance in carrying into effect a new invention for the manufacture of bricks. Of T. Sinnott.

Of George Weaver, and one hundred and sixty-three others, of Bayham and vicinity, (Middlesex) complaining of two magistrates of the London district, and praying for their removal from the Bench. Of G. Weaver and others.

Of John Farrell of the town of Brockville, grocer; praying payment of an account for goods furnished during the prevalence of the cholera, and Of J. Farrell.

Of Daniel McDonald of Brockville, complaining of a denial of justice, and praying the protection of the House. Of D. McDonald.

On motion of Mr. Robinson, seconded by Mr. Wilkinson,  
*Ordered*—That the petition of Robert Stanton be referred to the same committee to whom was referred the report of the commissioners of the late bank of Kingston. Petitions referred. Of R. Stanton.

On motion of Mr. Parke, seconded by Mr. Alway,  
*Ordered*—That the petition of W. K. Cornish and others, be referred to a select committee, consisting of Messrs. Dunlop and Moore, to report thereon. Of W. K. Cornish and others.

On motion of Mr. Alway, seconded by Mr. Malloch,  
*Ordered*—That the petition of Michael Shower be referred to a select committee composed of Messrs. Roblin, Parke and Bruce, with power to send for persons and papers, and report thereon. Of M. Shower, &c. and others.

Mr. Macuab, seconded by Mr. Donald McDonell, moves, that the order for the adjournment of this House each day 'till three o'clock in the afternoon, be rescinded. Motion for adjournment.

In amendment, Mr. Mackenzie, seconded by Mr. Wilson, moves, that there be added, "after Tuesday next." Amendment.

Which was carried.

The original question as amended was then put and carried.

Mr. Chas. Duncombe from the committee to wait on His Excellency, the Lieutenant Governor, with the address of this House for copy of the royal Instructions, &c., reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer : Committee to wait on His Excellency with address for royal instructions, &c., report answer.

**GENTLEMEN :**

I herewith transmit as much of the information desired by the House as I possess. Answer.

I have entered into no bond or agreement, of any sort with my present Executive Council, and I do not possess, nor does there exist in Council, any document of such a nature, between two or more of the said Council.

*Instructions—(See Appendix.)*

The House then adjourned 'till three P. M. on Monday next.

**Monday, March 28th, 1836.**

The House met pursuant to adjournment.  
 The minutes of Saturday were read.

Mr. Robinson brought up the petition of the magistrates of the Home District; which was laid on the table. Petition of the Magistrates of the Home district brought up.

Pursuant to the order of the day the following petitions were read.  
 Of Paul Glasford and forty-nine others, of the town of Brockville, praying that an act may be passed to establish a market in the West Ward of that town. Petitions read. Of P. Glasford & others.

Of Thomas Sinnott, of the town of Brockville; praying assistance in carrying into effect a new invention for the manufacture of bricks. Of T. Sinnott.

Of George Weaver, and one hundred and sixty-three others, of Bayham and vicinity, (Middlesex) complaining of two magistrates of the London district, and praying for their removal from the Bench. Of G. Weaver and others.

Of John Farrell of the town of Brockville, grocer; praying payment of an account for goods furnished during the prevalence of the cholera, and Of J. Farrell.

Of Daniel McDonald of Brockville, complaining of a denial of justice, and praying the protection of the House. Of D. McDonald.

Committee on petition of J. King—report.

Mr. Wells from the committee to whom was referred the petition of James King Esq., informed the House that the committee had agreed to a report, and also the draft of an address, which he was ready to submit whenever the House would be pleased to receive the same.

The report was received and read.

*Report—(See Appendix.)*

Address on lands, granted to Wm. R. Hopkins, read.

The address to His Excellency, the Lieutenant Governor on the subject of lands granted to Lieutenant William R. Hopkins, was read.

On the question for second reading Amendment.

On the question for the second reading of the address.

In amendment—Mr. McLean, seconded by Mr. McKay, moves, that the report of the select committee on the petition of James King, agent, for William R. Hopkins, be referred to a committee of the whole House on Thursday next.

Which was carried.

Carried. Notice of board of commissioners for public works.

Mr. McKay gives notice, that he will, on to-morrow, move for leave to bring in a bill to appoint a board of commissioners to superintend the several public works and internal improvements in this Province.

Messages from Lieutenant Governor

Mr. Secretary Joseph brought down from His Excellency, the Lieutenant Governor, several messages and documents.

Mr. Speaker read the messages as follows :

F. B. HEAD.

Message, with reports of committee House of Lords, on gaols, &c.

The Lieutenant Governor transmits to the House of Assembly, with reference to his message of the 7th instant, the accompanying printed copies of the Reports of a Committee of the House of Lords on the subject of the Gaols and House of Correction in England and Wales, and the general subject of prison discipline.

*Government House, 28th March, 1836.*

F. B. HEAD.

Message, with report of committee to purchase dredging machine.

The Lieutenant Governor transmits to the House of Assembly the accompanying copy of the Report of the Commissioners appointed by an Act of the Legislature passed at the last Session, granting a sum of money for the purpose of a Steam Dredging Machine.

*Government House, 28th March, 1836.*

F. B. HEAD.

Message, with petition from Credit Chiefs.

The Lieutenant Governor transmits to the House of Assembly for its consideration, the accompanying Petition of certain Chiefs of the Mississagua Tribe of Indians of the River Credit.

*Government House, 28th March, 1836.*

F. B. HEAD.

Message, with reports on the state of the gaols.

The Lieutenant Governor transmits to the House of Assembly such further Reports respecting the state of the Gaols and the treatment of Prisoners as have been received since his message to the House on that subject of the 7th instant.

*Government House, 28th March, 1836.*

Message, with report on Brantford bridge

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly the accompanying Report relative to the Brantford Bridge.

*Government House, 28th March, 1836.*

F. B. HEAD.

Message, with returns of prisoners.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the address of the House of the 9th instant, such annual returns of prisoners in the several Gaols in the Province as have been received during the last four years.

*Government House, 28th March, 1836.*

F. B. HEAD.

The Lieutenant Governor transmits for the information of the House of Assembly, the accompanying copy of the British Statutes, relative to the Audit of the Public Accounts of the United Kingdom.

*Government House, 28th March, 1836.*

Message, with statutes on audit of the U. K.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, with reference to an address of the House presented to his predecessor during the last session the accompanying returns relating to the funds of King's College, Upper Canada College, and the late General Board of Education.

*Government House, 28th March, 1836.*

Message, with funds of colleges, &c.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, with reference to the address of the House of the 1st ultimo, the accompanying Report of the Inspector General, on the subject of the salary paid to Teachers of the Home District School since the 1st of July, 1823.

*Government House, 23th March, 1836.*

Message, on Home district school teachers' salary, &c.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly such further Road Accounts as have been received since his message to the House of the 25th ultimo.

*Government House, 28th March, 1836.*

Message, with further road accounts.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, with reference to the address of the House of the 12th ultimo, the accompanying Returns received from the Treasurer of the Eastern District.

*Government House, 28th March, 1836.*

Message, with Eastern district treasurers returns.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, with reference to its address of the 18th instant, such papers as have been received relative to sums granted from the proceeds of rents of leased Clergy Reserves, in aid of the building of certain parsonage houses; and acquaints the House that the Rev. William Macaulay has been called upon for a statement of the expenditure by him of the grant of three hundred pounds for the use of the glebe house at Cobourg in the year 1824.

*Government House, March 28th, 1836.*

Message, with proceeds of rents of certain lands for parsonage houses.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the two addresses of the House of the 15th ultimo, relative to the Provincial Hospital and its revenues and endowments, and the several reservations of land within and adjoining the town of York, the accompany documents; and acquaints the Assembly that the block comprising six acres, formerly designated "the French lots," forms the site upon which the General Hospital, the Emigrant House, and the Cholera Hospital have been erected.

*Government House, 28th March, 1836.*

Message, with provincial hospital documents.

Documents—(see Appendix.)

On motion of Mr. Chas. Duncombe, seconded by Mr. Parke,

*Ordered*—That an humble address be presented to His Excellency, thanking him for his several messages of this day, and assuring His Excellency that they shall be taken into consideration by this House, and that Messrs. Wilson and Alway, be a committee to draft and report the same.

Address of thanks

The Master-in-Chancery brought down from the honorable the Legislative Council, the bill sent up from this House, entitled, "An Act to incorporate certain persons therein mentioned under the name and style of the Niagara and Detroit rivers rail road company;"—and also the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, directors and company of the Bank of the Niagara district," to both of which that honorable House had made some amendments, and to which they requested the concurrence of this House.

Detroit and Niagara rail road bill, and Niagara district bank bill sent down from Legislative Council amended.

Amendments to Ni  
agara and Detroit  
rail road bill read 1st  
time.

The amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act to incorporate certain persons therein named under the name and style of the Niagara and Detroit Rivers rail road company*" were read the first time as follows :

Amendments.

Amendments made by the Legislative Council to the bill sent up from the House of Assembly, entitled, "An Act to incorporate certain persons therein named under the name and style of "the Niagara and Detroit rivers rail road company."

- Press 4,—line 18. After "erect," insert "and."  
 5 " 3. Expunge "for" and insert "upon."  
 7 " 9. After "remaining" insert "six."  
 " " 13. After "land" insert "on the taking of the."  
 " " 16. After "same" expunge the remainder of the clause, and insert "and two originals of such inquisition shall be made and executed on the same day, one of which shall be delivered to the said company, and the other to the person claiming compensation; and the property taken, and the boundaries of the land occupied by the said company shall be set forth in such inquisition, and if upon motion made in the Court of King's Bench in the term following, the Court, on hearing the parties, shall find just cause for setting such inquisition or award aside, then an order may be made by the said Court for that purpose, and it shall be lawful for the person claiming compensation to proceed in the same manner as hereinbefore directed for obtaining another valuation, and the inquisition or award that may be made thereupon shall be in like manner subject to the control of the Court of King's Bench upon hearing of the parties. Provided always, that upon the money assessed as the valuation in any such inquisition being paid or legally tendered to the person entitled to the same, the property so taken and valued shall immediately thereupon vest in the said corporation as fully as if the same had been legally transferred by the owner thereof for such term of time as the same may be required for the purposes authorised by this act, and if the money when tendered should not be received, it shall nevertheless be incumbent on the said corporation at any time thereafter to pay the same on demand, without costs; and that the sheriff and coroner, and the jurors to be summoned under this act shall be entitled for the services rendered by them to be compensated in the same manner as is provided for similar services by the 20th clause of an act of the Parliament of this Province, passed in the third year of His present Majesty's reign, entitled, "An Act granting to His Majesty a sum of money to be raised by debenture for the improvement of the navigation of the River St. Lawrence."

- Press 9,—line 2. After "road" insert "as."  
 " 4. Expunge "shall be entitled to," and insert "to recover."  
 " 11. Expunge "or cross the same with" and insert "the same with or to cross."  
 " 14. Expunge "any" and insert "such."  
 " 15. After "for" insert "the."  
 " 16. Expunge "any" and insert "such."  
 " 17. After "incorporated" insert "as may be necessary in that respect."

- 10, 2. After "aforesaid" insert "and."
- 11, 7. Expunge "thereafter" and insert "hereafter."
- 14, 7. After "per cent" insert "upon the stock;" after "them" insert "shall"—after "respectively" insert "have."
- " 8. Expunge "sum or share of" and insert "stock subscribed by."
- " 20. After "any" insert "such."
- 16, 14. After "steam" insert "or"; after "or" insert "by."
- " 15. After "or" expunge "of" and insert "by."
- " " Expunge "them" and insert "such powers."
- " 21. Expunge "or in" and insert "then on."
- 17, 2. Expunge "then."
- " 10. After "commissioners" insert "first herein mentioned."
- " 16. Expunge "as" and insert "who."
- 19, 7. After "them" insert "and that."
- 20, 20. After "stead" add "Provided that the intention to propose such removal shall have been specified as one of the reasons for calling such meeting."

Legislative Council Chamber,  
26th day of March, 1836 }

JOHN B. ROBINSON,  
Speaker.

Ordered—That the amendments be read a second time tomorrow.

The amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Niagara,*" were read the first time, as follows:

2d reading to-morrow.

Amendments to Niagara district bank Read 1st time.

Amendments made by the Legislative Council in and to the bill entitled "*An act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Niagara.*"

In the title, line 3, expunge "*Bank of Niagara,*" and insert "*Niagara District Bank.*"

- Press 2—line 10. After "actions" insert "suits."
- 6 8. After "province" insert "in which a newspaper shall be printed."
- 12 9. After "same" insert "either in person or by proxy."
- 18 Add to the bill

" 31. *And be it further enacted by the authority aforesaid* That so soon after the passing of this act as the "net profits made by the said corporation in the course of their business shall enable them to divide more than six pounds per centum per annum upon the capital stock paid in, then they shall pay to the Receiver General of this Province for the time being, the amount of all their net profits which shall exceed such portion of six pounds per centum per annum upon the stock paid in until they shall have so paid to the Receiver General the sum of five thousand pounds, which monies shall remain in the hands of the Receiver General subject to the disposition of the Legislature of this province for the purpose of erecting or endowing an Hospital or Asylum for insane persons, and shall be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, his heirs and successors shall be graciously pleased to direct."

"32. And be it further enacted by the authority  
 "aforesaid,—That whenever it shall appear by any  
 "such returns as are required by this Act to be made  
 "of the state and affairs of the said corporation or  
 "whenever it shall appear to the satisfaction of the  
 "Legislature from any inquiry which the Legislative  
 "Council or House of Assembly may think proper to  
 "order that the provision in the last preceding clause  
 "of this act contained had not been complied with by  
 "the said corporation according to the intention of this  
 "act, then it shall be competent to the Legislature of  
 "this Province at any time afterwards by an act to be  
 "passed for that purpose to annul and make void the  
 "charter of the said corporation; or upon an address  
 "of the Legislative Council, or House of Assembly, to  
 "the Governor, Lieutenant Governor, or person admin-  
 "istering the government of this province a proclama-  
 "tion shall be issued under the great seal of this prov-  
 "ince declaring the charter of the said corporation to  
 "be void; and it shall be lawful in either case for the  
 "Legislature by any act or acts to be passed for that  
 "purpose to make such provision as shall appear to  
 "them necessary and just for the settling the affairs  
 "of the said corporation."

Legislative Council Chamber, }  
 26th day of March, 1836. }

JOHN B. ROBINSON,  
 Speaker.

Com on petitions of  
 R. S. Whitesides and  
 others, and Robert  
 Dwyer and others,  
 report "Christians"  
 relief bill and a re-  
 port.

Mr. Mackenzie from the committee to which was referred the petition of Robert Dwyer and others, informed the House that the committee had agreed to a report and the draft of a bill, both of which he was ready to submit whenever the House would be pleased to receive the the same.

The report was received and read as follows:

To the Honorable the House of Assembly.

The select committee to which was referred the petition of Robert Dwyer, Junr. and nine hundred and seventeen others, and of Robert S. Whitesides and one hundred and thirty seven others, praying that the religious society called "Christians" may enjoy certain privileges, herewith beg leave to report a bill in conformity to the prayer of the petitioners, together with a certificate by three of their preachers, stating that the creed of the society is the Holy Scriptures.

Committee Room, House of Assembly, }  
 28th March, 1836. }

W. L. MACKENZIE,  
 Chairman.  
 Scarboro', 6th February.

To the Honorable the House of Assembly of Upper Canada.  
 We, the undersigned do hereby solemnly declare that as members of the denomina-  
 tion calling ourselves 'Christians,' have no other creed, confession of faith, or discipline,  
 but the Holy Scriptures.

THOMAS PICKARD, }  
 THOMAS HENERY, } Preachers.  
 WILLIAM SWEET. }

Report on the  
 "Christians" peti-  
 tion.

"Christians" relief  
 Bill read

The bill for the relief of the denomination called "Christians," was read the first time.

Ordered—That the bill be read a second time to morrow.

2d reading to-mor-  
 row.

Com on pet. of G.  
 Spencer, report.

Mr. Gibson, from the committee to which was referred the petition of George Spence and others, informed the House that the committee had agreed to a report, which he was ready to submit whenever the House would be pleased to receive the same.

The report was received, and read as follows:

To the Honorable the House of Assembly.

The select committee to whom was referred the petition of George Spence and thirty-four others, inhabitants of Caledon, praying that the Surveyor General may be authorised to correct the survey of the town line of that township, respectfully report, that as the petitioners have not given notice in the Gazette, agreeably to the thirty-ninth rule of this House, relative to private bills, all further proceedings relative to the above petition will have to be deferred until next session.

Committee Room, House of Assembly, }  
 March 28th, 1836. }

DAVID GIBSON,  
 Chairman.

Report of commit-  
 tee.



Mr. Wilson from the committee to which was referred the petition of William Lyons and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Committee on petition of W. Lyons, report Point Freeman's wharf compy bill.

The report was received and the bill was read the first time.

*Ordered*—That the bill to incorporate the Freeman's point wharf company, be read a second time to-morrow.

Bill read 2d time. 2nd reading to-morrow. Committee, on petition of J. McMillan, report.

Mr. Chisholm, from the committee to which was referred the petition of J. McMillan, informed the House, that the committee had agreed to a report, which he was ready to submit, whenever the House would be pleased to receive the same.

The report was received, and read as follows :

*To the Honorable the Commons House of Assembly.*

The committee to whom was referred the petition of John Macmillan, of the township of Lochiel, in the Eastern district—respectfully report—that by the testimony adduced by the petitioner, it appears that though a soldier in the Canadian Fencible Regiment he was attached to and served with the flank companies of the York militia under the late Major General Sir Isaac Brock, in the capture of Detroit and subsequently on the Niagara Frontier—that after the militia were permitted to return to their homes, he joined his regiment and served till discharged on the 24th June, 1816.

Report.

It also appears satisfactorily to the committee, that the petitioner has become totally blind since his discharge in consequence of causes which originated before that period, and which were contracted during the period of his service in this and the Lower Province, and also that the petitioner is wholly destitute of the means of support. Under these circumstances the committee recommend the case of the petitioner to the favourable consideration of the House for such pension or other relief as may appear proper.

All which is respectfully submitted.

A. CHISHOLM,  
Chairman.

Committee Room, House of Assembly,  
28th March, 1836. }

On motion of Mr. Chisholm, seconded by Mr. McLean,  
*Ordered*—That the report of the select committee on the petition of John McMillan, be referred to a committee of the whole House on Friday next.

Report referred to committee of whole. Friday next.

On motion of Mr. Jones, seconded by Mr. McMicking,  
*Ordered*—That the petition of the inhabitants of the town of Brockville, be referred to a committee to consist of Messrs. Brown, Bruce, Shaver and Wells, with power to report thereon by bill or otherwise.

Petitions referred. Of P. Glasford & others.

On motion of Mr. Jones, seconded by Mr. Rymal,  
*Ordered*—That the petition of Thomas Sinnott, be referred to a committee to consist of Messrs. Gibson and Parke, with power to report thereon by bill or otherwise.

Of T. Sinnott.

On motion of Mr. Jones, seconded by Mr. Walsh,  
*Ordered*—That the petition of John Farrell be referred to a committee to be composed of Messrs. Malloch and Wells, with power to report by bill or otherwise.

Of J. Farrell.

On motion of Mr. Mackenzie, seconded by Mr. Parke,  
*Ordered*—That a message be sent to the honorable the Legislative Council, to request that they will give leave to the honorable George Herkimer Markland, a member of that House to attend, before a committee of this House on the subject of the Library.

Message to Legislative Council, for Hon. G. H. Markland to attend a committee.

Mr. Roblin, from the committee on incorporated towns and villages, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Committee on towns and villages, report Dandae police bill.

The report was received and the bill to incorporate a police at the village of Dundas, was read the first time.

Bill read 1st time. Pet. of A. McDonell referred.

On motion of Mr. McLean, seconded by Mr. Donald McDonell, Ordered—That the petition of Allan McDonell be referred to the select committee to which was referred the petition of Angus McDougal.

Mr. Mackenzie, seconded by Mr. McIntosh, moves that it be

Resolution. Address to His Excellency for information on fines, &c., York county.

Resolved—That an humble address be presented to His Excellency the Lieutenant Governor, requesting that he would cause the proper officer to take immediate steps to obtain for the information of this House, a return in detail of all fines and penalties levied since the date of the last general election of members to serve in this House, for neglect or non performance of any militia duty, within the county of York, showing the name of each person fined and of the officer on whose complaint he was fined, the date when fined, the sum levied, and the costs in each case, together with a statement of the uses to which all such fines have been applied, and by whom, with the vouchers for such application; and that Messrs. Waters and Parke be a committee to draft and report said address, and that the 31st rule shall not effect this motion.

Carried.

Which was carried.

Partnership bill read 2nd time.

Pursuant to the order of the day the partnership bill was read the second time.

Committed.

The House was put into committee of the whole on the bill.

Mr. Strange in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

Otter Creek navigation bill read 2d time Committed.

Pursuant to the order of the day the Otter Creek navigation bill was read the second time.

The House was put into committee of the whole on the bill.

Mr. Woolverton in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3rd reading to-morrow.

Ordered,—That the bill be engrossed and read a third time to-morrow.

Message to Legislative Council, for permission to Hon. Messrs. Allan, Elmsley and Baldwin, to attend a committee.

Mr. Perry, seconded by Mr. Roblin, moves, that a message be sent to the honorable the Legislative Council, requesting that leave be given to the honorable Messrs. William Allan, John Elmsley, and Augustus Baldwin, to go before the select committee of this House, to whom was referred the correspondence, between the late Executive Council and His Excellency, the Lieutenant Governor, and also that leave be given to the honorable Peter Robinson to go before the committee to whom was referred the petition of Edward Kennedy.

Which was carried, and Messrs. Perry and Roblin were ordered by the Speaker to carry up the message.

York roads bill read second time.

Pursuant to the order of the day, the York roads bill was read the second time.

Committed.

The House was put into committee of the whole on the bill.

Mr. Shibley in the chair.

The House resumed.

Bill reported, amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Gananoque and Wiltsie Creek navigation bill was read the second time. Gan. & Wilt nav. bill read 2d time.

The House was put into committee of the whole on the bill. Committed.

Mr. Dunlop in the chair.  
The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

On motion of Mr. Chisholm, seconded by Mr. Rymal,

*Ordered*—That the Message of His Excellency, the Lieutenant Governor, with reference to the address of this House of the 12th ultimo, and the accompanying returns from the treasurer of the Eastern district, be referred to the committee on the subject of the accounts of the Eastern district. Message with E. District Treasurer's acct's referred.

Mr. Wilson from the committee to draft an address of thanks to His Excellency the Lieutenant Governor for his several messages of this day, reported a draft, which was received, read twice, concurred in, read the third time and passed; and is as follows: Address of thanks

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.* Address.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to thank Your Excellency for your several messages of this day, and to assure Your Excellency that this House will not fail to give to the matters therein contained, a careful consideration.

MARSHALL S. BIDWELL,  
*Speaker.*

*Commons House of Assembly, )  
March 28th, 1836. )*

On motion of Mr. Mackenzie, seconded by Mr. Rymal,

*Ordered*—That Messrs. Rykert and McLean be a committee to wait upon His Excellency. to ascertain when he will be pleased to receive the address and present it.

Mr. Parke, from the select committee to draft an address to His Excellency, the Lieutenant Governor, on the subject of militia fines in the county of York. reported a draft, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day. Committee to draft address on militia fines Co York report draft concurred in.

Pursuant to the order of the day, the Loughboro' survey bill was read the second time. 3d reading to day. Loughboro' survey Bill read 2d time.

The House was put into committee of the whole on the bill. Committed.

Mr. McKay in the chair.

The House resumed.

The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow. Progress reported.

On the question for receiving the report,

In amendment—Mr. Shibley, seconded by Mr. Malloch, moves, that the report be not now received, but that the bill be referred to a committee, consisting of Messrs. Shaver, Gibson and Rykert. On receiving report. Amendment.

Which was carried. Carried

Address on militia  
fines passed.

Pursuant to the order of the day, the address to His Excellency, the Lieutenant Governor upon militia fines, &c. was read the third time and passed, and is as follows:

To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province, of Upper Canada, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause the proper officer to take immediate steps to obtain for the information of this House, a return in detail of all fines and penalties levied since the last general election of members to serve in this House, for neglect or non-performance of any militia duty, within the county of York—shewing the name of each person fined, and of the officer on whose complaint he was fined—the date when fined—the sum levied, and the costs in each case—together with a statement of the uses to which all such fines have been applied, and by whom with the vouchers for such application.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
23th day of March, 1836. }

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,  
Ordered—That Messrs. Lount and Gibson be a committee to wait upon His Excellency with the address of this House, and to present it.

Adjourned till three o'clock, P. M. to-morrow.

Tuesday, 29th March, 1836.

Petitions bro't up.

Of N. Sparks.

Of W. Yale and  
others.

Of T. W. Anderson  
and others

Partnership bill  
read 3rd time.

On passing.  
Division

The House met pursuant to adjournment.

The minutes of yesterday were read.

Mr. McKay brought up the petition of Nicholas Sparks, of Bytown; which was laid on the table.

Mr. Charles Duncombe brought up the petition of Welcome Yale and one hundred and ninety-two others, directors and stockholders in the London and Gore rail road company; which was laid on the table.

Mr. Small brought up the petition of T. W. Anderson, and twenty four others, citizens of Toronto; which was laid on the table.

Pursuant to the order of the day, the partnership bill was read the third time.

On the question for passing the bill, the yeas and nays were taken as follows:

YEAS—MESSIEURS.

|                            |                             |             |             |
|----------------------------|-----------------------------|-------------|-------------|
| Alway,                     | Gilchrist,                  | Moore,      | Smith,      |
| Brown,                     | Lount,                      | Norton,     | Thom,       |
| Bruce,                     | McDonell <i>Glengarry</i> , | Richardson, | Walsh,      |
| Chisholm,                  | McDonell, <i>Stormont</i> , | Robinson,   | Waters      |
| Cornwall,                  | McIntosh,                   | Rykert,     | Wells,      |
| Duncombe, <i>Oxford</i> ,  | McKay,                      | Rymal,      | Wilson,     |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                  | Shibley,    | Woolverton, |
| Dunlop,                    | McMicking,                  | Small,      | Yager,—34.  |
| Gibson,                    | Malloch,                    |             |             |

NAY—Mr. Macnab.

The question was carried in the affirmative by a majority of thirty-three, and the bill was passed.

Mr. Wells, seconded by Mr. Bruce, moves, that the bill be entitled, "An Act to provide for the establishment of limited partnerships in this Province."

Question carried,  
majority 33.

Title.

Which was carried, and Messrs. Wells and Bruce were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill for the improvement of Otter Creek was read the third time and passed. Otter creek improv  
Bill passed.

Mr. Parke, seconded by Mr. Moore, moves, that the bill be entitled "*An Act to incorporate a Joint Stock Company under the style and title of the Otter Creek Slack Water Navigation Company.*" Title.

Which was carried, and Messrs. Moore and Parke were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill authorising a sum of money to be raised for the purpose of continuing the macadamization of the approaches to the city of Toronto, was read the third time. City of Toronto  
bill read 3d time.

On the question for passing the bill,

In amendment, Mr. McIntosh, seconded by Mr. Gilchrist, moves, that the name of "John McIntosh" be expunged and the name of "Joseph Turton" inserted. On passing  
Amendment

Which was lost, and the bill was passed. Lost.

Mr. Small, seconded by Mr. Robinson, moves, that the bill be entitled "*An Act to raise a sum of money to continue the improvement of certain roads in the vicinity of the city of Toronto, and for other purposes therein mentioned.*" Bill pas'd.  
Title.

Which was carried, and Messrs. Small and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move this House to go into committee of the whole on the subject of a lunatic asylum in this Province, to enable him to move for a grant of money for that purpose. Notice for commit  
tee on lunatic asy-  
lum.

Mr. Rykert, from the select committee to which was refered the Loughboro' Survey bill, informed the House that the select committee had made some amendments to the bill, and directed him to present the same to the House for its adoption. Loughboro' survey  
bill, reported and read  
1st time.

The report was received, and the bill as amended was read the first time

*Ordered*—That the Loughboro' Survey bill be read a second time to-morrow. 2d reading to-mo-  
row.

Mr. Small, from the select committee on the incorporation of towns and villages, informed the House that the committee had agreed to the draft of a bill to amend the act incorporating the town of York, which he was ready to submit whenever the House would be pleased to receive the same. Committee on towns  
and villages, report  
Bill to amend To-  
ronto charter Act.

The report was received, and the bill was read the first time. Bill read 1st time.

*Ordered*—That the bill to amend the York incorporation act be read a second time to-morrow. 2d reading to-mor-  
row.

Mr. Charles Duncombe from the committee to draft and report a bill founded on the resolution of this House, granting fifty thousand pounds for the roads and bridges presented a draft which was received and read the first time. Committee to draft  
bill on  
roads and bridges,  
report draft.  
Bill read 1st time.  
On 2d reading to-  
morrow.

On the question for the second reading of the bill to-morrow.

In amendment, Mr. Charles Duncombe, seconded by Mr. Parke, moves that the bill be not read a second time to-morrow, but that it be now read a second time, and that the fortieth rule of this House be dispensed with so far as relates to the same. Amendment.

Which was carried, and the bill was read the second time. Bill read 2d time.

Committed.

The House was put into committee of the whole on the bill.  
Mr. Macnab in the chair.  
The House resumed.

Bill reported a-  
mended.  
3d reading Thurs  
day next.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received, and the bill was ordered to be engrossed and read a third time on Thursday next.

Bill to amend Ri-  
deau canal Act, from  
Legislative Council,  
read second time

Pursuant to the order of the day the bill sent down from the Honorable the Legislative Council, entitled "*An Act to alter and amend an Act passed in the eighth year of His late Majesty's reign, entitled 'an Act to confer upon His Majesty certain powers and authorities necessary to the making, maintaining and using the canal intended to be completed under His Majesty's direction for connecting the waters of Lake Ontario with the River Ottawa,' and for other purposes therein mentioned,*" was read the second time

Committed.

The House was put into committee of the whole on the bill.  
Mr. Small in the chair.  
The House resumed.

Bill reported.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-mor-  
row.

*Ordered*—That the bill be read a third time to-morrow.

Letters and docu-  
ments from commit-  
tee of last session for  
information, reported  
by Speaker.

Mr. Speaker reported having received several letters and documents from Doctors Charles Duncombe, Morrison and Bruce, appointed by resolution of the House of last session a committee of inquiry to obtain certain information in connexion with the common interests of this Province—which were read as follows :

*House of Assembly,  
28th of March, 1836.*

Letter from com-  
mittee to Speaker,  
transmitting report  
on Prisons, &c.

SIR,

Doctors Duncombe, Morrison, and Bruce, having by a resolution of the Honorable the House of Assembly been appointed commissioners for obtaining information upon various subjects connected with the common interests of this Province; Dr. Charles Duncombe, one of our commission, was elected by us for that purpose, and was requested to make such inquiries and investigation, personally and otherwise, as would best accomplish the desired object;—That gentleman has done so, and we herewith beg leave to present to you his report—the result of his labours—and to express our entire satisfaction therewith.

We have the honor to be,

Sir,

Your most obedient humble servants.

T. D. MORRISON,  
Wm. BRUCE.

To the Hon'ble. MARSHALL S. BIDWELL,  
*Speaker of the Commons House of Assembly.*

*House of Assembly,  
28th March, 1836.*

Letter from acting  
commissioner to the  
committee.

GENTLEMEN,

I have the honor to transmit to you for the information of the Honorable the House of Assembly, my report upon Penitentiaries, Prisons, and Prison discipline; subjects which I have investigated according to a resolution of the House of Assembly, and in compliance with your instructions to me at the close of its last Session.

I have the honor to be,

Gentlemen,

Your very obedient humble servant,

CHARLES DUNCOMBE,  
*Acting Commissioner.*

Doctors MORRISON & BRUCE, &c. &c. &c.

House of Assembly,  
28th March, 1836.

SIR,

We have the honor to present herewith for the information of the Honorable the House of Assembly, a report upon the subject of Currency, Banks, &c., upon which Dr. Charles Duncombe and ourselves, were by a resolution of the House during the last Session, appointed a committee of inquiry.

Letter from committee to the Speaker, transmitting report on currency, &c

The report we now beg to present is the result of Dr. Duncombe's labors and investigations, pursued by our request, upon those matters as embraced in the above named resolution, and as connected with the general interests of the Province.

We have the honor to be,

Sir,

Your most obedient humble servants,  
T. D. MORRISON,  
WM. BRUCE.

The Honorable M. S. BIDWELL,  
Speaker of the Commons House of Assembly.

House of Assembly,  
Toronto, 28th March, 1836.

GENTLEMEN,

I have the honor to transmit to you for the information of the House of Assembly, my report upon Currency, Banks, &c.—the result of my labours and inquiries upon those subjects, prosecuted in pursuance of a resolution of the House of Assembly during the last Session, and in accordance with your instructions to me at the close thereof.

Letter from acting commissioner to the committee.

I have the honor to be,  
Gentlemen,

Your obedient humble servant,  
CHARLES DUNCOMBE,  
Acting Commissioner.

Doctors MORRISON & BRUCE.

Reports—(See Appendix.)

Pursuant to the order of the day, the bill to allow the Ministers of the society of "Christians," to perform the ceremony of matrimony, was read the second time.

"Christians'" relief Bill read 2d time.

The House was put into committee of the whole on the bill. Mr. Bruce in the chair.

Committed.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

Ordered—That the bill be engrossed and read a third time tomorrow.

3d reading tomorrow.

Mr. Charles Duncombe, from the standing committee on Currency, reported the draft of a bill, which was received and read the first time.

Committee on currency, report currency bill.

On the question for the second reading of the Currency bill tomorrow.

In amendment—Mr. Mackenzie, seconded by Mr. Chesser, moves, that one hundred and fifty copies of the bill just reported on Currency be printed for the use of members, and that the bill be read a second time this day week, and be the first item on the order of the day.

Amendment. 150 copies to be printed.

Ordered.

Ordered.

Mr. Charles Duncombe, chairman of the committee on Finance, presented a third report; which was received and read.

Finance committee make 3d report.

Report—(See Appendix.)

Adjourned.

Wednesday, 30th March, 1836.

Petitions bro't up.

The House met.

The minutes of yesterday were read.

Of A. McPhee and others.

Mr. Chisholm brought up the petition of Alexander McPhee and thirty-six others, of the township of Lochiel in the Eastern district; which was laid on the table.

Of E. C. Taylor.

Mr. Perry brought up the petition of E. C. Taylor of Goderich, Huron county; which was laid on the table.

Gananoque and Wiltzie creek bill passed. Title.

Pursuant to the order of the day the Gananoque and Wiltzie creek improvement bill was read the third time and passed.

Mr. McKay, seconded by Mr. Strange, moves that the bill be entitled "*An Act to incorporate sundry persons under the style and title of the Gananoque and Wiltzie Navigation Company.*"

Which was carried, and Messrs. McKay and Strange were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

"Christians" relief bill read 3d time.

Pursuant to the order of the day, the bill for authorising the society called "Christians" to perform the ceremony of marriage was read the third time.

On question for passing the bill.

On the question for the passing of the bill, the yeas and nays were taken as follows :

YEAS—MESSIEURS.

|          |           |                             |         |             |
|----------|-----------|-----------------------------|---------|-------------|
| Yeas 25. | Brown,    | Gibson,                     | Moore,  | Shibley,    |
|          | Bruce,    | Gilchrist,                  | Norton, | Strange,    |
|          | Chesser,  | McDonell, <i>Stormont</i> , | Parke,  | Wells,      |
|          | Chisholm, | McIntosh,                   | Roblin, | Wilkinson,  |
|          | Cornwall, | McKay,                      | Rykert, | Woolverton, |
|          | Durand,   | Malloch,                    | Shaver, | Yager—25.   |
|          | Dunlop,   |                             |         |             |

NAYS—MESSIEURS,

|         |          |         |
|---------|----------|---------|
| Nays 2. | Boulton, | Thom—2. |
|---------|----------|---------|

Question lost, majority 23.

The question was carried in the affirmative by a majority of twenty-three, and the bill was passed.

Title.

Mr. Dunlop, seconded by Mr. Mackenzie, moves that the bill be entitled, "*An Act to authorize certain persons calling themselves "Christians" to solemnize matrimony.*"

Which was carried, and Messrs. Dunlop and Mackenzie were ordered by the Speaker to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.

Rideau canal amendment bill from Legislative Council, passed.

Pursuant to the order of the day, the bill sent down from the honorable the Legislative Council, entitled, "*An Act to alter and amend an Act passed in the eighth year of His late Majesty's reign, entitled, 'An Act to confer upon His Majesty certain powers and authorities necessary to the making, maintaining and using the canal intended to be completed under His Majesty's direction, for connecting the waters of Lake Ontario with the river Ottawa,' and for other purposes therein mentioned,*" was read the third time and passed.

Messrs. Norton and McKay were ordered by the Speaker to carry the bill up to the honorable the Legislative Council and to inform that honorable House that this House had passed the same without amendment.

Petitions read.

Pursuant to the order of the day, the following petitions were read :

Of R. Marchant and others

Of Robert Marchant and five others, of the city of Toronto, praying that monies due them for labor and materials furnished for the Parliament building may be paid them. And



Of D'Arcy Boulton, Esq., chairman of the Quarter Sessions for the Home district, praying that an additional half-penny in the pound be levied for the purpose of building a new Gaol for the district. Of Magistrates of Home district.

Mr. Norton gives notice, that he will, on to-morrow, move for a select committee to inquire into and report upon the expediency of passing a bill to consolidate the different banks now chartered, into one, and to provide for establishing branches in various parts of the Province under certain restrictions. Notice of banks consolidation bill.

On motion of Mr. Robinson, seconded by Mr. Small, *Ordered*—That the petition of D'Arcy Boulton, Esq., chairman of the Quarter Sessions of the Home district, be referred to a select committee, composed of Messrs. Morrison, Mackenzie, McIntosh, and Gibson, with power to send for persons and papers, and to report thereon by bill or otherwise. Petition of Magistrates, Home district, referred.

Pursuant to the order of the day, the London and Gore rail-road bill was read the second time. London and Gore rail road bill read 2d time.

The House was put into committee of the whole on the bill.

Mr. D. Æ. McDonell in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Prescott Police bill was read the second time. Prescott police bill read 2d time.

The House was put into committee of the whole on the bill.

Mr. Richardson in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Education bill was read a second time. Education bill read 2d time.

The House was put into committee of the whole on the bill.

Mr. Alway in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, made some amendments to the same, and submitted it for the adoption of the House. Bill amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time on Saturday next. 3d reading Saturday.

Mr. Richardson read in his place a certificate of the decease of James Hunter Samson, Esq. late member for the county of Hastings, as follows :

We, Henry W. Yager, member for the county of Hastings, and Alexander Thom, member for the county of Lanark, do certify that a vacancy has taken place in the representation of the county of Hastings by the death of James H. Samson, late a member of this Honorable House. Certificate of the decease of J. H. Samson, Esquire, member for Hastings—Read.

H. W. YAGER,  
ALEXR. THOM.

Of D'Arcy Boulton, Esq., chairman of the Quarter Sessions for the Home district, praying that an additional half-penny in the pound be levied for the purpose of building a new Gaol for the district.

Of Magistrates of Home district.

Mr. Norton gives notice, that he will, on to-morrow, move for a select committee to inquire into and report upon the expediency of passing a bill to consolidate the different banks now chartered into one, and to provide for establishing branches in various parts of the Province under certain restrictions.

Notice of banks consolidation bill.

On motion of Mr. Robinson, seconded by Mr. Small, Ordered—That the petition of D'Arcy Boulton, Esq., chairman of the Quarter Sessions of the Home district, be referred to a select committee, composed of Messrs. Morrison, Mackenzie, McIntosh, and Gibson, with power to send for persons and papers, and to report thereon by bill or otherwise.

Petition of Magistrates, Home district, referred.

Pursuant to the order of the day, the London and Gore rail-road bill was read the second time.

London and Gore rail road bill read 2d time. Committed.

The House was put into committee of the whole on the bill. Mr. D. Æ. McDonell in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the Prescott Police bill was read the second time.

Prescott police bill read 2d time.

The House was put into committee of the whole on the bill. Mr. Richardson in the chair.

Committed.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the Education bill was read a second time.

Education bill read 2d time.

The House was put into committee of the whole on the bill. Mr. Alway in the chair.

Committed.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, made some amendments to the same, and submitted it for the adoption of the House.

Bill amended.

The report was received.

Ordered—That the bill be engrossed and read a third time on Saturday next.

3d reading Saturday.

Mr. Richardson read in his place a certificate of the decease of James Hunter Samson, Esq. late member for the county of Hastings, as follows :

We, Henry W. Yager, member for the county of Hastings, and Alexander Thom, member for the county of Lanark, do certify that a vacancy has taken place in the representation of the county of Hastings by the death of James H. Samson, late a member of this Honorable House.

Certificate of the decease of J. H. Samson, Esquire, member for Hastings—Read.

H. W. YAGER,  
ALEXR. THOM.

Writ ordered for member for Hastings

On motion of Mr. Richardson, seconded by Mr. Yager,  
*Ordered*—That the Speaker do issue his order to the Clerk of the Crown-in-Chancery, directing him to issue a writ for the election of one member to represent the county of Hastings in the House of Assembly, in the room of James H. Samson, Esquire, deceased.

Huron and Ontario rail road bill read 2d time.  
 Committed

Pursuant to the order of the day, the Huron and Ontario rail road bill was read a second time.

The House was put into committee of the whole on the bill.

Mr. Donald McDonell in the chair.

The House resumed.

Bill amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading on Saturday.

*Ordered*—That the bill be engrossed and read a third time on Saturday next.

King's college charter bill read 2d time.

Pursuant to the order of the day, the bill to amend the charter of King's College, was read the second time.

Committed.

The House was put into committee of the whole on the bill.

Mr. Small in the chair.

The House resumed.

Bill reported with out amendment.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading Saturday.

*Ordered*—That the bill be engrossed and read a third time on Saturday next.

Burlington fishery bill read second time  
 Committed.

Pursuant to the order of the day, the Burlington Fishery bill was read the second time.

The House was put into committee of the whole on the bill.

Mr. Merritt in the chair.

The House resumed.

Bill reported with out amendment.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading Saturday.

*Ordered*—That the bill be engrossed and read a third time on Saturday next.

Committee on education, report minor college bill.

Mr. Chisholm from the standing committee on Education, reported the draft of a bill, which was received and read the first time.

2d reading to morrow.

*Ordered*—That the bill for the establishment of minor institutions of education throughout the Province, be read a second time to-morrow.

500 copies of minor college bill to be printed.

On motion of Mr. Chas. Duncombe, seconded by Mr. Bruce,  
*Ordered*—That there be printed five hundred copies of the bill providing for the establishment of Provincial Seminaries in this Province, for the use of members.

Committee of whole on asylum bill.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Bruce, moves, that this House do go into committee of the whole upon the subject of a lunatic asylum.

Which was carried, and the House was put into committee of the whole.

Mr. Smith in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received, and the resolution was read as follows:

*Resolved*—That there be granted to His Majesty the sum of ten thousand pounds, £10,000 to build lunatic asylum.  
to enable His Majesty to defray the expenses of building a Lunatic Asylum in this Province.

The Master in Chancery brought down from the Honorable the Legislative Council a message and the bill entitled "*An Act to incorporate a joint stock company, under the style and title of the President, Directors and Company of the Grafton Harbor,*" and also the bill entitled "*An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Cobourg Bank,*" to both of which the Honorable the Legislative Council had made some amendments and requested the concurrence of this House thereto.

The message was read as follows:

MR. SPEAKER:

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled "*An Act to authorise the establishment of Mutual Insurance Companies in the several districts of this Province.*" without any amendment.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
28th day of March, 1836. }

The amendments made by the Honorable the Legislative Council in and to the bill entitled, "*An Act to incorporate a joint stock company under the style and title of the President, Directors and Company of the Grafton Harbor,*" were read the first time as follows:

Amendments to Grafton harbor bill.

Amendments made by the Legislative Council in and to the bill sent up from the Assembly entitled "*An Act to incorporate a Joint Stock Company under the style and title of the President, Directors and Company of the Grafton Harbour.*"

Press 2—Line 20—Expunge "Port" and insert "Dean's Creek near the village of,"  
Press 4—  
Add to the third clause "And that the said Company shall in no case take possession of any land, the value of which shall be so awarded unless payment be made according to the said award or a tender thereof made to the party or parties therein interested, and shall not in any manner obstruct or interfere with the highway now passing the mouth of the said Dean's Creek, and shall construct and maintain a good and sufficient bridge across the same without any charge to the public."

Press 5—Line 2—After "numbers" insert "nineteen."  
Add to the fourth clause "and all articles not enumerated to pay in proportion to the above rates subject to the direction of the directors appointed by virtue of this Act: Provided nevertheless that the said directors shall have power to reduce the said rates of tolls should they see fit."

Press 6—Line 11—After "boats" insert "or other craft."  
" " " 15—After "boats" insert "or other craft."  
" " " 16—Expunge "thirty" and insert "ten."  
" " " 24—After "at" insert "village of"—after "Grafton" insert "aforesaid."  
" 7 " 3—After "Gazette" expunge "or" and insert "and."  
" 8 " 11—After "day" insert "thereafter."  
" 9 " 2—After "at" insert "village of"—after "Grafton" insert "aforesaid."  
" " " 11—After "the" insert "Upper Canada"—expunge "or," and insert "and."  
" 10 " 2—Expunge from "the" to "for" in the third line and insert "manner before mentioned."  
" " " 10—After "notice" insert "given"—after "the" expunge to "provided" and insert "manner before mentioned."  
" " " 13—Expunge "be" and insert "have been."  
" 11 " 4—After "such" insert "share or."  
" " " 5—After "days" insert "public."  
" " " 6—After "forfeited" insert "share or"—after "the" expunge to "and" in line eight and insert "manner herebefore directed."

Amendments to Press 18—Add to the bill—  
Grafton harbor bill.

18. And be it further enacted by the authority aforesaid, That nothing herein contained shall give to the said Company or be construed to give to the said Company, the exclusive right of fishing within the said harbor or lake shore within the limits before mentioned, and that it shall not be lawful for any person or persons to take, catch, or kill, or to attempt to take, catch, or kill any fish by torch or fire-light within one hundred yards of any work erected by the said Company."

19. And be it further enacted by the authority aforesaid, That if any person or persons shall be duly convicted by the oath of one or more credible witness or witnesses before any two of His Majesty's Justices for the said district of having so caught or killed, or so attempted to catch or kill any fish in manner aforesaid, such person or persons respectively upon conviction as aforesaid, shall forfeit and pay a sum not exceeding five pounds nor less than five shillings for every offence so committed with all reasonable costs both before and after conviction, or in default of payment to be committed to the common gaol of such district as aforesaid, for a term of not more than thirty days nor less than two days unless the fine or costs are sooner paid."

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
30th day of March, 1836. }

2d reading to morrow.

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

Amendments to Cobourg bank bill—read.

The amendments made by the Legislative Council in and to the bill entitled "*An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Cobourg Bank,*" were read a first time as follows :

Amendments.

Amendments made by the Legislative Council in and to the bill entitled "*An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Cobourg Bank.*"

In the title expunge "Cobourg Bank" and insert "Bank of the Newcastle district."  
Press 2—Line 7—Expunge "Cobourg Bank" and insert "Bank of the Newcastle district."

- " " " 22—Expunge "sixteen" and insert "eight."
- " 3 " 12—Expunge "two hundred" and insert "eighty."
- " " " 14—Expunge "to be ready as a deposit at the time of subscribing," and insert "on the amount of stock subscribed by any person shall be deposited at the time of subscribing with the agent appointed to open the books of such Bank, or in some chartered bank within the Province subject."
- " 5 " 5—Expunge "two" and insert "one."
- " " " 7—Expunge "fifty" and insert "twenty-five."
- " 7 " 17—Expunge "ten" and insert "twenty."

Add to the bill "29. And be it further enacted by the authority aforesaid, That so soon after the passing of this act as the nett profits made by the said corporation in the course of their business shall enable them to divide more than six pounds per centum per annum upon the capital stock paid in, then they shall pay to the Receiver General of this Province for the time being, the amount of all their nett profits which shall exceed such proportion of six pounds per centum per annum upon the stock paid in until they shall have so paid to the Receiver General the sum of five thousand pounds, which moneys shall remain in the hands of the Receiver General subject to the disposition of the Legislature of this Province for the purpose of erecting or endowing an hospital or asylum for insane persons, and shall be accounted for to His Majesty His Heirs and Successors through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

"30. And be it further enacted by the authority aforesaid, That whenever it shall appear by any such returns as are required by this act to be made of the state and affairs of the said corporation, or whenever it shall appear to the satisfaction of the Legislature from any enquiry which the Legislative Council or House of Assembly

“ may think proper to order that the provision in the last preceding clause of this act contained has not been complied with by the said corporation according to the intention of this act, then it shall be competent for the Legislature of this province at any time afterwards by an act to be passed for that purpose, to annul and make void the charter of the said corporation, or upon an address of the Legislative Council or Assembly to the Governor, Lieutenant Governor, or person administering the government of this province, a proclamation shall be issued under the great seal of this province, declaring the charter of the said corporation to be void, and it shall be lawful in either case for the Legislature, by any act or acts to be passed for that purpose, to make such provision as shall appear to them necessary and just for the settling the affairs of the said corporation.”

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
30th day of March, 1836. }

Mr. Chisholm from the committee appointed to draft and report a bill founded on the resolution of this House granting a sum of money for the encouragement of common schools, presented a draft; which was received and read the first time. Committee to draft bill on com'n school grants, report draft. Read 1st time.

Mr. Charles Duncombe, seconded by Mr. Bruce, moves, that the bill be read a second time, and that the 40th rule be dispensed with for that purpose, so far as relates to the same. Bill read 1st time

Which was carried, and the bill was read the second time.

The House was put into committee of the whole on the bill. Committed.

Mr. Gilchrist in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House. Bill reported with out amendment.

The report was received.

Ordered—That the bill be engrossed and read a third time on Saturday next. 3rd reading Satur day.

On motion of Mr. Chas. Duncombe, seconded by Mr. Robinson, Committee to draft bill on grant to lunatic asylum.

Ordered—That Messrs. Bruce and Wells be a committee to draft and report a bill in conformity to the resolution of this House, granting a sum of ten thousand pounds for the purpose of building a lunatic asylum.

The Master in Chancery brought down from the Honorable the Legilative Council, a message, which was read as follows : Message from Legislative Council.

Mr. SPEAKER,

The Honorable Messieurs Allan, Elmsley, and Baldwin, have leave to attend a select committee of the Commors House of Assembly, as desired by that House in their message received this day, if they think fit. Messieurs Allan, Elmsley and Baldwin to attend committee of House of Assembly.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
30th day of March, 1836. }

Adjourned.

**Thursday, 31st March, 1836.**

The House met.

The minutes of yesterday were read.

Mr. Norton brought up the petition of William Weller, of the village of Cobourg; which was laid on the table. Petitions bro't up. Of Wm. Weller.

Mr. Hopkins brought up the petition of George Alton and twenty others, of the township of Trafalgar (Halton;) which was laid on the table. Of G. Alton and others

Pursuant to the order of the day, the bill granting to His Majesty the sum of fifty thousand pounds, to be expended on the roads and bridges in the several districts of this province, was read a third time. Road appropriation bill read 3d time.

Amendment moved.

Mr. Jones, seconded by Mr. Walsh, moves, that the bill be amended by expunging the whole of the 5th clause after the sentence "in the county of Leeds the sum of £2350, as follows" and inserting the following sentences and words namely :

Amendment.

"In the township of Elmsley the sum of three hundred pounds, to be expended by the township commissioners of the said township, upon such roads and bridges within the same, as they or a majority of them shall or may direct, provided that £150 of the said sum be expended in erecting a bridge across the River Rideau at Smith's Falls.

"In the township of Elizabeth, the sum of £200, to be expended by the township commissioners of the said township upon such roads and bridges within the same, as the said commissioners or a majority of them shall direct, and the further sum of £250 to be expended as follows, that is to say—the one half thereof on the bridge now erected, or one hereafter to be erected over the mill pond of Daniel Jones, Esquire, in the first concession of the said township, and the remainder thereof on the bridge now erected or hereafter to be built across the mill-pond of Doctor Hubbell on the Perth road in the said first concession, and that Daniel Jones, Esquire, Samuel Pennock, and Edward Harrison be commissioners for expending the same.

"In the township of Leeds the sum of £200, to be expended by the township commissioners of the said township, upon such roads and bridges as a majority of them shall direct.

"In the township of Yonge, the sum of £200 to be expended by the township commissioners of the said township upon such roads and bridges as a majority of them shall direct.

"In the township of Bastard, the sum of £200, to be expended by the township commissioners of the said township upon such roads and bridges as a majority of them shall or may direct.

"In the township of Kitley, the sum of £200, to be expended by the township commissioners of the said township, upon such roads and bridges as a majority of them shall direct.

"In the township of Burgess, the sum of £200, to be expended by the township commissioners of the said township, in such manner upon roads and bridges within the same as a majority of them shall direct.

"In the township of Lansdown, the sum of £200, to be expended by the township commissioners of the said township, in such manner upon roads and bridges within the same, as a majority of them may direct.

"In the township of South Crosby, the sum of £200 to be expended by the township commissioners of the said township, in such manner upon roads and bridges as a majority of them may direct.

"In the township of North Crosby the sum of £200, to be expended by the township commissioners of the said township, in such manner upon roads and bridges as a majority of them may direct."

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

Yeas, 14.

Boulton,  
Cornwall,  
Dunlop,  
Jones,

Lewis,  
McCrae,  
McKay,  
McLean,

Macnab,  
Robinson,  
Strange,

Thom,  
Walsh,  
Wilkinson—14.

NAYS—MESSIEURS.

Nays 24.

Alway,  
Bruce,  
Chisholm,  
Duncombe, *Oxford*,  
Duncombe, *Norfolk*,  
Gibson,

Gilchrist,  
Hopkins,  
Lount,  
McDonell, *Stormont*,  
McIntosh,  
McMicking,

Mulloch,  
Moore,  
Norton,  
Rymal,  
Shaver,  
Shibley,

Smith,  
Waters,  
Wells,  
Wilson,  
Woolverton,  
Yager,—24.

Question lost, majority 10.

Further amendment.

The question was decided in the negative by a majority of ten. Mr. Gilchrist, seconded by Mr. Moore, moves that the appropriations for the county of Northumberland be amended by adding the following :

"That out of the £80 granted to be expended by the township commissioners in Murray, £40 shall be expended on the roads South of the road leading from the River Trent to Kellogg's in Brighton, and that Dr. Pitkin Gross and Robert Weller be commissioners to expend the same."

Amendment carried.

Which was carried, and the amendment was read twice, adopted, and read a third time.

Mr. Jones, seconded by Mr. Wilkinson, moves, that the bill do not now pass, but that it be recommitted to a committee of the whole forthwith. Motion to refer bill to committee of whole.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS.

|          |         |          |               |         |
|----------|---------|----------|---------------|---------|
| Boulton, | Lewis,  | Strange, | Wilkinson,—6. | Yeas 6. |
| Jones,   | McLean, |          |               |         |

NAYS—MESSIEURS,

|                            |                              |           |             |          |
|----------------------------|------------------------------|-----------|-------------|----------|
| Bruce,                     | M'Donell, <i>Glengarry</i> , | Malloch,  | Smith,      |          |
| Chisholm,                  | McDonell, <i>Stormont</i> .  | Merritt,  | Thom,       |          |
| Cornwall,                  | McIntosh,                    | Moore,    | Waters,     |          |
| Duncombe, <i>Norfolk</i> , | McKay,                       | Norton,   | Wells,      |          |
| Dunlop,                    | Mackenzie,                   | Robinson, | Wilson,     |          |
| Gibson,                    | McMicking,                   | Shibley,  | Woolverton, | Nays 29. |
| Gilchrist,                 | Macnab,                      | Small,    | Yager—29.   |          |
| McCrae,                    |                              |           |             |          |

The question was decided in the negative by a majority of twenty-three. Question lost, ma majority 23.

On the question for passing the bill, the yeas and nays were taken as follows : On passing.

YEAS—MESSIEURS.

|                            |                              |           |             |          |
|----------------------------|------------------------------|-----------|-------------|----------|
| Bruce,                     | M'Donell, <i>Glengarry</i> , | Moore,    | Thorburn,   |          |
| Chisholm,                  | McDonell, <i>Stormont</i> .  | Norton,   | Waters,     |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                    | Robinson, | Wells,      |          |
| Dunlop,                    | McKay,                       | Shibley,  | Wilkinson,  |          |
| Gibson,                    | Mackenzie,                   | Small,    | Wilson,     |          |
| Gilchrist,                 | McLean,                      | Strange,  | Woolverton, |          |
| Lewis,                     | McMicking,                   | Thom,     | Yager—30.   | Yeas 30. |
| McCrae,                    | Malloch,                     |           |             |          |

NAYS—MESSIEURS.

|          |           |         |
|----------|-----------|---------|
| Boulton, | Jones,—2. | Nays 2. |
|----------|-----------|---------|

The question was carried in the affirmative by a majority of twenty-eight, and the bill was passed. Question carried, majority 28.

Mr. McDonell, of *Stormont*, seconded by Mr. Norton, moves, that the bill be entitled "*An Act granting to His Majesty a sum of money for the improvement of roads and bridges in the several districts of this Province.*" Title.

Which was carried, and Messrs. D. Æ. McDonell and Norton were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto. Bill sent up to Legislative Council.

Pursuant to the order of the day, the following petitions were read :

Of Nicholas Sparks of Bytown, praying redress in the premises. Petitions read. Of N. Sparks.

Of Welcome Yale and one hundred and ninety-two others, directors and stockholders in the London and Gore rail road company, praying for banking powers; and Of W. Yale and others.

Of T. W. Anderson and twenty-four others, citizens of Toronto, praying that the city taxes may be equalized. Of T. W. Anderson and others

Mr. Mackenzie, seconded by Mr. Wilson, moves, that when this House adjourns it shall stand adjourned 'till ten o'clock on Monday next. Motion for House to adjourn till Monday.

In amendment, Mr. Macnab, seconded by Mr. McLean, moves, that in the original motion the word "Monday" be expunged and "Saturday" inserted. Amendment.



On which the yeas and nays were taken as follows :

YEAS—MESSIEURS,

|          |   |  |  |  |
|----------|---|--|--|--|
| Yeas 20. | Boulton,<br>Brown,<br>Dunlop,<br>Jones,<br>Lewis, | McCrae,<br>McDonell,<br>McKay,<br>McLean,<br>Macnab, | Malloch,<br>Glenarry,<br>Norton,<br>Robinson,<br>Rykert,<br>Smith, | Solicitor General,<br>Thom,<br>Walsh,<br>Wells,<br>Wilkinson—20. |
|----------|---|--|--|--|

NAYS—MESSIEURS,

|         |  |   |  |   |
|---------|--|---|--|---|
| Nays 18 | Bruce,<br>Chisholm,<br>Gibson,<br>Gilchrist,<br>Hopkins, | McDonell,<br>McIntosh,<br>McMicking,<br>Moore,<br>Shaver, | Stormont,<br>Shibley,<br>Small,<br>Strange,<br>Thorburn, | Waters,<br>Wilson,<br>Woolverton,<br>Yager,—18. |
|---------|--|---|--|---|

The question of amendment was carried in the affirmative by a majority of two.

On original question. On the original question as amended being put, the yeas and nays were taken as follows :

YEAS—MESSIEURS

|          |   |   |  |  |
|----------|---|---|--|--|
| Yeas 21. | Boulton,<br>Cornwall,<br>Dunlop,<br>Jones,<br>Lewis,<br>McCrae, | McDonell,<br>McKay,<br>McLean,<br>Macnab,<br>Malloch, | Glenarry,<br>Norton,<br>Robinson,<br>Rykert,<br>Small,<br>Smith, | Sol. General,<br>Thom,<br>Walsh,<br>Wells,<br>Wilkinson,—21. |
|----------|---|---|--|--|

NAYS—MESSIEURS.

|          |   |  |  |   |
|----------|---|--|--|---|
| Nays 20. | Bruce,<br>Chisholm,<br>Durand,<br>Gibson,<br>Gilchrist, | Hopkins,<br>Lount,<br>McDonell,<br>McIntosh,<br>Mackenzie, | Stormont,<br>Shibley,<br>Strange,<br>Moore,<br>Shaver, | Therburn,<br>Waters,<br>Wilson,<br>Woolverton,<br>Yager—20. |
|----------|---|--|--|---|

Question carried majority 1.  
Messages from Lt. Governor.

The question was carried in the affirmative by a majority of one, Mr. Secretary Joseph brought down from His Excellency the Lieutenant Governor two messages and documents. The messages were read as follows :

F. B. HEAD.

Transmitting correspondence on discharge of duties of Secretary and Registrar's office.

The Lieutenant Governor transmits to the House of Assembly the inclosed correspondence which has taken place since the estimates for this year were laid before the House, relative to the discharge of the duties in the Secretary and Registrar's Office.

*Government House, 31st March, 1836.*

F. B. HEAD.

Transmitting papers, relative to emigrants in Nottawasaga.

The Lieutenant Governor transmits to the House of Assembly in compliance with its address of the 26th ultimo, the accompanying papers relative to the forwarding, settling, and employing emigrants in the township of Nottawasaga, and the adjoining townships.

*Government House, 31st March, 1836.*

Documents—(See Appendix.)

Message on Secretary and Registrar's office, referred.

On motion of Mr. Macnab, seconded by Mr. Robinson, Ordered—That the message and documents sent down from His Excellency, the Lieutenant Governor this day on the subject of the office of Secretary and Registrar of this Province, be referred to the committee on finance.

London and Gore rail road bill, read 3d time.

Pursuant to the order of the day, the London and Gore rail road bill was read a third time.

Mr. Parke, seconded by Mr. Charles Duncombe, moves, that **Amendment.**  
the following be added to the eighth clause :

“Provided always, nevertheless that unless that part of the improvement contemplated by this Act, namely, the improvement of the River Thames from the town of London to the navigable waters of the said River by slack water navigation, be commenced within the period of two years after the passing of this act, and finished within five years all the powers given by this Act so far as relates to that part of the improvement of the said River Thames, shall be perfectly void, and of no effect or force.”

Which was carried, and the proviso was read twice, concurred **3d reading to day.**  
in, and ordered to be engrossed and read a third time this day.

Pursuant to the order of the day the Prescott Police bill was **Prescott police bill**  
read the third time and passed. **passed.**

Mr. Wells, seconded by Mr. Norton, moves that the bill be entitled **Title.**  
“*An Act to amend the Police laws of the town of Prescott.*”

Which was carried, and Messrs. Wells and Norton were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. **Bill sent to Legislative Council.**

Pursuant to the order of the day the proviso to the London and Gore rail-road bill was read the third time. **Proviso to London and Gore rail road bill read 3d time.**

On the question for passing the bill, Mr. Solicitor General, seconded by Mr. McIntosh, moves in amendment that the bill do not now pass, but that it be recommitted on Saturday next. **Committed on Saturday next.**

Which was carried and ordered.

Mr. Speaker reported that he had received a communication from the clerk of the Crown in Chancery, which was read as follows: **Mr. Speaker reports communication from Clerk Crown-in-Chancery.**

*Clerk of the Crown in Chancery's Office, }  
Toronto, 31st March, 1836. }*

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that in obedience to the order of the House, bearing date the 30th instant, he has sued out a writ of election for the return of one member to represent the county of Hastings in the present Parliament, in the room of the late James Hunter Samson, Esq. deceased. That His Excellency the Lieutenant Governor has been pleased to appoint John McLean, Esquire, Returning Officer, and directed the election to be held at Belleville, on Monday the 25th day of April, now next ensuing. **Writ of election sued out for county of Hastings.**

SAMUEL P. JARVIS,  
*C. C. Chancery.*

To the Hon'ble. MARSHALL S. BIDWELL,  
*Speaker of the Commons House of Assembly &c. &c.*

The Master in Chancery brought down from the Honorable the Legislative Council two messages, which were read as follows: **Messages from Legislative Council.**

MR. SPEAKER,  
The Legislative Council has passed the bill sent up from the Commons' House of Assembly, entitled, “An Act to authorise the payment to the Treasurer of the district of Ottawa of the appropriation towards the support of Common Schools in said districts for the years 1835 and 1836,” without any amendment. **Ottawa district school money bill passed.**

JOHN B. ROBINSON,  
*Speaker.*

*Legislative Council Chamber, }  
31st day of March, 1836. }*

MR. SPEAKER,  
The Honorable Messrs. Markland and Robinson have leave to attend select committee of the Commons House of Assembly, as desired by their several messages received yesterday, if they think fit. **Leave granted to Hon. Messrs. Markland and Robinson to attend Select committee.**

JOHN B. ROBINSON,  
*Speaker.*

*Legislative Council Chamber, }  
31st day of March, 1836. }*

On which the yeas and nays were taken as follows :

YEAS—MESSIEURS,

|          |   |  |   |   |
|----------|---|--|---|---|
| Yeas 20. | Boulton,<br>Brown,<br>Dunlop,<br>Jones,<br>Lewis, | McCrae,<br>McDonell,<br>McKay,<br>McLean,<br>Macnab, | Malloch,<br>Norton,<br>Robinson,<br>Rykert,<br>Smith, | Solicitor General,<br>Thom,<br>Walsh<br>Wells,<br>Wilkinson—20. |
|----------|---|--|---|---|

NAYS—MESSIEURS,

|         |  |   |  |   |
|---------|--|---|--|---|
| Nays 18 | Bruce,<br>Chisholm,<br>Gibson,<br>Gilchrist,<br>Hopkins, | McDonell,<br>McIntosh,<br>McMicking,<br>Moore,<br>Shaver, | Stormont,<br>Shibley,<br>Small,<br>Strange,<br>Thorburn, | Waters,<br>Wilson,<br>Woolverton,<br>Yager,—18. |
|---------|--|---|--|---|

The question of amendment was carried in the affirmative by a majority of two.

On the original question as amended being put, the yeas and nays were taken as follows :

YEAS—MESSIEURS

|          |   |   |   |  |
|----------|---|---|---|--|
| Yeas 21. | Boulton,<br>Cornwall,<br>Dunlop,<br>Jones,<br>Lewis,<br>McCrae, | McDonell,<br>McKay,<br>McLean,<br>Macnab,<br>Malloch, | Glengarry,<br>Norton,<br>Robinson,<br>Rykert,<br>Small,<br>Smith, | Sol. General,<br>Thom,<br>Walsh,<br>Wells,<br>Wilkinson,—21. |
|----------|---|---|---|--|

NAYS—MESSIEURS.

|          |   |  |  |   |
|----------|---|--|--|---|
| Nays 20. | Bruce,<br>Chisholm,<br>Durand,<br>Gibson,<br>Gilchrist, | Hopkins,<br>Lount,<br>McDonell,<br>McIntosh,<br>Mackenzie, | Stormont,<br>Moore,<br>Shaver,<br>Shibley,<br>Strange, | Thorburn,<br>Waters,<br>Wilson,<br>Woolverton,<br>Yager—20. |
|----------|---|--|--|---|

The question was carried in the affirmative by a majority of one, Mr. Secretary Joseph brought down from His Excellency the Lieutenant Governor two messages and documents.

The messages were read as follows :

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly the inclosed correspondence which has taken place since the estimates for this year were laid before the House, relative to the discharge of the duties in the Secretary and Registrar's Office.

*Government House, 31st March, 1836.*

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly in compliance with its address of the 26th ultimo, the accompanying papers relative to the forwarding, settling, and employing emigrants in the township of Nottawasaga, and the adjoining townships.

*Government House, 31st March, 1836.*

Documents—(See Appendix.)

Message on Secretary and Registrar's office, referred.

On motion of Mr. Macnab. seconded by Mr. Robinson,  
*Ordered*—That the message and documents sent down from His Excellency, the Lieutenant Governor this day on the subject of the office of Secretary and Registrar of this Province, be referred to the committee on finance.

London and Gore rail road bill, read 3d time.

Pursuant to the order of the day, the London and Gore rail road bill was read a third time.

Also the bill sent up from this House, entitled, "An Act to extend the time of commencing the Cobourg rail road."—to which that honorable House had made some amendments, and requested the concurrence of this House thereto.

Amendments.

The amendments made by the Honorable the Legislative Council in and to the bill entitled, "An Act to extend the time of commencing the Cobourg Rail Road," were read a first time as follows:

Amendments made by the Legislative Council in and to the bill entitled, "An Act to extend the time of commencing the Cobourg Rail Road."

Line 17.—After "passing of" expunge the remainder, and insert "this Act."  
*Legislative Council Chamber,* } JOHN B. ROBINSON,  
 31st day of March, 1836 } *Speaker.*

On the question for the second reading of the amendments to-morrow.

In amendment—Mr. Boulton, seconded by Mr. Robinson, moves, that the amendments to the bill be read a second time this day, and that the 40th rule of this House be dispensed with for that purpose as far as relates to the same.

Read 2nd time and Committed.

Which was carried, & the amendments were read a second time.

The House was put into committee of the whole on the same.

Mr. Solicitor General in the chair.

The House resumed.

The chairman reported that the committee had agreed to the amendments and submitted them for the adoption of the House.

Read 3rd time and passed.

The report was received, and the amendments were read a third time and passed.

Bill sent to Legislative Council.

Messrs. Boulton and Gilchrist were ordered by the Speaker to carry the bill up to the honorable the Legislative Council, and to inform that honorable House that this House had concurred in the amendments.

Fire and life assurance company bill passed.

Pursuant to the order of the day, the question for passing the Life and Fire Assurance Company's bill, was put and carried.

Title.

Mr. Small, seconded by Mr. Macnab, moves, that the bill be entitled, "An Act to repeal and amend certain parts of an Act passed in the third year of His Majesty's reign, entitled, 'An Act to incorporate a Company under the style and title of the British America Fire and Life Assurance Company.'"

Bill sent to Legislative Council.

Which was carried, and Messrs. Small and Macnab were ordered by the Speaker to carry the same up to the honorable the Legislative Council, and to request their concurrence thereto.

Com. on pet. of W. L. Mackenzie report bill to relieve heirs of Robert Randal, and report.

Mr. Thorburn from the select committee to which was referred the petition of William Lyon Mackenzie Esq. executor to the estate of the late Robert Randal Esq., presented a report and the draft of a bill, which were received.

The report was received.

*Report—(See Appendix.)*

Bill for relief of heirs of R. Randal, read 1st time.

The bill for the relief of the heirs of the late Robert Randal was read the first time.

On 2d reading to-morrow.

On the question for the second reading of the bill to-morrow.

Amendment.

In amendment Mr. Macnab, seconded by Mr. Rykert, moves that a copy of the bill and report of the committee on the petition of the Executor of Robert Randal be furnished to all parties interested in the same, and that the bill be read a second time this day week.

Amendment lost.

On which the House divided and the question was lost.

2d reading Saturday. House adjourns

The bill was ordered for a second reading on Saturday.

Pursuant to the order of the day the House adjourned till ten A. M. on Saturday next.

Saturday, 2nd April, 1836.

The House met pursuant to adjournment.

PRESENT—Messrs. *Brown, Cornwall, Dunlop, McKay, Malloch, Norton, Parke, Perry, Richardson, Robinson, Rykert, Smith, Thom, Woolverton*—11. Present.

At eleven o'clock, A. M. the Speaker declared the House adjourned for want of a quorum. Adjourned for want of quorum.

Monday, April 4th, 1836.

The House met.

The minutes of Thursday and Saturday were read.

Mr. Wilson brought up the petition of Aaron Connor, Thomas Love, and Benjamin Hancock; which was laid on the table. Petition of Aaron Connor and others, brought up.

Pursuant to the order of the day, the common school bill was read the third time. Common school bill read 3d time.

On the question for passing the bill,

Mr. Chisholm, seconded by Mr. Durand, moves in amendment, that the bill do not now pass, but that it be recommitted this day to a committee of the whole to amend the same. Motion for re-commitment.

On which the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

|                            |                              |           |            |          |
|----------------------------|------------------------------|-----------|------------|----------|
| Boulton,                   | Lount,                       | Malloch,  | Strange,   |          |
| Caldwell,                  | M'Donell, <i>Glengarry</i> , | Moore,    | Thom,      |          |
| Chisholm,                  | McDonell, <i>Stormont</i> ,  | Parke,    | Walsh,     |          |
| Cook,                      | McIntosh,                    | Robinson, | Wells,     | Yeas 27. |
| Cornwall,                  | McKay,                       | Rymal,    | Wilkinson, |          |
| Duncombe, <i>Norfolk</i> , | Mackenzie,                   | Small,    | Wilson—27. |          |
| Durand,                    | McLean,                      | Smith,    |            |          |

NAYS—MESSIEURS,

|                           |            |           |             |           |
|---------------------------|------------|-----------|-------------|-----------|
| Brown,                    | Hopkins,   | Roblin,   | Woolverton, |           |
| Bruce,                    | McMicking, | Shaver,   | Yager—11.   | Nays, 11. |
| Duncombe, <i>Oxford</i> , | Norton,    | Thorburn, |             |           |

The question was carried in the affirmative by a majority of sixteen. Carried majority 16.

The House was put into committee of the whole on the bill.

Mr. Alway in the chair.

The House resumed.

The chairman reported that the committee had made some amendments to the bill, and submitted it for the adoption of the House. Bill amended.

The report was received.

On the question for the third reading of the bill tomorrow.

Mr. Charles Duncombe, seconded by Mr. Bruce, moves in amendment, that the bill be read a third time this day, and that the 41st rule of this House be dispensed with so far as relates to the same. 3rd reading to-day.

Which was carried and ordered.

Pursuant to the order of the day, the Huron and Ontario rail road bill was read a third time. Huron and Ontario rail road bill read 3d time.

On the question for passing the bill,

Mr. Durand, seconded by Mr. Smith, moves in amendment, that the word "Dundas" be inserted after the words "Burlington Bay," as originally adopted in the preamble of the bill in committee of the whole, in all the several clauses of the bill. On passing Amendment.

Carried.

which was carried and ordered.

King's College bill read 3d time.

Pursuant to the order of the day, the bill to amend the charter of King's College was read the third time.

On question for passing the bill.

On the question for passing the bill, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |                            |                              |            |                 |
|----------|----------------------------|------------------------------|------------|-----------------|
| Year 30. | Alway,                     | Dunlop,                      | Mackenzie, | Smith,          |
|          | Brown,                     | Durand,                      | McMicking, | Strange,        |
|          | Chesser,                   | Gibson,                      | Malloch,   | Thom,           |
|          | Chisholm,                  | Lewis,                       | Merritt,   | Walsh,          |
|          | Cook,                      | McDonell, <i>Glengarry</i> , | Moore,     | Wells,          |
|          | Cornwall,                  | McDonell, <i>Stormont</i> ,  | Norton,    | Wilson,         |
|          | Duncombe, <i>Oxford</i> ,  | McIntosh,                    | Perry,     | Woolverton.—30. |
|          | Duncombe, <i>Norfolk</i> , | McKay,                       |            |                 |

NAYS—MESSIEURS.

|         |          |         |         |              |
|---------|----------|---------|---------|--------------|
| Nays 4. | Boulton, | McLean, | Macnab, | Robinson,—4. |
|---------|----------|---------|---------|--------------|

Carried, majority 26.

The question was carried in the affirmative by a majority of twenty-six, and the bill was passed.

Title.

Mr. Chisholm, seconded by Mr. Durand, moves, that the bill be entitled, "*An Act to amend the charter of King's College.*"

Bill sent to Legislative Council.

Which was carried, and Messrs. Chisholm and Durand were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Amendments to common school bill read 3d time.

Pursuant to the order of the day, the amendments made to the common school bill, were read a third time.

Question for passing.

On the question for passing the bill being put, Mr. Macnab, seconded by Mr. McKay, moves in amendment, that the bill do not now pass, but that it be

*Resolved*—That a commission be appointed to examine and report to this House at the next meeting of the Legislature on the subject of Education of this Province—and that the commission consist of the following gentlemen—the Rev. Dr. Harris; the Rev. A. Gaig; Wm. Warren Baldwin, Esq. and Dr. Morrison.

Division.

On which the yeas and nays were taken as follows :

Yeas 4.

|          |        |                 |         |           |
|----------|--------|-----------------|---------|-----------|
| Boulton, | McKay, | YEAS—MESSIEURS. | Macnab, | Walsh,—4. |
|----------|--------|-----------------|---------|-----------|

NAYS—MESSIEURS

|          |                            |                              |             |             |
|----------|----------------------------|------------------------------|-------------|-------------|
| Nays 40. | Alway,                     | Gilchrist,                   | McMicking,  | Small,      |
|          | Bruce,                     | Hopkins,                     | Malloch,    | Smith,      |
|          | Chesser,                   | Lewis,                       | Moore,      | Strange,    |
|          | Chisholm,                  | Lount,                       | Morrison,   | Thom,       |
|          | Cook,                      | M'Donell, <i>Glengarry</i> , | Norton,     | Thorburn,   |
|          | Cornwall,                  | McDonell, <i>Stormont</i> ,  | Parke,      | Waters,     |
|          | Duncombe, <i>Oxford</i> ,  | McDonell <i>Northumb.</i>    | Richardson, | Wells,      |
|          | Duncombe, <i>Norfolk</i> , | McIntosh,                    | Robinson,   | Wilson,     |
|          | Durand,                    | Mackenzie,                   | Rykert,     | Woolverton, |
|          | Gibson,                    | McLean,                      | Rymal,      | Yager—40.   |

Question lost, majority 33.

The question of amendment was decided in the negative by a majority of twenty-six

On question for passing bill.

On the question for passing the bill the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

|          |                            |                              |             |             |
|----------|----------------------------|------------------------------|-------------|-------------|
| Yeas 35. | Alway,                     | Gibson,                      | Moore,      | Smith,      |
|          | Bruce,                     | Gilchrist,                   | Morrison,   | Strange,    |
|          | Chesser,                   | Hopkins,                     | Norton,     | Thorburn,   |
|          | Chisholm,                  | Lount,                       | Parke,      | Waters,     |
|          | Cook,                      | McDonell, <i>Glengarry</i> , | Richardson, | Wells,      |
|          | Cornwall,                  | McDonell, <i>Stormont</i> .  | Rykert,     | Wilson,     |
|          | Duncombe, <i>Oxford</i> ,  | McIntosh,                    | Rymal,      | Woolverton, |
|          | Duncombe, <i>Norfolk</i> , | Mackenzie,                   | Shaver      | Yager—35.   |
|          | Durand,                    | McMicking,                   | Small,      |             |

NAYS—MESSIEURS.

|  |                             |                       |                   |          |
|--|-----------------------------|-----------------------|-------------------|----------|
| Boulton,<br>Lewis,<br>M'Donell, <i>Northumb.</i> | McKay,<br>McLean,<br>McNab, | Malloch,<br>Robinson, | Thom,<br>Walsh—10 | Nays 10. |
|--|-----------------------------|-----------------------|-------------------|----------|

The question was carried in the affirmative by a majority of twenty-five, and the bill was passed. Carried. majority 25.

Mr. Charles Duncombe, seconded by Mr. Chisholm, moves that the bill be entitled "*An Act for the better regulation of common schools within this province, and making further provisions for the same.*" Title.

Which was carried and Messrs. Charles Duncombe and Chisholm were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent up to Legislative Council.

Pursuant to the order of the day the amendments to the Huron and Ontario rail-road bill were read the third time and the bill was passed. Huron and Ontario rail road bill passed.

Mr. Macnab, seconded by Mr. Dunlop, moves that the bill be entitled "*An Act to incorporate a company to construct a rail-road from Burlington Bay to Lake Huron.*" Title.

Which was carried, and Messrs. Macnab and Dunlop were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent up to Legislative Council.

Pursuant to the order of the day, the bill to protect the fishery at Burlington bay was read the third time and passed. Burlington fishery Bill passed.

Mr. Smith seconded by Mr. Rymal moves that the bill be entitled "*An Act for the preservation of the Fishery within Burlington Bay.*" Title.

Which was carried, and Messrs. Smith and Rymal were ordered by the Speaker to carry the bill up to the Hon. the Legislative Council and request their concurrence thereto. Bill sent to Legislative Council.

Pursuant to the order of the day the bill appropriating a sum of money for the support of common schools was read a third time. Common school appropria'n bill read 3rd time.

On the question for passing the same the yeas and nays were taken as follows : On question for passing.

YEAS—MESSIEURS.

|  |   |   |  |          |
|--|---|---|--|----------|
| Bruce,<br>Caldwell,<br>Chesser,<br>Chisholm,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson, | Hopkins,<br>Lewis,<br>Lount,<br>M'Donell, <i>Glengarry</i> ,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>McKay,<br>Mackenzie,<br>McLean, | McMicking,<br>Malloch,<br>Morrison,<br>Norton,<br>Parke,<br>Richardson,<br>Robinson,<br>Rykert, | Rymal,<br>Smith,<br>Strange,<br>Thorburn,<br>Walsh,<br>Waters,<br>Wells,<br>Wilson—34. | Yeas 34. |
|--|---|---|--|----------|

NAY—Mr. Macnab—1.

The question was carried in the affirmative by a majority of thirty-three and the bill was passed. Nay 1. Carried.

Mr. Chisholm, seconded by Mr. Rymal, moves that the bill be entitled, "*An Act to provide additional aid in support of common schools in the several districts in this Province.*" Title.

Which was carried, and Messrs. Chisholm and Rymal were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the following petitions were read : Petitions read.

Of Alexander McPhee and thirty-six others, of the township of Lochiel, Eastern district, praying that the Western boundary line of the township may be the governing line of the same. Of A. McPhee and others.

Of E. C. Taylor.

Of E. C. Taylor, of Goderich, (Huron), praying that the House would authorise a loan of £1,500 to enable a company to conduct a fishery on lake Huron.

Of W. Weller.

Of Wm. Weller, of the town of Cobourg, praying remuneration for loss sustained in building the bridge, &c. at Rouge hill—and

Of G. Alton.

Of George Alton, and twenty others, of the township of Trafalgar (Halton), praying aid for roads.

On motion of Mr. Lount, seconded by Mr. McIntosh,

Documents, &c. on settlement at Nottawasaga, referred.

*Ordered*—That the papers and documents sent down to this House by His Excellency, the Lieutenant Governor on Thursday last, relative to the emigrant expenditure and settlement at Nottawasaga, be referred to the committee to whom was referred the petition of Edward Kennedy.

Com on petition of A. Miller, report Hamilton water works' bill.

Mr. Macnab, from the committee to which was referred the petition of A. Miller and others, informed the House, that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same.

Bill read 2d time to-morrow.

The report was received and the bill was read the first time.

*Ordered*—That the Hamilton Water Works bill be read a second to-morrow.

Committee on improvement of Ottawa river, report.

Mr. McKay from the select committee to which was referred the subject of the improvement of the navigation of the Ottawa, presented a first report, which was received and read.

#### Report—(See Appendix.)

Committee on parliament buildings & library, report.

Mr. Morrison, from the select committee to which was referred the state of the building at present occupied by the Legislature, and of the Library, presented a first report, which was received and read as follows :

*To the Honorable the Commons' House of Assembly,*

Report of committee.

The committee appointed to examine and report on the present state and means of accommodation of the building now occupied for the sittings of the Legislature and of the Library, beg leave to make a first report, as follows :

Your committee on examining the building, find it too small for the various purposes for which it was designed—the committee rooms are too few;—the clerks' offices inconvenient and unwholesome, and quite unfit as a depository of records, on account of moisture, from which cause they are daily going to destruction, which, indeed, can hardly be avoided in underground apartments; in short that the accommodations afforded are altogether inadequate to the convenient transaction of the accumulating business of the Provincial Legislature.

The roof of the building is in a bad state, and demands immediate attention, and several parts of the house are yet unfinished. The Assembly room requires some alterations and improvements, the sound being very imperfect, and the interior arrangement in many respects inconvenient.

Your committee have given their best attention to the propriety and practicability of raising the building another story, with a view to affording the various necessary conveniences. This would certainly add much to the appearance of the building, and afford all the additional accommodation required; but they find that this improvement, however desirable, would be attended with much that is difficult and objectionable.—The roof, in that case, must be taken off, leaving the whole interior of the building exposed to the weather while a story of brick work was being raised and the roof putting on, add to which it would be a work of considerable time, and the necessary expense thereof very great; it would, therefore, be with some hesitation that your committee would recommend the adoption of this measure.

Your committee, after giving to the subject every consideration, have procured a plan which they herewith submit, which appears to give all the accommodation requisite for clerks' offices, committee rooms, &c. &c., and which would add materially to the appearance of the building by the connexion it would give to the whole range; this plan, all circumstances considered, they are disposed to recommend. They would also propose the covering of the roof with tin in the best manner, in order to the permanent security and protection of the building—the alteration of the Assembly room so as to im-



prove the sound, and render the arrangement of the seats more convenient, and also the completion of such parts of the building as are still in an unfinished state.

The probable expense of the proposed improvements may be computed nearly as follows:—Each Wing may cost, if properly done, about £850. The roof about £500, which, together with the alterations of the Assembly room, and the smaller matters already commenced, may bring the whole expenditure to about three thousand pounds.

In conclusion, your committee beg leave to observe, that, let the improvements adopted by your Honorable House be what they may, the necessity of having the work well done, and in time for the next meeting of the Legislature, requires that the closest attention and exertion should be bestowed for their accomplishment; and with that view your committee would suggest the appointment of some competent and practical builder as a commissioner who would have all the materials contracted for, and the work executed under his own immediate direction and management, and who would be responsible to the Legislature for the proper expenditure of the appropriation, and from his experience be able to have the work properly executed, and finished in due time.—Your committee are unable to devise any other method by which the contemplated improvements can be completed to the satisfaction of your Honorable House.

All which is most respectfully submitted.

T. D. MORRISON,

Chairman.

Committee Room, House of Assembly, }  
4th day of April, 1836. }

Mr. Wells from the committee to which was referred the petition of W. H. Botrum and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Com. on petition of W. H. Bottum & others, report.

Oxford boundary line bill.  
Read 1st time.  
2d reading to-mor-row.

The report was received and the bill was read a first time.

*Ordered*—That the Oxford boundary line bill be read a second time to-morrow.

Mr. McMicking from the committee to draft and report a bill founded upon a resolution of this House granting £20,000 pounds for liquidating the claims for losses sustained by the late war with the United States of America, presented a draft, which was received and read the first time.

Committee to draft bill on grant of £20,000 for war losses, report draft.

2d reading to-mor-row.

*Ordered*—That the war loss bill be read a second time to-mor-row.

Mr. Small from the committee to draft and report a bill on the subject of the assessments to be in future levied and collected in the city of Toronto, presented a draft which was received and read the first time.

Committee to draft bill on Toronto assessments, report draft.

*Ordered*—That the Toronto Assessment bill be read a second time to-morrow.

2d reading to-mor-row.

Mr. Morrison from the select committee to which was referred the petition of William Proudfoot and others of the city of Toronto, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Committee, on petition of W. Proudfoot and others, report Toronto Gas light company bill

The report was received, and the bill was read the first time.

Bill read 1st time.  
2d reading to-mor-row.

*Ordered*—That the Toronto Gas Light company bill be read a second time to-morrow.

Mr. Small from the committee to which was referred the petition of C. J. Baldwin, and others, Thomas Parke and others, John Fisher and others, Billa Flint and others, and T. McGuire and others, presented a report and the draft of an address, both of which were received.

Committee on petitions of C. J. Baldwin, Thomas Parke, J. Fisher, B. Flint and T. McGuire and others, report.

The report was read as follows :

*To the Honorable the House of Assembly.*

Your committee to whom was referred the petition of C. J. Baldwin and two thousand four hundred and thirty others; the petition of Thomas Parke and fifty-three others; of John Fisher and one hundred and twenty-one others; of Billa Flint and seven hun-

Report.

dred and forty-six others; and of T. McGuire and two hundred and seventeen others;—praying for the passage of an Act to prohibit Orange processions, beg leave respectfully to report, as their first report, the accompanying address to His Excellency, the Lieutenant Governor.

JAS. E. SMALL,  
Chairman.

Address to His Excellency on Orange processions, concurred in.  
3d reading to-day.

Committee Room, House of Assembly, }  
April 4th, 1836.

Committee on bill on boundary lines of Chatham & Camden report bill.

The address was read twice, concurred in and ordered to be engrossed and read a third time this day.

Mr. Cornwall from the select committee to which was referred the bill for regulating the boundary lines of Chatham and Camden presented the draft of a new bill on that subject, which was received and read.

2d reading to-morrow.

*Ordered*—That the Chatham and Camden boundary line bill be read a second time to-morrow.

Committee to wait on His Excellency with address on Gull Island light house—report answer.

Mr. Parke from the committee to wait on His Excellency the Lieutenant Governor with the address of this House on the subject of Gull Island light house, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

I will transmit the report of a select committee of the House of Assembly upon the subject of a light house upon Gull Island, to the commissioners appointed to superintend the construction of that work, for their direction.

Answer.

Mr. Gibson, from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House requesting information concerning Militia fines in the Home district, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

I shall direct the proper officer to furnish the information required by this address, with as little delay as possible.

Answer.

On motion of Mr. Chisholm, seconded by Mr. Donald McDonnell,

Petitions referred. Of A. McPhee & others.

*Ordered*—That the petition of Alexander McPhee and others, of the township of Lochiel, be referred to a select committee, consisting of Messrs. Rykert and Gibson, to report thereon by bill or otherwise.

Of G. Alton and others.

On motion of Mr. Hopkins, seconded by Mr. Durand,  
*Ordered*—That the petition of George Alton and others, of the township of Trafalgar, be referred to the committee of Supply.

Of William Weller, and the Journals of last session on his petition.

Mr. Norton, seconded by Mr. Boulton, moves, that the petition of Wm. Weller be referred forthwith to a committee of the whole House, together with so much of the Journals of the last session, as relates to the report of the select committee upon the petition of the said William Weller, praying remuneration for losses sustained in improving the hill at the river Rouge and erecting a bridge over the said river, in the Home district.

Report &c. committed.

Which was carried.

The House was put into committee of the whole on the same.

Mr. Rymal in the chair.

The House resumed.

Resolution report'd

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

*Ordered*—That the report be received.

The resolution was then read and adopted, as follows :

*Resolved* That the sum of £600 be granted to His Majesty to remunerate William Weller for the losses sustained by him in improving the mill at the River Rouge, and erecting a bridge over the said river, in the Home district, and for the purpose of completing said improvements. Resolution, £600 to remunerate W. Weller.

On motion of Mr. Norton, seconded by Mr. Boulton,

*Ordered*—That Messrs. Morrison, Boulton, and Roblin be a committee to draft a bill in pursuance of the foregoing resolution.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor for information on the law relating to public processions was read the third time and passed, and is as follows : Address to His Excellency on Orange processions, passed.

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province, of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully request that Your Excellency will be pleased to direct to be laid before this House without delay, the opinions of His Majesty's Attorney and Solicitor Generals how far the laws in force in this Province are calculated, if rigidly enforced, to put down public processions likely to endanger the public peace, and whether in their opinion it is necessary to pass a law to prohibit all processions having such a tendency—and that Your Excellency will be pleased to inform the House whether the government of this Province have taken or determined to take any steps to prevent or discourage public processions of Orange societies, or to discourage the formation or continuance of such societies.

Address.

*Commons House of Assembly,*  
4th March, 1836.

MARSHALL S. BIDWELL,  
*Speaker.*

On motion of Mr. Parke, seconded by Mr. McIntosh,

*Ordered*—That Messrs. Small and Wells be a committee to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the address of this House, and to present the same.

On motion of Mr. Perry seconded by Mr. Roblin,

*Ordered*—That an humble address be presented to His Excellency the Lieutenant Governor, requesting that his Excellency will be pleased to cause to be laid before this House, with as little delay as possible, a full and correct statement shewing the several parsonages or rectories formed, constituted, or erected under the great seal of the province, by and with the advice and consent of the Executive Council within the province, since the 5th day of February last, 1836, the date of the last statement sent down to this House, (at which date it appears there had already been erected as aforesaid no less than forty-four of such parsonages or rectories, with endowments to each of certain portions of Lands, varying from two hundred to eight hundred acres) shewing the particular lots, tracts, or parcels of lands with which the said former parsonages or rectories have been endowed, and also shewing the names of the ministers presented as incumbents of the several parsonages, rectories or livings, giving the dates of the several instruments as aforesaid, and also that His Excellency will inform the House what, if any applications have been made for the constituting, erecting and endowing any parsonages or rectories in this province, and for the presentation of incumbents to the same, which has not yet been granted, stating the place where such parsonage or rectory is requested to be erected, the particular lots, parcels, or tracts of land, and quantity with which the same is

Address to His Excellency ordered, for further information on parsonages, &c.

proposed to be endowed, the name of the minister desired to be presented as the incumbent of such parsonage, rectory or living, together with the date of the application, and shewing whether the several applications have been rejected, or are yet under consideration—and that Messrs. McMicking and David Duncombe be a committee to draft and report the said address, and that the thirty-first rule of this House be dispensed with so far as relates to this motion.

Petitions referred.  
Of T.W. Anderson  
and others

On motion of Mr. Small, seconded by Mr. Cornwall,  
*Ordered*—That the petition of T. W. Anderson and twenty-four others, be referred to the committee to whom was referred the petition of the Mayor of the city of Toronto.

Of R. Marchant  
and others

On motion of Mr. Small, seconded by Mr. Cornwall,  
*Ordered*—That the petition of R. Marchant and five others, be referred to the committee on finance.

Address to His Excellency for information respecting the case of Mr. Forsyth.

On motion of Mr. Mackenzie, seconded by Mr. Wilson,  
*Ordered*—That an humble address be presented to His Excellency, the Lieutenant Governor, requesting that His Excellency would lay before this House for its information, copies of all communications between the Colonial office or any other department of the government in England, and the Lieutenant Governors of this Province relative to the wrong and injury done to Wm. Forsyth, late of the Niagara Falls Pavilion, by a military outrage committed in 1827 on the property of the said William Forsyth, as is set forth in the 5th report from the committee of this House of last session on Grievances, and the address of this House to the late Lieutenant Governor—together with all opinions of the Crown officers, and other documents relative to that transaction, other than those which have already been communicated to this House—That Messrs. McMicking and Woolverton be a committee to draft and report said address, and that the 31st rule be dispensed with in so far as its operation would interfere with this motion.

Documents relating to parsonages—referred.

On motion of Mr. Perry, seconded by Mr. Gibson,  
*Ordered*—That the several documents sent down to this House by His Excellency relative to erecting and endowing parsonages, be referred to the committee to whom was referred the correspondence between His Excellency and the late Executive Council.

Bill to amend the Act for erecting L't. house on Gull Island brought in.

Mr. Roblin, seconded by Mr. Yager, moves for leave to bring in a bill to amend an Act passed the first session of the present parliament, granting a sum of money for the erection of a light house on Gull Island, in the Newcastle district, and that the 31st rule of this House be dispensed with for that purpose so far as relates to the same.

Which was granted, and the bill read.

On 2d reading

On the question for the second reading of the bill to-morrow the yeas and nays being taken were as follows :

YEAS—MESSIEURS.

|           |            |           |             |
|-----------|------------|-----------|-------------|
| Alway,    | Hopkins,   | Morrison, | Smith,      |
| Boulton,  | Lewis,     | Parke,    | Strange,    |
| Brown,    | Lount,     | Roblin,   | Thorburn,   |
| Bruce,    | McIntosh,  | Rymal,    | Wilson,     |
| Chisholm, | Mackenzie, | Shaver,   | Woolverton, |
| Cook,     | McMicking, | Small,    | Yager—26.   |
| Gibson,   | Moore,     |           |             |

Yeas, 26

NAYS—MESSIEURS.

Nays 6.

|            |        |             |           |
|------------|--------|-------------|-----------|
| Dunlop,    | McKay, | Richardson, | Walsh,—6. |
| Gilchrist, | Perry, |             |           |

The question was carried in the affirmative by a majority of twenty, and the bill to amend the Gull Island light house act was ordered for a second reading to-morrow. Question carried, majority 20.

On motion of Mr. McKay, seconded by Mr. Thom,

*Ordered*—That the petition of Nicholas Sparks and others, be referred to a select committee, composed of Messrs. Rykert and Richardson, with power to send for persons and papers, and to report thereon by bill or otherwise. Petition of Nicholas Sparks, referred.

Adjourned.

**Tuesday, 5th April, 1836.**

The House met.

The minutes of yesterday were read. Petitions bro't up

Mr. Dunlop brought up the petition of James Cull, of the City of Toronto; which was laid on the table. Of James Cull.

Mr. Yager brought up the petition of John Grass and one hundred and eighty others, of the township of Kingston; which was laid on the table. Of John Grass & others.

Mr. Perry brought up the petition of Robert F. Gourlay, of Wilmoughby, State of Ohio; which was laid on the table. Of R. F. Gourlay.

Mr. Robinson brought up the petition of Isaac Fell and five hundred and twenty-eight others, of the county of Simcoe, Home district; which was laid on the table. Of Isaac Fell and others.

On motion of Mr. McKay, seconded by Mr. Thom,

*Ordered*—That on to-morrow, the House do resolve itself into a committee of the whole, to take into consideration, the report of the select committee on the improvements of the Ottawa river. House to go into com. on improvement of River Ottawa on tomorrow.

On motion of Mr. Strange, seconded by Mr. Dunlop,

*Ordered*—That the petition of John Bryant be referred to the committee to whom the petition of Silas V. York was referred. Petition of John Bryant referred.

Pursuant to the order of the day, the House was put into a committee of the whole on the report of the select committee on the petition of John Paterson and others. House put into committee on petition of John Paterson and others.

Mr. Cook in the chair.

The House resumed.

The chairman reported that the committee had risen. Committee rises.

The report was received.

Mr. Morrison from the committee to which was referred the subject of the appointment of commissioners to meet commissioners appointed by Lower Canada, to treat of and report upon matters of common concern to both Provinces, reported the draft of a bill, which was read the first time. Committee on appointment of commissioners, report commissioners appointment bill.

*Ordered*—That the bill appointing commissioners, be read a second time to-morrow. 2d reading to-morrow.

Mr. Small from the select committee to which was referred the petition of Thomas Elliott and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Committee on petition of T. Elliott, report bill to regulate fines for selling spirituous liquors without license.

The report was received, and the bill was read the first time.

*Ordered*—That the bill to regulate the fine to be inflicted for selling spirituous liquors without license be read a second time to-morrow. 2nd reading tomorrow.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act to incorporate certain persons therein mentioned, under the name and style of the Niagara and Detroit Rivers Rail Road Company,*" were read the second time. Amendments to Niagara and Detroit rail road bill read 2d time.

The House was put into committee of the whole on the amendments.

Mr. Norton in the chair.

The House resumed.

The chairman reported that the committee had agreed to the amendments, and submitted them for the adoption of the House.

The report was received.

*Ordered*—That the amendments be read a third time to-morrow.

3rd reading to-mor-  
row.

House goes into  
committee to provide  
for remuneration of  
commissioners.

Mr. Morrison, seconded by Mr. Wells, moves, that the House do now resolve itself in a committee of the whole for the purpose of providing for the remuneration of commissioners to meet commissioners appointed by the Legislature of Lower Canada—and that the 31st rule be dispensed with so far as relates to this motion.

Which was carried, and the House was put into a committee of the whole.

Mr. Richardson in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

Committee report  
resolution.

The report was received.

The resolution was read and adopted, as follows :

*Resolved*—That the sum of four hundred pounds be granted to His Majesty to remunerate commissioners to meet commissioners appointed by Lower Canada, upon affairs of mutual interest to both Provinces.

Resolution grant-  
ing £400 to remu-  
nate commissioners.  
School lands bill  
read second time &  
committed.

Pursuant to the order of the day, the school lands bill was read the second time.

The House was put into committee of the whole on the bill.

Mr. McCrae in the chair.

The House resumed, black rod being at the door.

The Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

Report progress.

The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

On receiving re-  
port.

Motion to refer it  
to select committee.

On the question for receiving the report,  
In amendment, Mr. Perry, seconded by Mr. Wilson, moves, that the report be not now received, but that the bill be referred to the committee on education, with leave to report thereon.

On which the yeas and nays were taken as follows :

Division

YEAS—MESSIEURS,

|          |                           |                             |           |           |
|----------|---------------------------|-----------------------------|-----------|-----------|
| Yeas 27. | Alway,                    | Gilchrist,                  | Merritt,  | Shaver,   |
|          | Bruce,                    | Lount,                      | Morrison, | Smith,    |
|          | Chisholm,                 | McDonell, <i>Stormont</i> , | Norton,   | Thorburn, |
|          | Cook,                     | McIntosh,                   | Parke,    | Wells,    |
|          | Duncombe, <i>Oxford</i> , | Mackenzie,                  | Perry,    | Wilson,   |
|          | Durand,                   | McMicking,                  | Roblin,   | Yager—27. |
|          | Gibson,                   | Moore,                      | Rymal,    |           |

NAYS—MESSEURS,

|          |           |                              |               |               |
|----------|-----------|------------------------------|---------------|---------------|
| Nays 18. | Boulton,  | M'Donell, <i>Glengarry</i> , | Malloch,      | Strange,      |
|          | Caldwell, | M'Donell, <i>Northumb.</i>   | Richardson,   | Thom,         |
|          | Cornwall, | McKay,                       | Rykert,       | Walsh,        |
|          | Dunlop,   | McLean,                      | Sol. General, | Wilkinson—18. |
|          | Lewis,    | Macnab,                      |               |               |

Amendment car-  
ried.

The question of amendment was carried in the affirmative by a majority of nine, and ordered accordingly.

Mr. McMicking, from the committee to draft and report an address to His Excellency on the subject of Parsonages, Rectories, &c. presented a draft, which was received and read twice. Address to His Excellency on parsonages, &c. read twice.

Mr. Perry, seconded by Mr. Wilson, moves that the address be amended by adding the following :

“ And also a statement shewing the respective dates of the several instruments erecting the several parsonages, and presenting ministers or incumbents thereto, throughout the Province,—and also a statement giving full information relative to the use or appropriation made of the lands, houses, other buildings and property received of the Rev. James Coughlan, the George Mortimer, the Rev. Benjamin Cronyn, the Rev. Francis Evans, the Rev. Philip Mayerhoffer and Rear Admiral Vansittart, in Exchange for Clergy Reserves, whether the said lands, buildings, and other property so received, have been advertised or offered for sale or lease, and the names of the several persons in the possession or occupation of the same, and what particular portion is improved or under cultivation, and the amount received annually as rent, if any, for the same.” Amendment moved.

Which was carried, and the address was concurred in.

The address was then read a third time, and passed, and is as follows: Address read 3d time and passed.

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House, with as little delay as possible, a full and correct statement, shewing the several parsonages or rectories formed, constituted or erected, under the great seal of the Province, by and with the advice and consent of the Executive Council, within the Province, since the 5th day of February last, the date of the last statement sent down to this House, (at which date it appears there had already been erected as aforesaid no less than forty-four of such parsonages or rectories, with endowments to each of certain portions of lands ranging generally from four hundred to eight hundred acres) shewing the particular lots, tracts, or parcels of lands with which the said former parsonages or rectories have been endowed, and also shewing the names of the Ministers presented as incumbents of the several parsonages, rectories, or livings, giving the dates of the several instruments as aforesaid; and also, that His Excellency will inform the House what if any, applications have been made for the constituting, erecting, and endowing any parsonages or rectories in this Province, and for the presentation of incumbents to the same, which has not yet been granted, stating the place where such parsonage or rectory is requested to be erected, the particular lots, parcels, or tracts of land, and quantity with which the same is proposed to be endowed, the name of the Minister desired to be presented as the incumbent of such parsonage, rectory, or living, together with the dates of the application, and shewing whether the several applications have been rejected, or are yet under consideration. Address.

And also a statement shewing the respective dates of the several instruments erecting the several parsonages, and presenting ministers or incumbents thereto throughout the Province.

And also a statement giving full information relative to the use or appropriation made of the lands, houses, other buildings and property received of the Rev. James Coughlan, the Rev. George Mortimer, the Rev. Benjamin Cronyn, the Rev. Francis Evans, the Rev. Philip Mayerhoffer, and Rear Admiral Vansittart, in exchange for Clergy Reserves, whether the said lands, buildings, and other property so received have been advertised or offered for sale or lease, and the names of the several persons in the possession or occupation of the same, and what portion is improved or under cultivation, and the amount received annually as rent, if any, for the same.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
5th day of April, 1836. }

Com to wait on his Ex'y. with address.

On motion of Mr. Perry, seconded by Mr. Roblin,  
**Ordered**—That Messrs. Thorburn and Gilchrist be a committee to wait on His Excellency with the address, and present the same.

Mr. Speaker reports message from Legislative Council. Bills sent down from Legislative Council.

Mr. Speaker reported that the Master in Chancery had brought down from the honorable the Legislative Council, a message and a bill entitled, "*An Act to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or person administering the Government of this Province, to commute the sentence of death in certain cases for other punishment in this Act mentioned,*"—and a bill entitled, "*An Act for the relief of William Conway Keele,*"—which that honorable House had passed, and requested the concurrence of this House thereto—and the bill sent up from this House, entitled, "*An Act to repeal an Act passed in the fourth year of His present Majesty's reign, entitled, 'An Act to establish a Board of Police in the town of Belleville,' and to make further provision for the establishment of a Police in said town,*"—to which the honorable the Legislative Council had made some amendments, and requested the concurrence of this House thereto.

To provide punishment for petty offences. Keele's relief bill.

Belleville police amendment bill sent down amended.

The message was read as follows:

MR. SPEAKER:

West Gwillimbury road bill passed.

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled "*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,*" without any amendment.

JOHN B. ROBINSON,  
*Speaker.*

Legislative Council Chamber, }  
 4th day of April, 1836. }

The amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act to repeal an Act passed in the fourth year of His present Majesty's reign, entitled 'An Act to establish a board of police in the town of Belleville,' and to make further provisions for the establishment of a police in said town,*" were read a first time as follows:

Amendments to Belleville police bill read 1st time.

Amendments made by the Legislative Council in and to the bill entitled, "*An Act to repeal an act passed in the fourth year of His present Majesty's reign, entitled, 'An Act to establish a Board of Police in the town of Belleville,' and to make further provisions for the establishment of a Police in said town.*"

- Press 2. line 17.—After "have" expunge "been liable to pay," and insert "paid."
- " " " 18.—After "tenement" expunge "or" and insert "at the rate of ten pounds, per annum or upwards, Provided always, that" after "within" expunge "one" and insert "the".
- " " " 20.—After "tenement" expunge "And," and insert "they shall not thereby be disqualified from voting."
- " 3. " 10.—After "members" expunge the remainder of the clause.
- " " " 18.—Expunge "April" and insert "June."
- " " " 19.—Expunge "seventh" and insert "tenth."
- " 5. " 4.—Expunge "persons" and insert "purposes."
- " " " 20.—Expunge "seventh" and insert "tenth."
- " 7. " 11.—Expunge "the said corporation" and insert "any one of His Majesty's Justices of the Peace for the Midland District."
- " " " 13.—Expunge "corporation" and insert "said Justice."
- " " " 20.—Expunge "seventh" and insert "tenth."
- " " " 21.—After "or" insert "the."
- " 8. " 4.—Expunge "seventh" and insert "tenth."
- " 9. " 6.—Expunge "hereinafter" and insert "hereinbefore."
- " " " 23.—Expunge "seventh" and insert "tenth."
- " 10. " 9.—After "regulate" expunge "and license."



- “ “ “ 10.—After “houses” expunge “taverns,” after “fruit” insert “and,” after “victuals” expunge “and liquors distilled and not distilled.”
- “ “ “ 11.—After “sold” expunge “to be eaten or drank in such houses or groceries.”
- “ 12. Expunge the 21st clause.
- “ 14. “ 15.—Expunge “each member.”
- “ “ “ 16.—After “peace” add “acting within their divisions with respect to making or amending any street, highway, or road, within the said town.”

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
5th day of April, 1836. }

**Ordered**—That the amendments be read a second time to-mor-  
row. 2d reading to-mor-  
row.

The bill sent down from the honorable the Legislative Council, entitled, “*An Act to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or person administering the government of this Province, to commute the sentence of death in certain cases for other punishment in this Act mentioned;*”—was read a first time. Bill to provide  
punishment for offen-  
ces, read first time.

**Ordered**—That the bill be read a second time to-morrow.

The bill sent down from the honorable the Legislative Council, entitled, “*An Act for the relief of William Conway Keele,*”—was read a first time. Keele's relief bill  
read 1st time.

**Ordered**—That the bill be read a second time to-morrow.  
Adjourned.

2d reading to mor-  
row.

**Wednesday, 6th April, 1836.**

The House met.

The minutes of yesterday were read.

Mr. Lount brought up the petition of John Fletcher and four hundred and sixty-four others, of the townships of East Gwillimbury, North Gwillimbury, Georgina, Scott and Brock; which was laid on the table. Petitions bro't up.  
Of John Fletcher  
and others.

Mr. Thorburn brought up the petition of William Woodruff and one hundred and twenty-two others, of the village of St. David's and vicinity (township of Niagara); which was laid on the table. Of Wm. Woodruff  
and others.

Mr. Boulton brought up the petition of John Logie and two hundred and thirty others, of the townships of Ops, Eldon, Mariposa, &c. (Durham); which was laid on the table. Of John Logie and  
others.

Mr. Boulton brought up the petition of Joseph Huston and ninety-five others, of the townships of Cavan and Manvers (Durham); which was laid on the table. Of Josh. Huston  
and others.

Mr. Macnab brought up the petition of Captain Andrew Drew, of the Royal Navy; which was laid on the table. Of Capt. Drew.

Mr. Morrison brought up the petition of Robert Burns and one hundred and thirty-eight others, of the township of Pickering (York); which was laid on the table. Of Robert Burns  
and others.

Pursuant to the order of the day, the amendments made by the honorable the Legislative Council, in and to the bill entitled, “*An Act to incorporate certain persons therein mentioned under the name and style of the Niagara and Detroit rivers rail road company,*”—were read a third time and passed. Amendments to  
Niagara and Detroit  
rail road bill passed.

Messrs. Wilkinson and Caldwell were ordered by the Speaker to carry the bill up to the honorable the Legislative Council, and to inform that honorable House that this House had concurred in the amendments.

Petition of Aaron Connor, read.

Pursuant to the order of the day, the petition of Aaron Connor, Thomas Love, and Benjamin Hancock, prisoners confined in the gaol of the district of Prince Edward, praying to be liberated, was read.

Notices.

For bill to increase charter of Gore bank

Mr. Macnab gives notice, that he will, on to-morrow, move for leave to bring in a bill to increase the charter of the Gore Bank.

Committee of whole on provincial hospital, district schools, and pier at mouth of Toronto harbor.

Mr. Small gives notice, that he will, on to-morrow, move that this House do resolve itself into a committee of the whole, upon the several subjects of the Provincial Hospital, the several district schools within this Province, and the pier at the mouth of the harbor in the front of the city of Toronto.

For bill to provide for erection and maintenance of lunatic asylum.

Mr. Richardson gives notice, that he will, to-morrow, move for leave to bring in a bill to provide for the erection and maintenance of a lunatic asylum, by a tax of five per cent on chartered banks in this Province.

Select committee on petition of D. M' Dougall, report Niagara police amendment bill.

Mr. Richardson from the committee to which was referred the petition of Daniel McDougall, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

2d reading to-morrow.

The report was received, and the bill was read a first time.

*Ordered*—That the Niagara police amendment bill be read a second time to-morrow.

Select committee on petition of John Clark and others, report.

Mr. Thorburn from the committee to which was referred the petition of John Clark and others, presented a report which was received and read as follows :

*To the Honorable the Commons House of Assembly.*

Report read.

The committee to whom was referred the petition of John Clark, Esquire, and other freeholders and inhabitants of the district of Niagara, praying that the situation of the county town and public buildings may be removed to a more central part of said district.

*Beg leave respectfully to report :*

That they have duly considered the prayer of the said petitioners, and are of opinion that the removal of the site of the county town and public buildings to a more central part would not only be an act of justice to a very large majority of the inhabitants, but would also greatly facilitate and lessen the expense of public business of that district.

The county town and public buildings being at present situate at an extreme point of the district—the inhabitants from the interior and the other extreme are unavoidably subjected to very great inconvenience as well as heavy additional expenses in travelling to and attending courts and other public business which would be materially lessened if the situation of the county town and public buildings were more central.

Under these circumstances your committee beg leave to recommend the prayer of the said petitioners to the favorable consideration of your Honorable House.

DAVID THORBURN,  
*Chairman.*

*Committee Room, House of Assembly, }  
5th April, 1836.*

Motion to refer petition of J. Clark, to committee of whole.

Mr. Thorburn, seconded by Mr. Rykert, moves, that this House do now resolve itself into a committee of the whole upon the report of the select committee on the petition of John Clark, Esquire, and other inhabitant freeholders of the district of Niagara.

Previous question moved.

Mr. Small moved the previous question, namely : that the question be not now put.

Division

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

Alway,  
Boulton,  
Caldwell,

Gilchrist,  
Lewis,  
Lount,

Macnab,  
Moore,  
Morrison,

Small,  
Smith,  
Strange,

|                            |                              |             |           |          |
|----------------------------|------------------------------|-------------|-----------|----------|
| Cook,                      | M'Donell, <i>Glengarry</i> , | Norton,     | Thom,     |          |
| Duncombe, <i>Oxford</i> ,  | McIntosh,                    | Parke,      | Wells,    | Yeas 31. |
| Duncombe, <i>Norfolk</i> , | McKay,                       | Perry,      | Wilson,   |          |
| Dunlop,                    | Mackenzie,                   | Richardson, | Yager—31. |          |
| Durand,                    | McMicking,                   | Rymal,      |           |          |

NAYS—MESSIEURS.

|           |          |           |               |         |
|-----------|----------|-----------|---------------|---------|
| Brown,    | Malloch, | Robinson, | Thorburn,     |         |
| Chisholm, | Merritt, | Shaver,   | Woolverton—9. | Nays 9. |
| Hopkins,  |          |           |               |         |

The question was carried in the affirmative by a majority of twenty-two. Carried majority 22.

Mr. Macnab from the select committee to which was referred the petition of Joseph Lister, presented a report which was received and read as follows :

*To the Honorable the Commons House of Assembly,*

The committee to whom was referred the petition of Joseph Lister, of Hamilton, Surgeon, beg leave respectfully to report—That they have examined the said Joseph Lister and several accounts and documents submitted to them in support of his claim, and find that he is entitled to the sum of Fifty Pounds for medical attendance upon the sick emigrants at Hamilton in 1834, and they recommend the payment of the said sum of money. Report.

ALLAN N. MACNAB,  
Chairman.

Committee Room, House of Assembly, }  
6th April, 1836. }

On motion of Mr. McNab, seconded by Mr. Smith,  
*Ordered*—That the report of the select committee on the petition of Joseph Lister, be referred to the committee of supply. Report on petition of Joseph Lister, Ref'd to supply.

Pursuant to the order of the day, the currency bill was read a second time. Currency bill read second time.

The House was put into committee of the whole on the bill. Committed.

Mr. Strange in the chair.

The Speaker resumed the chair, Black Rod being at the door. Black Rod.

The Speaker left the chair.

The Chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill amended.

On the question for receiving the report, the yeas and nays being taken, were as follows: On receiving report.

YEAS—MESSIEURS.

|                            |                              |                    |             |          |
|----------------------------|------------------------------|--------------------|-------------|----------|
| Alway,                     | Hopkins,                     | Macnab,            | Strange,    |          |
| Boulton,                   | Lewis,                       | Malloch,           | Thom,       |          |
| Brown,                     | Lount,                       | Norton,            | Thorburn,   |          |
| Caldwell,                  | McCrae,                      | Richardson,        | Walsh,      |          |
| Cook,                      | M'Donell, <i>Glengarry</i> , | Robinson,          | Wells,      |          |
| Duncombe, <i>Oxford</i> ,  | McDonell, <i>Stormont</i> .  | Roblin,            | Wilkinson,  |          |
| Duncombe, <i>Norfolk</i> , | McDonell, <i>Northumb.</i>   | Rykert,            | Wilson,     | Yeas 39. |
| Dunlop,                    | McKay,                       | Small,             | Woolverton, |          |
| Gibson,                    | McLean,                      | Smith,             | Yager—39.   |          |
| Gilchrist,                 | McMicking,                   | Solicitor General, |             |          |

NAYS—MESSIEURS.

|         |           |           |           |         |
|---------|-----------|-----------|-----------|---------|
| Bruce,  | McIntosh, | Morrison, | Rymal,—7. | Nays 7. |
| Durand, | Moore,    | Parke,    |           |         |

Carried.  
majority 32.

3d reading to-mo-  
row.

Cobourg police bill  
sent down from Leg-  
islative Council,  
amended.

The question was carried in the affirmative by a majority of thirty-two, and the report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Mr. Speaker reported that the Master in Chancery brought down from the honorable the Legislative Council, the bill entitled, "*An Act to incorporate the town of Cobourg, and to establish a Police therein,*"—to which that honorable House had made some amendments, and requested the concurrence of this House thereto.

The amendments were read as follows :

Amendments made by the Legislative Council in and to the bill entitled. "*An Act to incorporate the town of Cobourg, and to establish a Police therein.*"

Press 1—Line 24—After "say" expunge the remainder of the section and insert "commencing on the Lake Shore at the south-east angle of lot number 14, in the broken concession B, of the said township of Hamilton—thence north sixteen degrees west to the base line of said township—thence along the said base line to the north-east angle of lot number 20—thence north sixteen degrees west in the first concession of said township ten chains—thence south seventy-four degrees west to the centre of lot number 21—thence south sixteen degrees east to the Lake Ontario—thence along the wa-  
ter's edge to the place of beginning."

" 3 " 7—Expunge "five" and insert "ten."  
" 10 " 2—Expunge "or appointment."  
" " " 11—Expunge "and license" after "fruit" insert "and"—after "victuals" expunge "and liquors not distilled."  
" " " 12—Expunge "to be eaten or drunk in such houses or groceries."  
" " " 21—Expunge "fire-engines" and insert "fire-engineers."  
" 11 " 11—After "shillings" add "and to fix upon and to appoint such days and hours for the purpose of selling butcher's meat, butter, eggs, poultry, fish, and vegetables, and to make such other orders and regulations relative thereto as they shall deem expedient."  
" 12 " 22—After "discretion" insert "remove and."  
" 14 " —Expunge the 27th clause and insert "And be it further enacted by the authority aforesaid, that it shall and may be lawful for the said corporation to fix upon a site for a market in the said town, and to enter into and make such arrangements or agreements in behalf of the said town for the purchase of such site as to them or a majority of them appear just and reasonable, and the said corporation shall give at least six weeks notice in the newspapers published in the the said town of Cobourg, of the site intended for such market, and if any objection in writing to such site shall, within the period of six weeks be presented or declared to the said corporation or any member thereof, signed by twelve persons entitled to vote within the said town, a public meeting of the inhabitants shall be called, and a time and place for such meeting shall be fixed by the said corporation, who shall give at least six days notice thereof, and a majority of the persons present at such meeting entitled to vote under this act shall decide whether such proposed site shall be confirmed or not, and the president of such corporation shall preside at such meeting and conduct the proceedings thereof, and that when the site for the said market shall be established it shall then and in such case be the market place of the said town, anything herein contained to the contrary in any-wise notwithstanding."

Press 15—Line 7—Expunge "either" and insert "any."  
" " " 15—After "the" insert "Board of."

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
6th day of April, 1836. }

At half-past three o'clock the Speaker left the chair.

At a quarter-past five o'clock the Speaker resumed the chair.

Pursuant to the order of the day, the bill to appoint commissioners to meet the commissioners from Lower Canada was read a second time.

Commissioners' appointment bill read 2d time.

On the question for going into committee of the whole on the bill, In amendment, Mr. Morrison, seconded by Mr. Bruce, moves, that the resolution of the House on the same subject be referred to the same committee.

On the question for going into committee of whole. Amendment.

Which was carried.

The House was put into committee of the whole on the bill.

Committed.

Mr. Walsh in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill with some amendments, and submitted it for the adoption of the House.

Reported amended

The report was received.

3d reading to-day.

On the question for the third reading of the bill to-morrow.

In amendment—Mr. Morrison, seconded by Mr. Lount, moves, that the bill be engrossed and read a third time this day, and that the 40th rule of this House, as far as relates to this motion, be dispensed with.

Which was carried.

Pursuant to the order of the day, the Wilnot estate bill was read the second time.

Wilnot estate bill read 2d time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Parke in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, made some amendments thereto, and submitted it for the adoption of the House.

Bill amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the Gull Island light house bill was read a second time.

Gull Island light house bill read 2d time.

The House was put into committee of the whole on the bill.

Committed.

Mr. Merritt in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, made some amendments thereto, and submitted it for the adoption of the House.

Bill amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the House went again into committee of the whole on the London and Gore rail road bill.

House goes into committee on London and Gore rail road bill.

Mr. McDonell, of *Stormont*, in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, made some amendments thereto, and submitted it for the adoption of the House.

Bill amended.

On the question for receiving the report, the yeas and nays being taken were as follows :

On receiving report.

YEAS—MESSIEURS.

|           |   |  |   |  |
|-----------|---|--|---|--|
| Yeas.—22. | Alway,<br>Brown,<br>Caldwell,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Dunlop,<br>Gilchrist,<br>McDonell, <i>Glengarry</i> ,<br>McDonell, <i>Stormont</i> ,<br>McKay,<br>McMicking, | Macnab,<br>Merritt,<br>Moore,<br>Norton,<br>Richardson, | Rykert<br>Smith,<br>Waters,<br>Woolverton,<br>Yager,—22. |
|-----------|---|--|---|--|

NAYS—MESSIEURS.

|         |                                |                     |                    |                    |
|---------|--------------------------------|---------------------|--------------------|--------------------|
| Nays—9. | Chisholm,<br>Durand,<br>Lewis, | Malloch,<br>Roblin, | Small,<br>Strange, | Walsh<br>Wells,—9. |
|---------|--------------------------------|---------------------|--------------------|--------------------|

Carried, majority 13. The question was carried in the affirmative by a majority of thirteen, and the report was received.

On the question for the third reading of the bill to-morrow. In amendment—Mr. Charles Duncombe, seconded by Mr. Gilchrist, moves, that the bill be read a third time this day, and that the 40th rule of this House be dispensed with so far as relates to the same.

3rd reading today. Which was carried and ordered.

Commissioners' appointment read 3d time. bill, Pursuant to the order of the day, the bill appointing commissioners to meet those of Lower Canada, was read a third time.

Amendment.

Mr. Merritt, seconded by Mr. McKay, moves in amendment, that after the word "importation," the following be added, "the expediency of removing the boundary line between the two Provinces, so as to secure to this Province the benefit of a sea port."

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

|          |                                |  |                                     |                                   |
|----------|--------------------------------|--|-------------------------------------|-----------------------------------|
| Yeas 12. | Caldwell,<br>Dunlop,<br>Lewis, | McDonell <i>Glengarry</i> ,<br>McKay,<br>Macnab, | Malloch,<br>Merritt,<br>Richardson, | Rykert,<br>Strange,<br>Walsh,—12. |
|----------|--------------------------------|--|-------------------------------------|-----------------------------------|

NAYS—MESSIEURS.

|          |  |   |   |  |
|----------|--|---|---|--|
| Nays 23. | Alway,<br>Brown,<br>Bruce,<br>Chisholm,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> , | Durand,<br>Gilchrist,<br>McDonell, <i>Stormont</i> ,<br>McMicking,<br>Moore,<br>Morrison, | Norton,<br>Roblin,<br>Rymal,<br>Shaver,<br>Small,<br>Smith, | Thorburn,<br>Waters,<br>Wells,<br>Woolverton,<br>Yager—23. |
|----------|--|---|---|--|

The question was decided in the negative by a majority of eleven.

On question for passing bill.

On the question for passing the bill, the yeas and nays were taken as follows :

YEAS—MESSIEURS,

|          |   |   |  |  |
|----------|---|---|--|--|
| Yeas 35. | Alway,<br>Brown,<br>Bruce,<br>Caldwell,<br>Chisholm,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop,<br>Durand, | Gilchrist,<br>Lewis,<br>M'Donell, <i>Glengarry</i> ,<br>McDonell, <i>Stormont</i> ,<br>McIntosh,<br>McKay,<br>McMicking,<br>Macnab,<br>Malloch, | Merritt,<br>Moore,<br>Morrison,<br>Norton,<br>Richardson,<br>Roblin,<br>Rykert,<br>Rymal,<br>Shaver, | Small,<br>Smith,<br>Strange,<br>Thorburn,<br>Waters,<br>Wells,<br>Woolverton,<br>Yager—35. |
|----------|---|---|--|--|

NAY—Mr. Walsh,—1.

Nay 1.

The question was carried in the affirmative by a majority of thirty-four.

Mr. Morrison, seconded by Mr. Bruce, moves, that the bill be entitled, "*An Act to appoint Commissioners to treat with Commissioners appointed on the part of the Province of Lower Canada, for the purposes therein mentioned.*" Title.

Which was carried, and Messrs. Morrison and Bruce were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the road Act continuation bill was read a second time. Road Act continuation bill read 2nd time.  
The House was put into committee of the whole on the bill. Committed.

Mr. Rymal in the chair.  
The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill amended.

The report was received.  
*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Ameliasburgh survey bill was read the second time. Ameliasburgh survey bill read second time.  
The House was put into committee of the whole on the bill. Committed.

Mr. Boulton in the chair.  
The House resumed.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.  
*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the London and Gore rail road bill as amended, was read the third time. London and Gore rail road bill read 3d time.

On the question for passing the bill, the yeas and nays being taken were as follows : On passing.

YEAS—MESSIEURS,

|                           |                              |            |             |          |
|---------------------------|------------------------------|------------|-------------|----------|
| Alway,                    | Duncombe, <i>Norfolk</i> ,   | McMicking, | Waters,     | Yeas 19. |
| Brown,                    | Gilchrist,                   | Macnab,    | Wilkinson,  |          |
| Bruce,                    | M'Donell, <i>Glengarry</i> , | Rykert,    | Woolverton, |          |
| Caldwell,                 | McDonell, <i>Stormont</i> ,  | Rymal,     | Yager—19.   |          |
| Duncombe, <i>Oxford</i> , | McDonell, <i>Northumb.</i>   | Smith,     |             |          |
|                           |                              |            |             |          |

NAYS—MESSIEURS,

|           |          |         |          |         |
|-----------|----------|---------|----------|---------|
| Boulton,  | Durand,  | Roblin, | Walsh,   | Nays 8. |
| Chisholm, | Malloch, | Small,  | Wells—8. |         |

The question was carried in the affirmative by a majority of eleven and the bill was passed.

Mr. Charles Duncombe, seconded by Mr. Macnab, moves that the bill be entitled "*An Act to amend and extend the provisions of an act passed in the fourth year of His Majesty's reign entitled 'An Act to incorporate certain persons under the style and title of the London and Gore Rail Road Company, and to grant to the said Company the privilege of Banking.'*" Title.

Which was carried, and Messrs. Macnab and C. Duncombe were ordered by the Speaker to carry the bill up to the honorable the Legislative Council and to request their concurrence thereto.

Pursuant to the order of the day, the members wages amendment bill was read a second time.

Members' wages amendment bill read 2d time. Committed.

The House was put into committee of the whole on the bill. Mr. Rykert in the chair. The House resumed.

Progress reported. The chairman reported that the committee had made some progress in the bill and asked leave to sit again to-morrow.

On receiving report. On the question for receiving the report, In amendment—Mr. Boulton, seconded by Mr. Wilkinson, moves, that the bill be referred to a select committee, to consist of Messrs. M'Nab, C. Duncombe, Rykert and Norton, to report thereon.

Amendment. Referred to select committee.

Which was carried.

Carried. Adjourned.

### Thursday, 7th April, 1836.

The House met.

Petitions bro't up. The minutes of yesterday were read.

Of A. McGregor and others. Mr. Small brought up the petition of Alexander McGregor and six hundred and seventeen others, of the city of Toronto; which was laid on the table.

Of John Carey. Mr. Mackenzie brought up the petition of John Carey, of the town of York, printer; which was laid on the table.

Of A. Milne and others. Mr. Mackenzie brought up the petition of Alexander Milne and sixteen others, of the township of York; which was laid on the table.

Of Martin Snider and others. Mr. Mackenzie brought up the petition of Martin Snider and seven others, of the township of York; which was laid on the table.

Of John Wismer and others. Mr. Mackenzie brought up the petition John Wismer and twenty others, of the township of Markham; which was laid on the table.

Of F. Eckardt and others. Mr. Mackenzie brought up the petition of Frederick Eckardt and twenty-one others, of the township of Markham; which was laid on the table.

Of Peter Milne & others. Mr. Mackenzie brought up the petition of Peter Milne and forty-three others, of the township of Markham; which was laid on the table.

Of Joshua Wright and others. Mr. Mackenzie brought up the petition of Joshua Wright and forty-two others, of the township of York; which was laid on the table.

Currency bill read 3d time. Pursuant to the order of the day, the Currency bill was read a third time.

Amendment. Mr. Durand, seconded by Mr. Hopkins, moves, that the last clause of the bill be amended by expunging the words "four years" and inserting in their place the words "two years."

Division. On which the yeas and nays were taken as follows:

#### YEAS—MESSEURS.

|          |                              |                                 |                                  |                          |
|----------|------------------------------|---------------------------------|----------------------------------|--------------------------|
| Yeas 11. | Alway,<br>Durand,<br>Gibson, | Hopkins,<br>Lount,<br>McIntosh, | Mackenzie,<br>Malloch,<br>Moore, | Morrison,<br>Waters,—11. |
|----------|------------------------------|---------------------------------|----------------------------------|--------------------------|

#### NAYS—MESSEURS

|  |  |  |  |
|--|--|--|--|
| Boulton,<br>Brown,<br>Caldwell,<br>Cook, | Gilchrist,<br>Jones,<br>Lewis,<br>McDonell, Glengarry, | Merritt,<br>Norton,<br>Parke,<br>Richardson, | Thom,<br>Thorburn,<br>Walsh,<br>Wells, |
|--|--|--|--|



|                            |                             |                    |                 |          |
|----------------------------|-----------------------------|--------------------|-----------------|----------|
| Cornwall,                  | McDonell, <i>Stormont</i> , | Robinson,          | Wilkinson,      | Nays 31. |
| Duncombe, <i>Oxford</i> ,  | McKay,                      | Roblin,            | Wilson,         |          |
| Duncombe, <i>Norfolk</i> , | McLean,                     | Rykert,            | Woolverton,—31. |          |
| Dunlop,                    | Macnab,                     | Solicitor General, |                 |          |

The question of amendment was decided in the negative by a majority of twenty. Question lost, majority 20.

In amendment, Mr. Richardson, seconded by Mr. Charles Duncombe, moves that the bill be amended by expunging in the last clause "six shillings" and inserting "six shillings and three-pence"—also expunging "three shillings" and inserting "three shillings and one penny half-penny"—and by expunging in the schedule, annexed to the previous clause, after the words "sovereign at" "twenty-four and four pence half-penny" and inserting "twenty-five shillings"—also by expunging after the words "half sovereign" "twelve and two-pence farthing," and inserting "twelve shillings and six-pence."

On which the yeas and nays were taken, as follows:

YEAS—Mr. Richardson,—1.

NAYS—Messieurs.

|                            |                              |           |                |          |
|----------------------------|------------------------------|-----------|----------------|----------|
| Alway,                     | Jones,                       | Malloch,  | Small,         |          |
| Brown,                     | Lewis,                       | Merritt,  | Smith,         |          |
| Bruce,                     | Lount,                       | Moore,    | Sol. General,  |          |
| Caldwell,                  | McCrae,                      | Morrison, | Strange,       |          |
| Cook,                      | M'Donell, <i>Glengarry</i> , | Norton,   | Thom,          |          |
| Cornwall,                  | McDonell, <i>Stormont</i> ,  | Parke,    | Thorburn,      |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                    | Robinson, | Walsh,         |          |
| Dunlop,                    | McKay,                       | Roblin,   | Waters,        | Nays 46. |
| Durand,                    | Mackenzie,                   | Rykert,   | Wilkinson,     |          |
| Gibson,                    | McLean,                      | Rymal,    | Wilson,        |          |
| Gilchrist,                 | McMicking,                   | Shaver,   | Woolverton—46. |          |
| Hopkins,                   | Macnab,                      |           |                |          |

The question was decided in the negative by a majority of forty-five. Question lost, majority 45.

In amendment to the original question, Mr. Mackenzie, seconded by Mr. McIntosh, moves, that the bill do not now pass, but that it be re-committed to a committee of the whole House forthwith, in order that the clause, which fixes the permanent legal value of crowns at 6s. and half crowns at 3s. Halifax currency, may be expunged, because that clause introduces the depreciated, unsound, and unsafe currency from which this Province was in a great measure relieved by the statute of 1830; because this bill gives a legal value to the British crown and half crown far higher than those coins are worth in Lower Canada, and far higher than their intrinsic value in pure silver as compared with the legal current value of the Spanish and United States dollar; because the British crown and half crown are seldom worth in the United States, as bullion, the nominal price thus attached to them; because the operation of this clause will be to impair the obligation of contracts, and enable merchants and others indebted beyond the limits of this province, to discharge their debts in a currency which, as it will not pass current in other countries, and was not the law when these debts were contracted here, will be equivalent to an act of provincial bankruptcy; because all sound money whose real worth corresponds with its nominal value will disappear from circulation under this debased standard; because this clause if adopted will throw uncertainty and disorder into all transactions between man and man, and oblige the colonists to value every commodity in market, houses and lands, imports and exports, by a delusive and debased standard; because it will throw the notes of the Upper

Canada Bank out of circulation in Lower Canada and the United States, as they will cease to be convertible into current money here; because many thousand pounds of our revenue are collected at Quebec in silver at the legal value of 5s. 6d. to the British crown; because it is inexpedient to have a silver currency of less intrinsic value than that of the United States and Lower Canada, in the former of which British crowns and half crowns are not current money; because if the province give any one coin a nominal value more than it is worth in the United States and Lower Canada, the Banks will import that debased coin and pay their notes and debts with it to the farmers and merchants who will be unable to purchase therewith in any other country the same amount of goods as they would under the present standard; and because the said clause will thereby deeply injure the commercial character and prosperity of the country.

Division.

On which the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

|          |   |   |                                   |                                  |
|----------|---|---|-----------------------------------|----------------------------------|
| Yeas 13. | Alway,<br>Gibson,<br>Hopkins,<br>Lewis, | McDonell, <i>Glengarry</i> ,<br>McIntosh,<br>Mackenzie, | McMicking,<br>Moore,<br>Morrison; | Parke,<br>Shaver,<br>Waters,—13. |
|----------|---|---|-----------------------------------|----------------------------------|

NAYS—MESSIEURS,

|           |  |   |  |  |
|-----------|--|---|--|--|
| Nays, 33. | Boulton,<br>Brown,<br>Caldwell,<br>Cook,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Gilchrist,<br>Jones,<br>McCrae, | McDonell, <i>Stormont</i> ,<br>McDonell <i>Northumb.</i><br>McKay,<br>McLean,<br>Macnab,<br>Malloch,<br>Merritt,<br>Norton, | Richardson,<br>Robinson,<br>Roblin,<br>Rykert,<br>Rymal,<br>Smith,<br>Solicitor General,<br>Strange, | Thom,<br>Thorburn,<br>Walsh,<br>Wells,<br>Wilkinson,<br>Wilson,<br>Woolverton,<br>Yager,—33. |
|-----------|--|---|--|--|

Question lost, ma  
majority 20.

The question was decided in the negative by a majority of twenty.

On passing

On the question for passing the bill, the yeas and nays were taken as follows :

YEAS—MESSIEURS.

|           |  |  |  |  |
|-----------|--|--|--|--|
| Yeas, 35. | Boulton,<br>Brown,<br>Caldwell,<br>Cook,<br>Cornwall,<br>Duncombe, <i>Oxford</i> .<br>Duncombe, <i>Norfolk</i> .<br>Gilchrist,<br>Jones, | McCrae,<br>McDonell, <i>Stormont</i> .<br>McDonell, <i>Northumb.</i><br>McKay,<br>McLean,<br>McMicking,<br>Macnab,<br>Malloch,<br>Merritt, | Norton,<br>Richardson,<br>Robinson,<br>Roblin,<br>Rykert,<br>Rymal,<br>Small,<br>Smith,<br>Sol. General, | Strange,<br>Thom,<br>Thorburn,<br>Walsh,<br>Wells,<br>Wilkinson,<br>Woolverton,<br>Yager—35. |
|-----------|--|--|--|--|

NAYS—MESSIEURS.

|          |                               |   |                                   |                       |
|----------|-------------------------------|---|-----------------------------------|-----------------------|
| Nays 11. | Alway,<br>Gibson,<br>Hopkins, | Lewis,<br>M'Donell, <i>Glengarry</i> ,<br>McIntosh, | Mackenzie,<br>Moore,<br>Morrison, | Parke,<br>Shaver,—11. |
|----------|-------------------------------|---|-----------------------------------|-----------------------|

Question carried,  
majority 24.

The question was carried in the affirmative by a majority of twenty-four, and the bill was passed.

Title.

Mr. Charles Duncombe, seconded by Mr. Norton, moves, that the bill be entitled, "*An Act affixing the value at which certain gold coins shall pass current in this Province—making the same a legal tender—and establishing the rate at which British silver money now in circulation, shall be taken within the same.*"

Which was carried, and Messrs. Charles Duncombe and Norton were ordered by the Speaker to carry the bill up to the honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Wilmot estate bill was read a third time and passed.

Wilmot Estate bill passed.

Mr. Small, seconded by Mr. Boulton, moves that the bill be entitled "*An Act to appoint Trustees to the Will of John Wilmot, late of the county of York, gentleman, deceased, to carry into effect the provisions thereof.*"

Title.

Which was carried, and Messrs. Small and Boulton were ordered by the Speaker to carry the bill up to the honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Gull Island light house bill was read a third time and passed.

Gull Island Lt house bill passed.

Mr. Roblin, seconded by Mr. Parke, moves that the bill be entitled, "*An Act to amend an Act passed in the first Session of the present Parliament, entitled, 'An Act granting a sum of money for the erection of a light house on Gull Island, or such other place as the Commissioners may select.'*"

Title.

Which was carried, and Messrs. Roblin and Parke were ordered by the Speaker to carry the bill up to the honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill to continue the road Acts of 1833 and 1834, was read the third time and passed.

Road Act continuation Bill passed.

Mr. Charles Duncombe, seconded by Mr. Bruce, moves that the bill be entitled, "*An Act continuing the road acts of 1833 and 1834, and rendering the Commissioners accountable for the expenditure of the road moneys granted by the same.*"

Title.

Which was carried, and Messrs. C. Duncombe and Bruce were ordered by the Speaker to carry up the bill to the Honorable the Legislative Council and to request their concurrence thereto.

Pursuant to the order of the day the Ameliasburgh Survey bill was read the third time and passed.

Ameliasburgh survey bill passed.

Mr. Roblin, seconded by Mr. Yager, moves that the bill be entitled "*An Act to establish the concession lines in the township of Ameliasburgh, and to provide for the survey of certain side lines in said township.*"

Title.

Which was carried, and Messrs. Roblin and Yager were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the following petitions were read:

Petitions read.

Of James Cull of the City of Toronto, praying that he may be allowed the full award made by arbitration on work performed in macadamizing Yonge Street.

Of James Cull.

Of John Grass and one hundred and eighty others, of the township of Kingston, praying that said township may be separated from the town of Kingston, for township purposes.

Of John Grass & others.

Of Robert F. Gourlay, of Willoughby, in the State of Ohio, praying that an inquiry may be instituted into the evils existing in the Province, &c.—And

Of R. F. Gourlay.

Of Isaac Fell and five hundred and twenty-eight others, of the county of Simcoe, praying against the levying a tax for the erection of a new gaol and court house in Toronto.

Of Isaac Fell and others.

Mr. Jones from the select committee to which was referred the petition of Paul Glasford and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Select committee on petition of Paul Glasford and others, report Brockville market bill.

The report was received, and the bill was read the first time.

On the question for the second reading of the Brockville market bill tomorrow.

Mr. Jones, seconded by Mr. Bruce, moves in amendment that the bill be now read a second time, and that the 40th rule of this House be dispensed with for that purpose.

Which was carried, and the House was put into committee of the whole on the bill.

Mr. Hopkins in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

3rd reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Committee to wait on His Excellency with address on Orange processions, report answer.

Mr. Small, from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House on the subject of Orange processions, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

I herewith transmit to you, according to the request of the House of Assembly, the opinion of His Majesty's Attorney and Solicitor General, on the subject of Orange processions.

Answer.

The government of this Province has neither taken nor has it determined to take, any steps to prevent or discourage the formation or continuance of such Societies.

I have no hesitation however in saying that I consider all factious combinations as hostile to the real interests of this country, but unless they proceed to acts of violence or intimidation, I consider that a forced remedy might prove worse than the disease itself.

*Opinion of His Majesty's Attorney and Solicitor General on the subject of Orange Processions.*

“TORONTO, 6th April, 1836.

Attorney and Solicitor General's opinion on Orange processions.

“We are of opinion that all “processions likely to endanger the public peace,” and “all processions having such a tendency,” are illegal and may be suppressed by civil authority. Persons engaged in the processions of the description mentioned are liable to be prosecuted for a misdemeanor. It may be sometimes difficult to determine what processions are in themselves illegal, or have a tendency to a breach of the peace, and it therefore must rest with the Legislature to decide how far it is expedient to pass a law to suppress public processions of every description.

All which is respectfully submitted.

ROBERT S. JAMESON.

*Attorney General.*

CHRISTOPHER A. HAGERMAN,

*Solicitor General.*

Referred.

On motion of Mr. Small, seconded by Mr. Wells,

*Ordered*—That the answer of His Excellency, to the address of this House upon the subject of Orange processions, with the accompanying document, be referred to the committee to whom was referred the petition of C. J. Baldwin and others.

Select committee on Amendments to Clergy reserves bill report.

Mr. Perry from the select committee to which was referred the amendments made by the honorable the Legislative Council, in and to the bill entitled, “An Act for the disposal of the Clergy Reserves in this Province for the purposes of general Education,”—informed the House that the committee had agreed to a report and some amendments to the amendments made by the honorable the Legislative Council, both of which he was ready to submit, whenever the House would be pleased to receive the same.

The report was received and read as follows:

*To the Honorable the Commons' House of Assembly.*

The Committee to which was referred the amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act for the disposal of the Clergy Reserves in this Province for the purposes of general education,*" have agreed to, and beg leave to make the following report: Report.

Your committee have examined the amendments to the bill aforesaid made by the Honorable the Legislative Council, and find that nothing remains of the bill as sent up from your Honorable House but the word "Whereas." The preamble adopted by the Honorable the Legislative Council consists chiefly of extracts from the British Act 31st, Geo. 3, chap. 31. The enacting clauses adopted by the Honorable the Legislative Council are few and short, and amount merely to the repeal of certain portions of the said 31st of George the 3rd, and to vesting in His Majesty certain of the Clergy Reserves, and also the money arising from those already sold or leased to be applied and apportioned for the purpose of supporting public worship and religion in this Province and to no other use or purpose whatsoever.

Your committee are fully impressed with the belief that public or government grants to religious sects or denominations are highly objectionable. To bestow them partially upon one or more religious bodies to the exclusion of others of His Majesty's subjects would be unjust; to distribute them equally among all would be impracticable, and the application of public moneys to such purposes is, in the opinion of the committee, likely to corrupt and degrade religion, and to endanger the liberties of the country, converting the ministers of the gospel into the stipendiaries and partizans of those who have the power and inclination to bestow these gratuities upon them.

Your committee would observe, that although they believe every proposition set forth in the preamble of the bill sent up by your Honorable House to be strictly true and correct, and although they also believe the several clauses of the bill to be just and useful, yet in order to shew to the country and His Majesty's Government that your Honorable House were guided by just principles in their proceedings on this great and important measure, and anxious to have the matter settled—in short to prove that the object of your Honorable House is measures, not men, and that they are not disposed to adhere pertinaciously to any particular mode which they might prefer in the disposal of these reserves, would recommend that the amendments to the bill be acceded to by your Honorable House with no other alteration than merely to direct the proceeds of the said reserves to be appropriated for the purposes of general education in such a way and manner as to enable all His Majesty's subject in this province of whatever creed or order indiscriminately to participate in the same.

Your Committee cannot refrain while on this subject, from remarking on the late proceedings in regard to the Clergy Reserves and the disposal of the proceeds arising therefrom, and which (in their opinion) ought immediately to engage the serious consideration of the Legislature.

It appears by a return sent down to the House that during the last year no less than 44 parsonages or rectories have been constituted, erected, and endowed with portions of the Clergy Reserves in general varying from 400 to 800 acres, and ministers of the Church of England have been or are to be presented to the same.

It further appears by returns that up to the 31st of December 1835, there had been paid into the military chest, arising from sales of Clergy Reserves, rising of £61,000 over and above the sum of more than £4000, paid as interest on the several sales, besides the present rent from certain portions of them already leased, amounting to upwards of £4000 annually—all of which appears to be exclusive of the expense incurred in selling, collecting, &c.

It further appears that the Rev. Dr. Strachan received in the year 1835, the sum of £300 for the purpose of aiding in the erection of a parsonage house for himself, which he has never used for that purpose, but kept (according to his own explanation) until this time, in hopes of procuring £200 more in addition.

This is a state of things no less alarming than disgusting when it is considered what the prevailing opinions and feelings throughout the country is known to be on this all important and interesting subject, and which call aloud for immediate remedy.

All which is respectfully submitted.

PETER PERRY,  
*Chairman.*

*Committee Room, House of Assembly, }  
7th day of April, 1836, }*

The amendments were read as follows:

Press 8—line 22 of the amendments—after the word "thereof" expunge the remainder of the preamble and insert "for the purposes of general education throughout this province."

*Amendments.*

- " 9 " 12—After the word "lands" insert "and the proceeds arising therefrom."
- " 9 " 14—After the word "appropriated" expunge the remainder of the clause and insert "for the purposes of general education throughout this province, in such way and manner as to enable all His Majesty's subjects, of every religious creed and order, indiscriminately to partake in the benefits to be derived therefrom."
- " 9 " 18—Expunge the word "grant."

Amendments read 2d time.

The amendments were read a second time, and the House was put into committee of the whole on the bill.

Mr. Donald McDonell in the chair.

The House resumed.

The chairman reported that the committee had agreed to the amendments as amended, and submitted the same for the adoption of the House.

On question for 3rd reading tomorrow.

The report was received.

On the question for the third reading of the amendments as amended to-morrow, the yeas and nays were taken as follows :

YEAS—MESSIEURS.

|          |                            |                              |             |             |
|----------|----------------------------|------------------------------|-------------|-------------|
| Yeas 38. | Bruce,                     | Lewis,                       | Merritt,    | Small,      |
|          | Chisholm,                  | Lount,                       | Moore,      | Smith,      |
|          | Cook,                      | M'Donell, <i>Glengarry</i> , | Morrison,   | Thom,       |
|          | Duncombe, <i>Oxford</i> ,  | McDonell, <i>Stormont</i> ,  | Norton,     | Thorburn,   |
|          | Duncombe, <i>Norfolk</i> , | M'Donell, <i>Northumb.</i>   | Perry,      | Waters,     |
|          | Dunlop,                    | McIntosh,                    | Richardson, | Wells,      |
|          | Durand,                    | McKay,                       | Rykert,     | Wilson,     |
|          | Gibson,                    | Mackenzie,                   | Rymal,      | Woolverton, |
|          | Gilchrist,                 | McMicking,                   | Shaver,     | Yager—38.   |
|          | Hopkins,                   | Malloch,                     |             |             |

NAYS—MESSIEURS,

|         |          |         |           |                       |
|---------|----------|---------|-----------|-----------------------|
| Nays 5. | Boulton, | McLean, | Robinson, | Solicitor General,—5. |
|         | Jones,   |         |           |                       |

Carried, majority 33.

The question was carried in the affirmative by a majority of thirty-three, and the amendments were ordered to be engrossed and read a third time to-morrow.

At twenty minutes past two o'clock, P. M. the Speaker left the chair.

Committee on pet. of J Farrell report.

At four o'clock the Speaker resumed the chair.

Mr. Jones from the select committee to which was referred the petition of John Farrell, presented a report, which was received and read follows :

*To the Honorable the House of Assembly.*

Report.

The committee to whom was referred the petition of John Farrell, beg leave to report :

That it appears to the committee, from the statements contained in his petition and the documents appended to it, that the petitioner is, in justice entitled to the amount referred to in the petition: that as the amount of such account was furnished by the petitioner, during the prevalence of the cholera, in necessary articles under the direction of persons acting as a Board of Health, and accounts of a similar nature in that and a subsequent year, having been defrayed out of the funds of the Province, the committee recommend that the amount of his account, being £7 11s. 6d. be granted to the petitioner.

DAVID JONES,  
Chairman.

Committee Room, House of Assembly, }  
April 6th, 1836. }

Report referred.

On motion of Mr. Jones, seconded by Mr. Malloch,  
*Ordered*—That the report of the select committee on the petition of John Farrell, be referred to the committee of Supply.

Mr. McDonell, of *Stormont*, from the committee to which was referred the petition of George Robertson and others, proprietors of the Village of Mille Roches presented a report and resolution.

Committee, on petition of G. Robertson and others, present report and Resolution.

The report was received.  
The report was read.

Report—(See Appendix.)

The resolution was read as follows :

*Resolved*, as the opinion of this House, that as the Commissioners for the improvement of the St. Lawrence, have power to afford compensation to individuals whose property may have been injured by the Canal navigation, relief ought to be extended to those proprietors of Mille Roches, who shall be found to have sustained injury by the operations of the commissioners, while carrying into effect the provisions of the Canal Act.

Resolution.

A message was announced from the Legislative Council. Mr. McDonell, of *Stormont*, seconded by Mr. Chisholm, moves that the resolution upon the report of the committee on the petition of the inhabitants of the village of Mille Roches, be now submitted to a committee of the whole House.

House goes into committee of whole on resolution.

Which was carried, and the House was put into committee of the whole on the resolution.

Mr. Alexander McDonell in the chair.  
The House resumed.

Committee rose.

The chairman reported that the committee had risen.

On the question for receiving the report, the yeas and nays were taken as follows :

Division on receiving report.

YEAS—MESSIEURS,

|                            |            |           |             |
|----------------------------|------------|-----------|-------------|
| Boulton,                   | Gilchrist, | Macnab,   | Smith,      |
| Caldwell,                  | Hopkins,   | Norton,   | Thom,       |
| Cornwall,                  | McCrae,    | Robinson, | Walsh,      |
| Duncombe, <i>Norfolk</i> , | McIntosh,  | Roblin,   | Wells,      |
| Dunlop,                    | McKay,     | Rykert,   | Woolverton, |
| Durand,                    | McMicking, | Rymal,    | Yager—24.   |

Yeas 24.

NAYS—MESSIEURS.

|           |                              |                            |            |
|-----------|------------------------------|----------------------------|------------|
| Bruce,    | Lount,                       | McDonell, <i>Northumb.</i> | Moore,     |
| Chisholm, | M'Donell, <i>Glengarry</i> , | Mackenzie,                 | Wilson—11. |
| Gibson,   | McDonell, <i>Stormont</i> ,  | McLean,                    |            |

Nays 11.

The question was carried in the affirmative by a majority of thirteen, and the report was received.

Question carried, majority 13.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a message and certain resolutions, which were read as follows :

Mr. Speaker reports message from Legislative Council, transmitting resolutions on banking.

MR. SPEAKER,

The Legislative Council has passed the accompanying resolutions on the subject of Banking in this Province, to which they request the concurrence of the Commons House of Assembly.

Message.

Legislative Council Chamber,  
6th day of April, 1836.

JOHN B. ROBINSON,  
Chairman.

“ **RESOLVED**.—That there is scarcely any duty more imperative upon the Legislature than to guard with care the commercial credit of this Province with other Colonies and Countries, and to uphold the confidence and security of its inhabitants in their mutual dealings.

“ **RESOLVED**.—That with a view to these objects the regulation of the metallic Currency, and the exercise of such a control in regard to the creation and operation of Banks, as may seem most proper for securing the public against loss from a valueless or depreciated paper currency, and also against the evils which may arise from a sudden increase or diminution of the circulating medium of Commercial transactions are matters which call for the vigilant and scrupulous attention of the Legislature.

"RESOLVED.—That the admitted necessity of having a much larger capital actively employed in this Province than could be represented by any attainable quantity of specie, has naturally and unavoidably led to the creation of a paper currency to meet the wants of a rapidly increasing population, and the demands of a growing spirit of enterprise.

"RESOLVED.—That while it was a perfectly new question under what regulations the emission of a paper currency could be most safely authorised it presented the following considerations.—1. That it might be provided for solely by the establishment of a Provincial Bank having a large capital which might from time to time be increased, with branches of discount and deposits in all the Districts of the Province giving to each District the opportunity of subscribing within itself for a due proportion of the Capital Stock, in the original creation of the Institution and upon every occasion of the capital being increased, and subjecting the affairs of the Corporation to such regulations and control as would best secure their safe and satisfactory management. Or 2dly.—By chartering one other Bank in addition to such Provincial Bank in order to ensure to the public any benefit that might arise from competition and to do away with any objection or appearance of objection on the ground of monopoly. Or 3dly.—By chartering a number of banks, but a number that should be limited with caution by the Legislature, and only suffered to be increased gradually and in proportion to the increase in the population and trade of the country.—Or 4thly.—By chartering with little hesitation as many Banking Companies as might apply to be incorporated, relying upon the sufficiency of the restrictions to be contained in their charters and upon their prudent management of their affairs for protecting the public against evil consequences from their operations. Or 5thly.—By permitting still greater or rather an unlimited latitude and leaving it to the discretion of individuals or voluntary associations freely to conduct all the business of Banking without Legislative authority or restriction, issuing Bills which are to pass with those who are willing to take them as the representative of cash, in such quantities as they may choose and with no other security for their redemption than the liability which the law attaches to these in common with all other undertakings.

"RESOLVED.—That the Legislature commenced by adopting the system first specified in the foregoing Resolutions; that after some years it advanced, not without scruple and reluctance, to the second; and this first step of departure having been taken, the rapidity with which the Legislative Council finds itself pressed to advance even to the last has led them to entertain serious apprehension of injury to the public from the readiness with which the various projects for Banking with and without charters seem at the present moment to be encouraged.

"RESOLVED.—That the Legislative Council cannot forget the very great injury which a portion of this Province formerly sustained from the failure of an unauthorised and unregulated Bank; and without assuming the probability of any intentional wrong on the part of those who may be allowed to exercise the very important privilege of issuing their notes as a circulating medium; still looking at the actual state of the Province and the present condition of its population, they cannot but dread the very probable occurrence of ruinous losses to individuals and a calamitous shock to trade and public credit from allowing such a privilege to be exercised in any other manner than under the strict and scrupulous control of the Legislature.

"RESOLVED.—That in the opinion of the Legislative Council it is highly inexpedient to permit a paper currency to be issued otherwise than by a chartered Company or Companies subjected to proper restrictions, and that it is an important question for consideration whether the number of chartered Banks should not be limited in accordance with some principles that may be adopted by the Legislature.

"RESOLVED.—That in the opinion of the Legislative Council it is most desirable that the Legislature should without delay apply their deliberate attention to this important subject and endeavor to establish a system to which they shall deem it safe and practicable steadily to adhere, since every year will increase the difficulty of returning to a prudent course, after it has been once unfortunately departed from."

On motion of Mr. Mackenzie, seconded by Mr. McIntosh,

*Ordered*—That the clerk be directed to prepare at the close of the present session, lists of the titles of all bills which, having originated in this House during the present session of the Legislature, were rejected or declined to be acted upon by the Legislative Council; or which, having been so sent up were altered and changed by the Legislative Council so as to cause their subsequent rejection in this House; or which, having originated in and been passed by the Legislative Council, were afterwards rejected or declined to be acted upon by this House; stating also the titles of any bills which, being passed in the Legislative Council and Assembly, are refused the Royal assent or reserved for the consideration of His Majesty, and that two thousand copies of such lists be printed for the use of members, and that the 31st rule may be dispensed with as far as it would affect this motion.

Mr. Norton from the committee to draft and report a bill in pursuance of a resolution of this House, granting a sum of money to be

Clerk to prepare lists of all bills not passed into law, at the end of session.

Select committee to draft River Rouge



expended in erecting a bridge and reducing the hill at the River Rouge, presented a draft which was received and read a first time. bridge bill, present draft.

On the question for the second reading of the bill to-morrow.

Mr. Norton, seconded by Mr. Caldwell, moves in amendment, that the bill be now read a second time, and that the 40th rule of this House be dispensed with so far as relates to the same.

Bill read 2d time.

Which was carried.

The House was put into committee of the whole on the bill.

Committed.

Mr. Roblin in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time this day. 3d reading this day.

Mr. Wells, from the select committee to which was referred the petition of John Dormer, presented a report which was received and read as follows: Com. on petition of John Dormer present report.

*To the Honorable the House of Assembly.*

The committee to whom was referred the petition of Doctor John Dormer, Beg leave to report as follows:

That it appears by certificates and testimonials that the said Doctor John Dormer faithfully and indefatigably exerted himself at Kingston, Barriemfield, and Green Bay, in the capacity of Physician, during the cholera of 1834. That he was night and day employed in relieving those afflicted with the malady, and always ready to attend when called upon—that he never received any thing in remuneration from the Board of Health for his said services. Report of commit. 100.

Your committee therefore recommend that the sum of seventy-five pounds be granted to him for his said services.

All which is respectfully submitted.

JOHN STRANGE,  
Chairman.

Committee Room, House of Assembly, }  
7th April, 1836. }

On motion of Mr. Wells, seconded by Mr. Strange,

*Ordered*—That the report on the petition of Dr. J. Dormer be referred to the committee of Supply. Report referred to committee of supply.

Mr. Small from the select committee to which was referred the petition of James Durnan, light house keeper, Gibraltar point, presented a report which was received and read as follows: Com. on pet. of Jas. Durnan, present report.

*To the Honorable the Commons House of Assembly in Provincial Parliament assembled:*

The committee to whom was referred the petition of James Durnan, keeper of the light house on Gibraltar Point;

Respectfully report, that it is advisable and absolutely necessary to authorise the grant of a sum of money to erect a suitable dwelling house for the keeper of the light house on Gibraltar Point in the Home district; that from the best information your committee can obtain, it appears that the present dwelling attached to the said light house is in such a decayed and shattered state, that it will be impossible to inhabit it during another winter. Your committee would therefore recommend the grant of a sum of money, not to exceed one hundred and fifty pounds, to be applied by commissioners in erecting a new dwelling for the light house keeper upon the said point, in the course of the ensuing season.

All which is respectfully submitted.

JAMES E. SMALL,  
Chairman.

Committee Room, House of Assembly, }  
6th April, 1836. }

On motion of Mr. Small, seconded by Mr. Lount,

*Ordered*—That the report of the select committee upon the petition of James Durnan, be referred to the committee on finance. Report, referred to finance.

Committee to draft an address on Wm. Forsyth's case—present draft.

Mr. Woolverton from the committee to draft and report an address to His Excellency the Lieutenant Governor requesting certain correspondence in the case of William Forsyth, presented a draft, which was received, read twice, concurred in and ordered to be engrossed and read a third time this day.

3d reading to day,

Committee on petition of G. McMicking, report.

Mr. Macnab from the committee to which was referred the petition of Gilbert McMicking, presented a report which was received and read.

Report—(See Appendix.)

Referred to committee of supply.

On motion of Mr. Macnab seconded by Mr. Rykert, *Ordered*—That the report of the select committee on the petition of Gilbert McMicking Esq. be referred to the committee of supply.

Petition of Isaac Fell and others, referred.

On motion of Mr. Robinson, seconded by Mr. Small, *Ordered*—That the petition of Isaac Fell and others be referred to the same committee to whom was referred the petition of D'Arcy Boulton, Esq.

Loughboro' survey bill read second time & committed.

Pursuant to the order of the day the Loughborough survey bill was read a second time.

The House was put into committee of the whole on the bill.

Mr. McKay in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and reported it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the Loughborough survey bill be engrossed and read a third time to-morrow.

River Rouge bridge Bill passed.

Pursuant to the order of the day, the bill granting a sum of money to be expended in the erection of a bridge and cutting down the hill at the river Rouge, was read a third time and passed.

On motion of Mr. Norton, seconded by Mr. Boulton,

*Ordered*—That the bill be entitled "*An Act granting a sum of money for improving the hill at the river Rouge and other purposes therein mentioned.*"

Title.

Messrs. Norton and Boulton were ordered by the Speaker to carry the bill up to the honorable the Legislative Council, and to request their concurrence thereto.

Address to His Excellency on Mr. Forsyth, passed.

Pursuant to the order of the day, the address to His Excellency, the Lieutenant Governor on the subject of Mr. Forsyth, was read the third time and passed, and is as follows:

*To His Excellency, Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province, of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will cause to be laid before this House for its information, copies of all communication between the Colonial office or any other department of the Government of England, and the Lieutenant Governor of this Province, relative to the wrong and injury done to William Forsyth, late of the Niagara Falls Pavilion, by a military outrage committed in the year 1827 on the property of the said William Forsyth, as is set forth in the 5th report from the select committee of this House of last Session on Grievances, and the address of this House to the late Lieutenant Governor—together with all opinions of the Crown officers, and other documents relative to that transaction, other than those which have already been communicated to this House.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
7th day of April, 1836. }

On motion of Mr. Small, seconded by Mr. Rykert,  
*Ordered*—That Messrs. Mackenzie and Cook be a committee to wait upon His Excellency with the address of this House, and to know when he will be pleased to receive the same and to present it.  
 Adjourned.

**Friday, 8th April, 1836.**

The House met.

The minutes of yesterday were read.

Petitions bro't up.

Mr. Malloch brought up the petition of Henry McBride and twenty-two others of the county of Carleton; which was laid on the table.

Of H. McBride & others.

Mr. Thorburn brought up the petition of John Decow, and one hundred and twenty-three others, of the township of Thorold; which was laid on the table.

Of John Decow and others.

Mr. Thorburn brought up the petition of Samuel Becket, and one hundred and thirty others, of the township of Pelham (Lincoln); which was laid on the table.

Of Samuel Becket and others.

Mr. Thorburn brought up the petition of George Rowe, and one hundred and eighty-four others, of the township of Stamford (Lincoln;) which was laid on the table.

Of George Rowe and others.

Mr. Alway brought up the petition of Samuel White, and fifty-five others of the township of Zorra (London district;) which was laid on the table.

O. Samuel White and others.

Mr. Alway brought up the petition of Hugh McDiarmid and one hundred and sixty-seven others, of the township of Nissouri (London district;) which was laid on the table.

Of H. McDiarmid and others.

Mr. Mackenzie brought up the petition of John H. Brown and one hundred and eighteen others, of the township of Albion (York;) which was laid on the table.

Of J. H. Brown and others.

Pursuant to the order of the day, the Brockville market bill was read the third time and passed.

Brockville market bill passed.

Mr. Jones, seconded by Mr. Bruce, moves that the bill be entitled, "*An Act to establish a market in the West Ward of the town of Brockville.*"

Title.

Which was carried, and Messrs. Jones and Bruce were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the amendments made by this House in and to the amendments made by the honorable the Legislative Council in and to the bill entitled, "*An Act for the disposal of the Clergy Reserves in this Province for the purposes of general Education,*"—were read a third time.

Amendments to amendments of Legislative Council, to Clergy Reserve bill.

On the question for passing the same being put, the yeas and nays were taken as follows:

Read 3rd time.

On question for passing.

**YEAS—MESSIEURS.**

- |                           |                            |             |                 |
|---------------------------|----------------------------|-------------|-----------------|
| Alway,                    | Dunlop,                    | McKay,      | Rykert,         |
| Bruce,                    | Durand,                    | McMicking,  | Rymal,          |
| Caldwell,                 | Gilechrist,                | Malloch,    | Smith,          |
| Cook,                     | Lount,                     | Merritt,    | Thom,           |
| Cornwall,                 | McCrae,                    | Moore,      | Wells,          |
| Duncombe, <i>Oxford,</i>  | M'Donell, <i>Northumb.</i> | Morrison,   | Woolverton,—27. |
| Duncombe, <i>Norfolk,</i> | McIntosh,                  | Richardson, |                 |

Yeas 27.

**NAY—Mr. Robinson—1.**

Nay 1.

The question was carried in the affirmative by a majority of twenty-six, and the amendments were passed.

Messrs. Perry and Morrison were ordered by the Speaker to carry the bill up to the honorable the Legislative Council, and to inform that honorable House that this House had passed the amendments with some amendments, and to request their concurrence thereto.

On motion of Mr. Perry, seconded by Mr. Morrison,

Motion for printing 4000 copies of Clergy Reserve bill as amended, with yeas and nays thereon.

*Ordered*—That four thousand copies of the Clergy Reserve sale bill passed by this House, the amendments made by the honorable the Legislative Council to the same, the report of the select committee to whom the said amendments were referred, and the amendments of this House to the aforesaid amendments, with the yeas and nays, be printed in pamphlet form for the use of members.

Loughborough survey bill passed.

Pursuant to the order of the day, the Loughborough survey bill was read the third time and passed.

Title.

Mr. Rykert, seconded by Mr. Yager, moves, that the bill be entitled "*An Act to appoint commissioners to settle the disputed survey of David Rankin, deputy surveyor, in the township of Loughborough.*"

Which was carried, and Messrs. Rykert and Yager were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petitions read.

Pursuant to the order of the day, the following petitions were read:

Of John Fletcher and others.

Of John Fletcher and four hundred and sixty-four others, of the township of East Gwillimbury, North Gwillimbury, Georgina, Scott, and Brock, praying that said townships may be joined to the county of Simcoe, and that Barrie may not be the site chosen for the district town.

Of Wm. Woodruff and others.

Of William Woodruff and one hundred and twenty-two others, of the village of St. David's and vicinity (Niagara); praying the House to address His Majesty to remove the present advisers of the Crown in the colony—to request the House of Commons to take the state of the affairs of the Province into consideration, and check arbitrary power therein, and that an act may be passed for the better regulation of the election laws, and to stop the supplies for the present year.

Of John Logie and others.

Of John Logie and two hundred and thirty others, of the townships of Ops, Eldon, Mariposa, &c. in the county of Durham, praying that the election for said county may be held in the township of Ops.

Of Josh. Huston and others.

Of Joseph Huston and ninety-five others, of the townships of Cavan and Manvers (Durham); praying that in case of the passing of the general election bill, the inhabitants of said townships may be allowed to poll their votes in Cavan.

Of Capt. Drew.

Of Captain Andrew Drew of the Royal Navy, praying for the establishment of a court of Equity, and

Of Robert Burns and others.

Of Robert Burns and thirty eight others of the township of Pickering.

Petition of Robt. F. Gourlay, Esq. to be entered on journals.

Mr. Perry, seconded by Mr. Roblin, moves that the petition of Robert F. Gourlay Esquire, be entered on the journals of this House.

Which was carried, and the petition is as follows:

*To the Honorable the Commons of Upper Canada in Parliament assembled.*

THE MEMORIAL OF ROBERT F. GOURLAY,

Petition of R. F. Gourlay.

SHEWETH: That your memorialist, a native born British subject, acquired right to land in Upper Canada by marriage, 1807; and soon after purchased an equal quantity adjoining thereto, which he paid for in Edinburgh 1810.

That he went from England to Upper Canada, 1817, to see his land and consider whether he should settle there with his family.

That being pleased with the Province he resolved to become a settler, and to establish a land agency.

That he circulated queries for information to emigrants, which led him to know, that abuses prevailed which retarded the improvement of the Province.

That he then proposed sending Commissioners to England for removal of abuses; and was generally countenanced.

That the inhabitants of Niagara District chose certain of their number to meet and take measures for this end, and in furtherance of the same ordered a pamphlet, entitled "Principles and Proceedings" to be printed and circulated.

That your memorialist was twice arrested and held to bail for trial at Kingston and Brockville Assizes for circulating the pamphlet.

That after being twice honorably acquitted he hastened to New-York and sent to England a Power of Attorney for settlement of his affairs in Britain, that he might follow out his business of land agency; but on return to Upper Canada was thrown into prison and confined eight months without benefit of bail.

That at the close of this period he was called before a court of justice, and banished while so weak, with cruel treatment, as to be unable even to protest against proceedings.

That returning to Britain he found his property both in England and Scotland out of his possession, and disputed in the Court of Chancery and the Court of Session.

That after four years' litigation he succeeded at every stage: but then was exposed to other and continued trials so as still to be kept out of possession of his property.

That losing hope of success by law process, he had printed all essential papers regarding his property, and acquainted his son that he could not move further, who, in consequence, returned to Scotland from Upper Canada to give aid; but this proved in vain: whereupon your memorialist crossed the Atlantic to New-York; placed printed copies of affairs in the hands of Andrew S. Gerr, Counsellor at Law, who wrote his Power of Attorney, 1818, for him to witness transactions and continued efforts for settlement; but after eighteen months residence in that city no progress was made, and your memorialist retired to his present residence in the State of Ohio to wait the issue of events.

That he is now informed that public affairs both in Lower and Upper Canada are more and more occasioning trouble: that he is more and more assured no peaceful settlement can be obtained but by full and fair inquiry, which can only be had by application to the Imperial Parliament, whence emanated the Constitutional Act of the Province.

Your memorialist, therefore, now presses what he recommended eighteen years ago, viz.—sending Commissioners to England, there to invite what he believes the competent authorities will cheerfully grant—a full and fair inquiry into every cause of evil.

Your memorialist maintains that every step taken against himself in Upper Canada was oppressive and barbarous:—He can still produce every word printed by him there in proof that nothing but zeal for public good actuated him throughout—He can prove that his efforts for the benefit of the Province were unremitting for seven years after his banishment,—and he feels confident, that with justice done, he could still more than any other individual, advance its prosperity and happiness—Witness his signature this 24th day of March, 1836, at Willoughby, in the County of Cnyahoga, Ohio.

ROBERT F. GOURLAY.

Witness, { Caleb Wilmot Wraton,  
Andrew Houlston.

On motion of Mr. Perry, seconded by Mr. Dunlop,

*Ordered*—That the petition of E. C. Taylor be referred to a select committee, composed of Messrs. Dunlop and Smith, with leave to report thereon.

Petitions referred  
Of E. C. Taylor.

On motion of Mr. Lount, seconded by Mr. Moore,

*Ordered*—That the petition of John Fletcher and others, be referred to the committee on the division of districts.

Of J. Fletcher &  
others.

On motion of Mr. Wilson, seconded by Mr. Mackenzie,

*Ordered*—That the petition of Aaron Connor and others, be referred to the select committee on prisons, and prison discipline.

Of A. Connor &  
others.  
Motion to enter  
petition of R. Burns  
on Journals.

Mr. Mackenzie, seconded by Mr. Wells, moves, that the petition of Robert Burns and others, of Pickering, be entered at length on the Journals of this House.

**Amendment.**

In amendment—Mr. Macnab, seconded by Mr. Robinson, move that all after the word “moves” be expunged, and the following inserted :

“*Resolved*—That this House does not think it proper to take any notice of petitions avowedly sent by members of it to their constituents *dictating* to them an opinion on the present situation of the Colony, in consequence of the late changes and differences between the Executive Council and the Lieutenant Governor, before a committee of the House on the subject has reported, and before the people of the Province have had an opportunity of seeing the documents relating to these matters—a motion for printing and sending them to the country for this purpose having been put and negatived by a large majority.”

**Division.**

On which the yeas and nays were taken as follows :

**YEAS—MESSIEURS,**

|         |  |  |  |  |
|---------|--|--|--|--|
| Yeas 13 | Boulton,<br>Caldwell,<br>Dunlop,<br>Jones,<br>Lewis, | McCrae,<br>McDonell,<br>M'Donell,<br>McKay,<br>Macnab, | Malloch,<br>Merritt,<br>Northumb. Robinson,<br>Rykert, | Strange,<br>Thom,<br>Walsh,<br>Wilkinson—18. |
|---------|--|--|--|--|

**NAYS—MESSIEURS.**

|          |   |  |  |   |
|----------|---|--|--|---|
| Nays 23. | Bruce,<br>Chisholm,<br>Cook,<br>Duncombe,<br>Durand,<br>Gibson,<br>Gilchrist, | Hopkins,<br>Lount,<br>McDonell,<br>McIntosh,<br>Mackenzie,<br>McMicking,<br>Moore, | Morrison,<br>Norton,<br>Stormont,<br>Parke,<br>Richardson,<br>Roblin,<br>Rymal,<br>Shaver, | Small,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager—23. |
|----------|---|--|--|---|

Question lost, majority 10.

The question of amendment was decided in the negative by a majority of ten.

A message was announced from the Honorable the Legislative Council.

On original question

On the original question the yeas and nays being taken were as follows ;

**YEAS—MESSIEURS,**

|          |   |  |  |  |
|----------|---|--|--|--|
| Yeas 23. | Bruce,<br>Chisholm,<br>Cook,<br>Duncombe,<br>Durand,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell,<br>McIntosh,<br>Mackenzie, | McMicking,<br>Moore,<br>Morrison,<br>Parke,<br>Rymal,<br>Shaver, | Smith,<br>Thorburn,<br>Waters,<br>Wells,<br>Wilson,—23 |
|----------|---|--|--|--|

**NAYS—MESSIEURS.**

|         |   |   |  |  |
|---------|---|---|--|--|
| Nays 22 | Boulton,<br>Cornwall,<br>Dunlop,<br>Jones,<br>Lewis,<br>McCrae, | McDonell,<br>McDonell,<br>McNab,<br>Malloch,<br>Merritt,<br>Norton, | Richardson,<br>Northumb. Robinson,<br>Roblin,<br>Rykert,<br>Small, | Strange,<br>Thom,<br>Walsh,<br>Wilkinson,<br>Woolverton,—22. |
|---------|---|---|--|--|

Question carried, majority 1.

The question was carried in the affirmative by a majority of one and the petition was entered and is as follows :

**TO THE HONOURABLE THE HOUSE OF ASSEMBLY.**

*The humble Petition of the undersigned, Inhabitants of the Township of Pickering.*

**Petition of Robert Burns and others. RESPECTFULLY SHEWETH :**

That it is with feelings of sorrow and regret that your petitioners have witnessed the organized opposition offered by the Legislative Council, and by successive Lieutenant Governors, to the noble and spirited efforts made in the last and present Sessions of the Legislature by Your Honourable House, “to maintain, as well as to amend, the Laws and Institutions of the Country,” in accordance with the advice of our revered Sovereigns.

That the people of Canada deserve kinder treatment than they have hitherto met with at the hand of the Agents of the British Government. They have fought, suffered and bled to maintain its supremacy in this distant land, they have manifested their love for the constitution under the very worst of Colonial Administrations, and have for many years been engaged in a peaceful struggle to obtain a practical recognition of their rights as British subjects; yet it appears that no confidence is placed in them.

That the correspondence between His Excellency Sir Francis Bond Head, and the members of the Executive Council that was chosen by him on his accession to the government, has revealed to the people, that it is His Excellency's determination not only to retain in his own hands the power delegated to him by his Sovereign, of dismissing the Executive Council, dissolving the Legislature and appealing to the sense of the people, as often as he may think it expedient so to do, but also to be the only responsible Minister of the Colony; he declares that neither the House of Assembly nor the people who elect its members have the right to call him to account for his public acts, whether they be good or evil; that society here is in "an infant state;" that he will be answerable for his proceedings only in England; and that he considers it absolutely necessary that he should have full liberty to act in every case as he may think best, according to the commands of the King, and the Colonial office, 4000 miles distant, and where the wants and wishes of this community are but little known.

Petition of Robert Burns and others.

That His Excellency has declared, that to the opinion of the late Executive Council in favour of a responsible Local Government, and asking that the advice of a Council possessed at once of the confidence of the Sovereign and the people's representatives should be adhered to in the administration of public affairs, he can never subscribe. On the contrary, he did not feel himself bound to consult the Executive Council on the affairs of the country.

That while His Excellency has thus resolved to hold the powers entrusted to him by his sovereign, to reduce British subjects to a state of abject vassalage, and deny them the advantages of the Constitution and the forms which secure and maintain it, the public lands made valuable by their industry are being sold or given away to favorites, and the proceeds of land sales expended without the authority of law; large sums are annually raised in a variety of forms from the people and expended without their consent, and seldom to their advantage; dissension is kept up by the payment of particular priesthoods out of the public revenue; the Clergy Reserves are being alienated, and the proceeds sent to England instead of being applied to educational purposes; the speedy and satisfactory administration of justice, declared by His Majesty to be "the first and most sacred duty of a sovereign," is in a great measure neglected, and the nomination of Justices of the Peace left in the hands of whoever may happen to be the favourite courtier at the Government House for the time being.

That the public debt and the interest thereon has been of late years greatly augmented; that the financial condition of the colony is becoming daily more and more embarrassing; and that your Honourable House deserves the gratitude of the country for your unwearied industry, in enquiring into, and endeavouring to remove abuses, in passing useful and salutary laws, and in addressing His Majesty, calling his attention to and praying for the removal of those grievances from which the country has long and ineffectually sought relief. That the very great expense of each Legislative Session is chiefly caused by the want of a cordial co-operation with your Honourable House, on the part of successive Lieutenant Governors, and by the systematic rejection, by the Legislative Council, of those bills and measures generally and most earnestly desired for the public benefit. The experience of nearly half a century enables us to declare our entire concurrence in the opinions you have expressed during the present session, "that the Legislative Council, as "at present constituted, has utterly failed, and never can be made to answer the ends for which it was created." So great are the objections of that honourable body to promote the public welfare that even the bill of last session for the destruction of the Wolves which infest and injure many parts of the province, was not allowed to pass into a law.

We beg to remind your Honourable House of the inclement season of the year at which the late County Elections were held; the many miles travelled through the worst of roads by the reformers to effect the return of your members; the sacrifices of a pecuniary and personal nature by some, and the uncommon exertions made by others of your constituents, who reasonably expected thereby to secure cheap and honest government; an impartial administration of Justice; the education of their children, and the improvements of the roads and bridges, in all which they have been most lamentably disappointed, by means of our Lieut. Governors and their Legislative Councils, to whose ruinous proceedings you have not hitherto offered that constitutional resistance the country had a right to expect.

Under these circumstances, we humbly, yet earnestly entreat your Honourable House, to hasten to address His Majesty for the removal of advisers of the Crown in this Colony; to request the attention of the Commons of the United Kingdom to the state of public affairs; and to take the only effectual and constitutional step which is left you to check arbitrary power, and for maintaining the rights of your injured constituents by withholding all supplies of the public money from a government which openly declares its determination to subvert and nullify those ancient fundamental laws and usages so agreeable to nature and reason, for the protection of which the faith and honor of the British nation stand solemnly pledged to the colonists.

Successive Houses of Assembly have declared that to your Honorable House it of right belongs to choose your own officers and confidential servants; and it appears from the Despatch of Lord Glenelg of the 15th of December last, that the King does not dissent from these views. We pray that this right may be so exercised that the records of your House and the petitions of the people may not be entrusted to those who are the avowed enemies of free institutions.

And, as a speedy return to your constituents may possibly be the result of your firmness in the defence of liberty, we pledge ourselves to stand by you at the hour of trial with our voices and influence; and in order that there may be less cause given for controverted elections we pray you to hasten to give effect to a bill for the better regulation of the election laws, which are at present defective in some very important features.

We further pray you, as the great Council of the Province, to address the Lieutenant Governor requesting him to remove, as being unworthy of trust, the members of the Executive Council whose names have lately been gazetted, and to appoint as his Councillors and principal officers, persons possessing the confidence of your Honorable House and of the Country.  
**ROBERT BURNS**, and one hundred and thirty-eight others.

House in committee on report of select committee on improvement of Ottawa.

Com. report a resolution.

On adopting resolution.

At a quarter before three P. M. the Speaker left the chair.  
 At a quarter-past four the Speaker resumed the chair.  
 Pursuant to the order of the day, the House was put into committee of the whole on the report of the select committee on the improvement of the Ottawa River.  
 Mr. Gibson in the chair.  
 The chairman reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.  
 The report was received.  
 On the question for adopting the resolution, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |  |  |  |  |
|----------|--|--|--|--|
| Yeas, 26 | Alway,<br>Caldwell,<br>Chisholm,<br>Cook,<br>Cornwall,<br>Duncombe, <i>Oxford</i> ,<br>Gibson, | Gilchrist,<br>McDonell, <i>Stormont</i> ,<br>McDonell, <i>Northumb.</i><br>McKay,<br>Merritt,<br>Moore,<br>Morrison, | Norton,<br>Parke,<br>Perry,<br>Roblin,<br>Rykert,<br>Shaver, | Strange,<br>Thom,<br>Thorburn,<br>Waters,<br>Wilkinson,<br>Yager—26. |
|----------|--|--|--|--|

NAYS—MESSIEURS,

|        |                               |                      |                  |                     |
|--------|-------------------------------|----------------------|------------------|---------------------|
| Nays 9 | Boulton,<br>Bruce,<br>McCrae, | McIntosh,<br>Macnab, | Rymal,<br>Small, | Walsh,<br>Wilson—9. |
|--------|-------------------------------|----------------------|------------------|---------------------|

Carried majority 17.

Resolution granting £4000 to improve Ottawa river.

The question was carried in the affirmative by a majority of seventeen, and the resolution was adopted as follows :

*Resolved*—That there be granted by His Majesty the sum of four thousand pounds out of what is usually termed the casual and territorial revenue of this Province, now in, or hereafter coming into the hands of the Receiver General and unappropriated, to be applied in the improvement of the Ottawa river, and its tributary streams, and to be expended by commissioners who shall be required to report to the Legislature the improvements made, and what will be a reasonable toll to be collected on timber and other goods and merchandise, passing where timber slides and locks are made.

On motion of Mr. McKay, seconded by Mr. Small,

*Ordered*—That Messrs. Perry and Norton, be a select committee to draft a bill in pursuance of the resolution of this day, on the improvement of the Ottawa river.

Committee to wait on His Excellency with address on Clergy lands, report answer.

Mr. Thorburn, from the committee to wait upon His Excellency, the Lieutenant Governor with the address of this House requesting further information on the subject of lands surrendered by clergy, reported delivering the same, and that His Excellency had been pleased to make thereto, the following answer :

Answer.

GENTLEMEN,

The documents requested by this address shall be transmitted to the House of Assembly without delay.

Select committee to draft bill for improvement of the Ottawa, report draft.

Mr. Perry, from the select committee to draft and report a bill founded on the resolution of this House granting a sum of money out of the casual and territorial revenue for the improvement of the navigation of the River Ottawa, presented a draft, which was received and read a first time.

Read 2nd time and committed.

On the question for the second reading of the bill to-morrow, In amendment—Mr. McKay, seconded by Mr. Norton, moves that the bill be read a second time this day, and that the 40th rule be dispensed with so far as relates to the same.



Which was carried, and the bill was read the second time.  
The House was put into committee of the whole on the bill.  
Mr. Gibson in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill amended.

The report was received.

*Ordered*—That the bill granting aid for the improvement of the Ottawa, be engrossed and read a third time to-morrow.

3d reading to-morrow.

Mr. Speaker reported that the Master in Chancery had brought down from the honorable the Legislative Council, a message; which was read as follows:

Mr. Speaker reports Messages from Legislative Council.

Mr. SPEAKER,

The Legislative Council has passed the bill sent up from the Commons House of Assembly entitled, "An act to repeal an act passed in the 49th year of the reign his late Majesty King George the Third, entitled, 'An act to encourage the destroying of Wolves in this Province,' and to make further provision for exterminating these destructive animals,"—also the bill entitled, "An act to repeal and amend certain parts of an act passed in the third year of his Majesty's reign, entitled, 'An act to incorporate a company under the style and title of the British America fire and life assurance company,'"—and also the bill entitled, "An act to provide additional aid in support of common schools in the several districts of this Province,"—without any amendment.

Wolf bounty bill passed.

Life and Fire Assurance company bill passed.

School bounty bill passed.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
8th day of April, 1836. }

Pursuant to the order of the day, the bill to amend the York Incorporation Act was read the second time.

York incorporation amendment bill read second time & committed.

The House was put into committee of the whole on the bill.

Mr. Wilson in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the House went into committee of the whole on the report of the select committee on the improvement of Windsor harbor.

House put into committee on report of select committee on improvement of Windsor Harbor.

Mr. Hopkins in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

Committee report resolution.

The report was received.

On the question for adopting the resolution, the yeas and nays being taken, were as follows:

On adopting resolution.

YEAS—MÉSSEURS,

|                           |                            |           |           |
|---------------------------|----------------------------|-----------|-----------|
| Alway,                    | Gilchrist,                 | Macnab,   | Robinson, |
| Brown,                    | Hopkins,                   | Merritt,  | Roblin,   |
| Bruce,                    | Lount,                     | Moore,    | Rykert,   |
| Caldwell,                 | McCrae,                    | Morrison, | Small,    |
| Cornwall,                 | M'Donell, <i>Glenarry,</i> | Norton,   | Smith,    |
| Duncombe, <i>Norfolk,</i> | McLean,                    | Parko,    | Strange,  |
| Dunrad,                   | McMicking,                 | Perry,    | Yager—29  |
| Gibson,                   |                            |           |           |

Yeas 29.

NAYS—MESSIEURS,

|          |   |                                   |                                       |                                    |
|----------|---|-----------------------------------|---------------------------------------|------------------------------------|
| Nays 13. | Chisholm,<br>Cook,<br>Lewis,<br>McIntosh, | McKay,<br>Malloch,<br>Richardson, | Rymal,<br>Solicitor General,<br>Thom, | Walsh,<br>Wells,<br>Woolverton—13. |
|----------|---|-----------------------------------|---------------------------------------|------------------------------------|

Carried, majority 16. The question was carried in the affirmative by a majority of sixteen, and the resolution was adopted as follows :

Resolution granting £9000 for improvement of Windsor harbor. *Resolved*—That there be granted the sum of nine thousand pounds to be expended in constructing a harbor at Windsor Bay in the township of Whitby, to be laid out by commissioners, and that a suitable toll be levied on all goods, wares and merchandize, laden or shipped through the said harbor, and on all vessels and craft using the same, for the purpose of paying the interest, and eventually the principal of the said sum.

Committee to draft bill on resolution. Mr. Morrison, seconded by Mr. Brown, moves that Messrs. Perry and Bruce, be a committee to draft a bill founded on the foregoing resolution.

Chatham and Camden boundary bill read second time. Pursuant to the order of the day the Chatham and Camden boundary line bill was read a second time.

The House was put into committee of the whole on the bill.

Mr. Malloch in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

Division. On the question for receiving the report, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |  |  |   |  |
|----------|--|--|---|--|
| Yeas 28. | Boulton,<br>Brown,<br>Caldwell,<br>Cornwall,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop,<br>Durand, | Lewis,<br>McCrae,<br>M'Donell, <i>Glengarry</i> ,<br>McKay,<br>McLean,<br>McNab,<br>Malloch, | Merritt,<br>Richardson,<br>Robinson,<br>Roblin,<br>Rykert,<br>Shaver,<br>Small, | Smith,<br>Solicitor General,<br>Strange,<br>Thom,<br>Walsh,<br>Wilkinson,<br>Woolverton--28. |
|----------|--|--|---|--|

NAYS—MESSIEURS.

|          |  |  |   |  |
|----------|--|--|---|--|
| Nays 18. | Alway,<br>Bruce,<br>Chesser,<br>Cook,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh, | Mackenzie,<br>McMicking,<br>Moore,<br>Morrison, | Parke,<br>Rymal,<br>Wilson,<br>Yager—18. |
|----------|--|--|---|--|

Carried, majority 10. The question was carried in the affirmative by a majority of ten, and the report was received.

3d reading on Tuesday. *Ordered*—That the bill be engrossed and read a third time on Tuesday next.

Sel. com. on Welland canal affairs present second report. Mr. Small, chairman of the committee to which was referred the affairs of the Welland Canal Company, presented a second report, which was received and read as follows :

*To the Honorable the Commons' House of Assembly.*

Report. Your committee appointed to investigate the affairs of the Welland Canal Company, and to whom was referred the petition of Ogden Creighton, A. McDonell and T. Butler, Esquires, Directors of the said Company, praying that persons may be appointed with power to treat through the Directors with the private stockholders for the sale of the interests of the Province in the said canal, or the purchase of the interests of the stockholders ;

Respectfully report as a second report :  
That in the opinion of your committee in the present state of the affairs of the Welland Canal Company, it is advisable to comply with the prayer of the said peti-

tion, and would recommend that a bill be passed appointing commissioners to treat with the stockholders in the first place for the purchase of their interest in the canal, and secondly for the sale to the company of the interests of this Province therein, with the understanding that whatever sum should be agreed upon to be paid to the Province should be paid down.

All which is respectfully submitted.  
 Committee Room, House of Assembly, }  
 April 8th, 1836.

JAMES E. SMALL.  
 Chairman.

On motion of Mr. Small, seconded by Mr. Rykert,  
*Ordered*—That the second report of the committee appointed to investigate the affairs of the Welland Canal Company be referred to a committee of the whole House on Monday next.

Report on Welland Canal to be referred to commit. of whole.

Pursuant to the order of the day the House was put into a committee of the whole on the Murray Canal.

House goes into committee of whole on Murray Canal.

Mr. Durand in the chair.

The House resumed.

The chairman reported that the committee had risen.

Committee rises.

The report was received.

Adjourned.

Saturday, 9th April, 1836.

The House met

Petition bro't up.

The minutes of yesterday were read.

Mr. Mackenzie brought up the petition of William Blackburn and forty-one others, of the township of Clark, county of Durham; which was laid on the table.

Of Wm. Blackburn and others.

Mr. Gibson brought up the petition of Elijah Pease and forty-one others of the Home District; which was laid on the table.

Of E. Pease and others

Mr. Gibson brought up the petition of George Mosier and fifty-six others; which was laid on the table.

Of George Mosier and others.

Pursuant to the order of the day the bill to improve the navigation of the river Ottawa was read the third time and passed.

Ottawa navigation bill passed.

Mr. McKay, seconded by Mr. Rykert, moves that the bill be entitled "*An Act granting a sum of money for the purpose of improving the navigation of the river Ottawa, and appointing commissioners to superintend the said improvement, and for other purposes therein mentioned.*"

Title.

Which was carried, and Messrs. McKay and Rykert were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Pursuant to the order of the day, the petition of Alexander McGregor and six hundred and seventeen others of the City of Toronto—of Alexander Milne and sixteen others, of the township of York; of Martin Snider and seven others of the township of York; of John Wismer and twenty others of the township of Markham; of Peter Milne and forty-three others, of the township of Markham; of Frederick Eckardt and twenty-one others of the township of Markham; and of Joshua Wright and forty-two others of the township of York, praying the same as the petition of Robert Burns and others, were read.

Petitions read.

Of Alex. McGregor and others.

Of A. Milne and others.

Of M. Snider and others.

Of John Wismer and others.

Of P. Milne and others.

Of F. Eckardt and others.

Of Joshua Wright and others.

Mr. Chisholm, from the Committee on Education, presented a report which was received and read as follows :

Select committee on education present report.

To the Honorable the Commons House of Assembly, &c. &c. &c.

The standing committee on education have had under their consideration the subject of school lands in this province, and upon a full view of the case have come to the deliberate conclusion that it is expedient to take immediate steps to carry into effect the proposition

of his Majesty to exchange crown lands in settled townships for depreciated school lands, and that it is important for that purpose to appoint a certain number of commissioners to examine the said lands and report on the relative value and situation of the same.

A. CHISHOLM,  
Chairman.

Select committee on petition of Thomas Smith, report Smith's relief bill.

Mr. Wilson, from the select committee on the petition of Thos. Smith, informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the house would be pleased to receive the same.

The report was received and the bill was read the first time.

*Ordered*—That the bill for the relief of Thomas Smith be read a second time on Monday.

2d reading on Monday.

Standing committee on finance present several reports.

Mr. Charles Duncombe, chairman of the committee on finance presented several reports, which were received and read as follows :—

*To the Honorable the Commons House of Assembly, &c. &c. &c.*

The committee on finance beg leave respectfully to report.

Report on expenditure for steam dredging machine.

That the sum of two thousand pounds granted by the Provincial Legislature at its last session for the purchase of a steam power dredging machine has been expended in the purchase of the same, but that there still remains the sum of one thousand four hundred pounds to be yet provided for the final payment of the expense of the said machine; they therefore respectfully recommend to your Honorable House to grant the said sum to enable the commissioners to complete the said steam dredge, and the six lighters not provided for by the last grant, but absolutely necessary to the operation of the dredge

All which is most respectfully submitted.

CHARLES DUNCOMBE,  
Chairman.

On Petition of Joseph Turton.

*To the Honorable the Commons House of Assembly, &c. &c. &c.*

The committee of finance beg leave respectfully to report.

That they find upon examination of the documents connected with the prayer of Joseph Turton, strong proofs of his being entitled to compensation, and that the House of Assembly at its last session passed a bill granting to the said Joseph Turton the sum of £290 15 currency; they therefore most respectfully recommend to your Honorable House to pass a bill similar to the bill passed last year, but which did not become a law, from some cause unknown to your committee.

All which is respectfully submitted.

CHARLES DUNCOMBE,  
Chairman.

On petition of Andrew Deacon.

*To the Honorable the Commons House of Assembly, &c. &c. &c.*

The committee of finance to whom was referred the petition of Andrew Deacon, Esq. beg leave to report.

That the petitioner and his sureties are unable to meet the payment of a large balance due from him for moneys collected by him as collector of customs at the port of Hallowell, unless your Honorable House extend to him the indulgence prayed for in his petition, upon condition of his giving to the Inspector General of this Province good and sufficient security for the payment of all moneys due from him to the Government as collector at that port, and also upon his giving

good security for the punctual payment in future of all moneys that may come into his hands as collector of customs at the port of Hallowell.

Your committee therefore respectfully recommend to your Honorable House to pass a bill authorising the Inspector General to allow the said Andrew Deacon such sum as his percentage would have amounted to (and not received by him) had there been no defalcation, upon his paying the balance remaining due to the Government from him as collector of customs as aforesaid.

All which is respectfully submitted.

CHARLES DUNCOMBE,  
Chairman.

*To the Honorable the Commons House of Assembly, &c. &c. &c.*

The committee of finance beg leave to report.

That after the estimates of the public accounts were sent down to this House, an estimate was sent down by His Excellency for the repairs of the Government House, which is hereunto annexed.

On message of His Excellency on repairs of Government House.

All which is respectfully submitted.

CHARLES DUNCOMBE,  
Chairman.

“F. B. Head.

“The Lieutenant Governor in submitting to the consideration of the House of Assembly, the present dilapidated state of the Government House and out offices, acquaints the House that by information derived from competent persons, it would require the sum of £500, in addition to the annual vote, to effect repairs, a memorandum of which is enclosed herewith.

“Government House, 8th March, 1836.”

“Memorandum of proposed repairs to Government House.”

“£500 { New covering the roof,  
Rough casting the exterior of the building,  
Painting,  
Putting up paling.

*To the Honorable the Commons House of Assembly, &c. &c. &c.*

The committee on finance beg leave to report upon the petition of Francis Hall, Esq. Civil Engineer, which has been referred to them for the payment of his claim for professional services rendered to the Burlington Bay Canal, amounting to £55 and interest.

On pet. of Francis Hall, Esq.

Your committee have carefully examined the several original documents of contract and audit between the petitioner and the Board of Directors of that work, submitted to the consideration of a select committee of your Honorable House at the last session, and your committee have to express their entire concurrence in the report made by that committee, recommending to your Honorable House the payment to petitioner of the amount of his claim, namely, fifty-five pounds, currency, with interest thereon from January 1827.

Your committee find that a bill passed your Honorable House at the last session of Parliament granting to the said Francis Hall the above sum, but from some cause unknown to your committee, did not become a law.

All which is respectfully submitted.

CHARLES DUNCOMBE,  
Chairman.

*To the Honorable the Commons House of Assembly, &c. &c. &c.*  
 The committee of finance beg leave respectfully to report.

That in order to secure the certainty of the provision for the lighting the several light houses in this province, and that the same may be done in the cheapest and most perfect manner;

On support of light houses.

Your committee respectfully beg leave to recommend to your Honorable House to grant the sum of one thousand pounds for one year for the purpose of furnishing the several light houses in this province during that period, and they would recommend that the contracts for keeping the same should be given out by tender, after public notice, upon good and sufficient security for the due fulfilment of the same. they therefore respectfully submit the accompanying resolution, and that the Inspector General be required to lay before the Legislature a detailed statement of the expenditure of the same at the next session of the Legislature.

All which is respectfully submitted

CHARLES DUNCOMBE.

*Chairman.*

“ Resolved, That the sum of one thousand pounds be granted to his Majesty for one year for the purpose of providing for the support of light-houses in this province during that period; to be paid by the Receiver-General out of any monies of this province that may come into his hands and not otherwise appropriated.”

Report on light-house Bois Blanc Island. (See Appendix.)

Report on petition of E. H. Molloy, Esq. (See Appendix.)

*To the Honorable the Commons' House of Assembly.*

The committee to whom was referred the petition of Freeman Bray Beg leave to report,

On petition of Freeman Bray.

That it appears by the evidence produced before the committee during the present session. as well as the evidence taken by a committee appointed to investigate the subject at the last session, held on the 19th of December, 1832, the schooner Sir John Colborne, in an attempt to enter the harbour of York, struck on the bar which stretches northward from Gibraltar Point—it is further proved that during that night there was no light kept in the light-house, and that another vessel, for want of light, found much difficulty in entering the harbor at an earlier hour.—From the testimony received, the committee are of opinion that to the want of the usual light, must be attributed the loss of the schooner, and therefore recommend that the sum of £100 be granted to His Majesty, to enable him to compensate the said Freeman Bray for the loss he has sustained, he having with other vessels at that time been liable to pay light house dues.

All of which is respectfully submitted.

CHARLES DUNCOMBE, *Chairman.*

Mr. Dunlop, from the select committee to which was referred the petition of E. C. Taylor, presented a report, which was received and read as follows:

Select committee on petition of E. C. Taylor, present report.

*To the Honorable the House of Assembly.*

The select committee to whom the petition of E. C. Taylor was referred, beg leave to report:

That having examined witnesses, and inquired into the circumstances of the case, your committee strongly recommend the prayer of the petitioner to be granted, on approved personal security

R. G. DUNLOP,

*Chairman.*

Committee Room, House of Assembly, }  
 8th day of April, 1836. }

Mr. Perry, seconded by Mr. Shaver, moves, that the House do now resolve itself into a Committee of the whole to take into consideration the report of the Standing Committee on Education, relative to School Lands, and the following reports of the Finance Committee :—On the subject of a Steam Dredge ; Light Houses ; Bois Blanc ; Andrew Deacon ; Joseph Turton ; Freeman Bray ; and Francis Hall ; and the report of the Commissioners on the Burlington Bay Canal, and Port Dover Harbor, and the subject of the Penitentiary at Kingston.

Motion for House to go into Committee of whole on various subjects.

In amendment, Mr. Richardson, seconded by Mr. Thom, moves, that after the word “moves” in the original motion, the rest be expunged, and the following inserted :—“That the House do now resolve itself into Committee of Supply.”

Amendment.

On which the yeas and nays were taken as follows :

Division.

YEAS—MESSIEURS,

Boulton,  
Caldwell,  
Macnab,

Malloch,  
Richardson,  
Robinson,

Rykert,  
Strange,

Thom,  
Walsh—10.

Yeas 10.

NAYS—MESSIEURS,

Alway,  
Bruce,  
Chisholm,  
Cook,  
Duncombe, *Oxford*,  
Dunlop,  
Durand,  
Gibson.

Gilchrist,  
Hopkins,  
Lonnt,  
McDonell, *Stormont*,  
McIntosh,  
Mackenzie,  
McMicking,  
Moore,

Norton,  
Parke,  
Perry,  
Roblin,  
Rymal,  
Shaver,  
Small,

Smith,  
Thorburn,  
Waters,  
Wells,  
Wilson,  
Woolverton,  
Yager—30.

Nays 30.

The question of amendment was decided in the negative, by a majority of twenty.

Lost, majority 20.

In amendment to the original question, Mr. Small, seconded by Mr. Robinson, moves that after the word “Kingston” the following be added :—“And that the Committee of Finance be discharged from the consideration of the report of the Select Committee on the petition of James Durnan, and that the said report be also now referred to a committee of the whole.”

Another amendment.

Which was carried.

Carried.

The original question, as amended, was then put and carried, as follows :—

*Ordered*—That the House do now resolve itself into a Committee of the whole, to take into consideration the report of the Standing Committee on Education, relative to School Lands, and the following reports of the Finance Committee :—On the subject of a Steam Dredge ; Light Houses ; Bois Blanc ; Andrew Deacon ; Joseph Turton ; Freeman Bray ; and Francis Hall ; and the report of the Commissioners on the Burlington Bay Canal ; and Port Dover Harbor ; and the subject of the Penitentiary at Kingston ; and that the Committee on Finance be discharged from the consideration of the report of the Select Committee on the petition of James Durnan, and that the said report be also now referred to a Committee of the whole.

Original question, as amended.

The House was put into Committee of the whole accordingly. Mr. Wells in the chair.

House goes into Committee of whole.

The House resumed, Black Rod being at the door.

The Speaker left the chair.

The Chairman resumed the chair of Committee.

The House resumed.

Chairman reports several resolutions.

The Chairman reported that the Committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House.

The Report was received.

The first Resolution was put and carried as follows :

First resolution  
Appointing Commissioners to inspect School and Crown Lands.

*Resolved.*—That it is expedient to make provision by law for the remuneration of certain Commissioners, and other persons employed by them, for the purposes of procuring correct information relative to the value and situation of Crown Lands in settled Townships, and also the School Lands in the Province, in order to the exchange of the same, agreeably to the proposition of His Majesty, as set forth in his despatch transmitted to this House by Sir John Colborne, on the 19th of March, 1835.

Second Resolution.

The second Resolution was put and carried as follows :

£1000 for support of Light Houses.

*Resolved.*—That the sum of £1,000. be granted to His Majesty for one year, for the purpose of providing for the support of Light-Houses in this Province, during that period; to be paid by the Receiver General, out of any monies of this Province that may come into his hands and not otherwise appropriated.

Third resolution.

The third Resolution was then read as follows :

£1,400 more for Steam Dredging Machine.

*Resolved.*—That there be granted to His Majesty the sum of £1,400. to enable the Commissioners for purchasing a Steam Dredging Machine to defray the expense of the same.

Amendment.

In amendment, Mr. McLean, seconded by Mr. Boulton, moves, that all of the original motion after the word "*Resolved*" be expunged, and the following inserted, "That by an Act passed during the last Session of Parliament, Charles Duncombe, and David Thorburn, Esquires, Members of this House, and Manuel Overfield, Esquire, were appointed Commissioners for purchasing a Steam Dredging Machine.—That the sum of £2,000, granted by the said Act, appears to have been paid to the first named Commissioners, £500 having been paid to David Thorburn, Esquire, and £1,500 to the said Charles Duncombe, Esquire.—That by the report of the said Charles Duncombe, Esquire, it appears that he received the whole amount of the said grant, and was the Commissioner entrusted to expend the same.—That by the said report it also appears that a contract has been entered into for a Dredging Machine, and that a further sum of £1,400 will be required to cover the expense of such Machine and its appendages, but that no contract has been produced for the information of this House, nor have the said Commissioners complied with the requisitions of the Act by which they were appointed, in furnishing Vouchers for the expenditure of the monies entrusted to them—it is therefore inexpedient to grant any further sum until such Vouchers are produced."

Division.

On which the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

Yeas 16.

|           |                             |             |            |
|-----------|-----------------------------|-------------|------------|
| Boulton,  | McDonell, <i>Stormont</i> , | Macnab,     | Small,     |
| Chisholm, | McDonell, <i>Northumb.</i>  | Malloch,    | Strangè.   |
| Cook,     | McKay,                      | Richardson, | Thom,      |
| Dunlop,   | McLean,                     | Rykert,     | Walsh,—16. |

NAYS—MESSIEURS,

Nays 23.

|                            |            |           |                    |
|----------------------------|------------|-----------|--------------------|
| Alway,                     | Hopkins,   | Morrison, | Shaver,            |
| Bruce,                     | Lount,     | Park,     | Smith,             |
| Duncombe, <i>Norfolk</i> , | McIntosh,  | Perry,    | Solicitor General, |
| Durand,                    | Mackenzie, | Robinson, | Wilson,            |
| Gibson,                    | McMicking, | Roblin,   | Yager,—23.         |
| Gilchrist,                 | Moore,     | Rymal,    |                    |



The question of amendment was decided in the negative by a majority of seven.

On the original question the yeas and nays being taken were as follows:

**YEAS—MESSIEURS.**

|                           |                            |           |                    |          |
|---------------------------|----------------------------|-----------|--------------------|----------|
| Alway,                    | McDonell, <i>Northumb.</i> | Parke,    | Smith,             | Yeas 26. |
| Bruce,                    | McKay,                     | Perry,    | Solicitor General, |          |
| Duncombe, <i>Norfolk.</i> | Mackenzie,                 | Robinson, | Waters,            |          |
| Durand,                   | McMicking,                 | Roblin,   | Wilson,            |          |
| Gibson,                   | McNab,                     | Rymal,    | Woolverton,        |          |
| Gilchrist,                | Moore,                     | Shaver,   | Yager,—26.         |          |
| Hopkins,                  | Morrison,                  |           |                    |          |

**NAYS—MESSIEURS.**

|           |           |             |            |          |
|-----------|-----------|-------------|------------|----------|
| Boulton,  | McIntosh, | Richardson, | Strange,   | Nays 13. |
| Chisholm, | McLean,   | Rykert,     | Thom,      |          |
| Cook,     | Malloch,  | Small,      | Walsh,—13. |          |
| Lount,    |           |             |            |          |

The question was carried in the affirmative, by a majority of thirteen, and it was,

*Resolved*—That there be granted to His Majesty the sum of fourteen hundred pounds, to enable the Commissioners for purchasing a Steam Dredging Machine to defray the expense of the same.

The fourth resolution was put and carried as follows :

Fourth resolution.

*Resolved*—That the sum of three hundred pounds be granted to His Majesty, to be applied with the sum already granted, of eight hundred pounds, to the erection and completion of a Light House upon the Island of Bois Blanc, in the Western District, to be paid by the Receiver General out of any public moneys that may come into his hands, and not otherwise appropriated.

£300 additional for Light House Bois Blanc.

The fifth resolution was put as follows :

Fifth Resolution put.

*Resolved*—That the sum of two hundred and ninety pounds, fifteen shillings, be granted to His Majesty, to be applied to the payment of a balance due to Joseph Turton, for building the Parliament House, to be paid by the Receiver General of this Province out of any of the public moneys of the Province not otherwise appropriated.

£290 15s. to remunerate Joseph Turton.

On which the yeas and nays being taken, were as follows :

Division.

**YEAS—MESSIEURS,**

|                           |            |             |           |          |
|---------------------------|------------|-------------|-----------|----------|
| Alway,                    | Gilchrist, | Moore,      | Small,    | Yeas 26. |
| Bruce,                    | Hopkins,   | Morrison,   | Smith,    |          |
| Chisholm,                 | Lount,     | Perry,      | Thom,     |          |
| Cornwall,                 | McIntosh,  | Richardson, | Thorburn, |          |
| Duncombe, <i>Norfolk.</i> | Mackenzie, | Robinson,   | Waters,   |          |
| Durand,                   | McMicking, | Roblin,     | Wilson,   |          |
| Gibson,                   | Macnab,    | Rymal,      | Yager—28. |          |

**NAYS—MESSIEURS,**

|                            |          |                    |                 |          |
|----------------------------|----------|--------------------|-----------------|----------|
| Boulton,                   | McKay,   | Parke,             | Strange,        | Nays 15. |
| Caldwell,                  | McLean,  | Rykert,            | Walsh,          |          |
| Cook,                      | Malloch, | Shaver,            | Woolverton.—15. |          |
| McDonell, <i>Northumb.</i> | Merritt, | Solicitor General, |                 |          |

The question was carried in the affirmative by a majority of thirteen, and it was resolved accordingly.

The following Resolutions were then severally put and carried as follows :

*Resolved*—That there be granted to His Majesty the sum of eighty two pounds twelve shillings, to be applied to the payment of an account due to Mr. Francis Hall, Civil Engineer, for services per-

Sixth Resolution.  
£82. 10s. to remunerate Francis Hall, Esq.

formed by him for the benefit of the Burlington Bay Canal, up to January, 1827.

Seventh Resolution.  
£5,000. for Penitentiary.

*Resolved*—That there be granted to His Majesty the sum of five thousand pounds, to enable the Commissioners appointed to superintend the erection and management of the Penitentiary at Kingston, to provide for the accommodation and payment of the necessary officers in charge of the convicts, and also for clothing, maintaining and lodging the said convicts during the ensuing year.

Fifth Resolution.  
To pay Andrew Deacon certain sums for per centage on collection.

*Resolved.*—That it is expedient that an Act be passed allowing Andrew Deacon, Esquire, Collector of Customs for the Port of Hallowell, in the Prince Edward District, his allowance of per centage for the following years, namely—1822, 1823, 1824, 1829, 1830, 1832, and 1833.

Ninth Resolution.  
£100. for Light-Keeper's House on Gibraltar Point.

*Resolved*—That the sum of one hundred pounds be granted to His Majesty, to be expended by Commissioners in repairing the dwelling-house for the light-house keeper on Gibraltar Point, in the Home District—to be paid out of any monies in the hands of the Receiver General of this Province, unappropriated.

On motion of Mr. Perry, seconded by Mr. Roblin—

Committee to draft Bills pursuant to resolutions.

*Ordered*—That Messrs. Bruce and McMicking be a Committee to draft and report Bills, pursuant to the foregoing Resolutions.

Speaker reports message from Legislative Council.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message, which was read as follows:—

Mr. SPEAKER,

Pearse and others Relief Bill passed.

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, entitled "*An Act for the relief of John Pearse, William Dumble, and William Hoar,*" without any amendment.

JOHN B. ROBINSON,  
SPEAKER.

*Legislative Council Chamber,* }  
Ninth day of April, 1836. }

Toronto Incorporation amendment Bill read third time

Pursuant to the order of the day, the Bill to amend the Act incorporating the City of Toronto was read the third time.

Mr. Small, seconded by Mr. Walsh, moves that the following be added as a rider to the Bill:—

Rider moved

" And be it further enacted by the authority aforesaid, That so much of the 39th section of the before-recited Act, incorporating the said City of Toronto, as enacts that a majority of Aldermen and a majority of Common Councilmen shall together be a quorum for the despatch of business, shall be and the same is hereby repealed, and that hereafter a majority of the said Council shall be a quorum for the despatch of business.

" And be it further enacted by the authority aforesaid, That every person offering himself as a candidate for the office of Mayor, Alderman, Common Councilman, or Coroner, shall and he is hereby required, upon demand made by any elector of the said City or liberties, or any ward thereof, at any time before such candidate shall have been duly returned as elected to any of the before-mentioned offices, swear to his qualification for such office, particularly describing the property upon which he qualifies, and where the same is situated, which oath or (in case of a person authorized by law to affirm) affirmation shall be administered by the Return-

“ing Officer at any such election; and any person swearing or affirm-  
 “ing falsely in the premises, shall, upon conviction, be deemed guilty  
 “of wilful and corrupt perjury.”—

Carried.

Which was carried, and the rider was read twice.

*Ordered*—That the rider to the Toronto Incorporation Amend- Third reading to-day.  
 ment Bill be engrossed, and read a third time this day.

The House then adjourned till Ten, A. M. on Monday next.

MONDAY, 11th APRIL, 1836.

The House met pursuant to adjournment.

The minutes of Saturday were read.

Mr. McIntosh brought up the petition of William Johnston and thirty-three others, of the township of Georgina, (York); which was laid on the table. Petitions brought up.  
Of William Johnston  
and others.

Mr. McIntosh brought up the petition of David Sprague and fifty others, of the township of North Gwillimbury; which was laid on the table. Of David Sprague  
and others.

Mr. McIntosh brought up the petition of William Reid, Senior, and eighty-five others, of the township of East Gwillimbury, (York); which was laid on the table. Of William Reid  
and others.

Mr. McIntosh brought up the petition of Silas Fletcher and sixty-eight others, of the Home district; which was laid on the table. Of Silas Fletcher  
and others.

Mr. Bruce brought up the petition of John N. Ault and forty-eight others, of the Eastern District; which was laid on the table. Of John N. Ault,  
and others.

Mr. Mackenzie brought up the petition of John Coats and eighty others, of Albion, (York); which was laid on the table. Of John Coats  
and others.

Mr. Mackenzie brought up the petition of Peter McNaughton and twenty-three others of the township of Caledon; which was laid on the table. Of P. McNaughton  
and others.

Mr. Bruce brought up the petition of Richard Loucks, Junior, and fifty-eight others, of the County of Stormont; which was laid on the table. Of Richard Loucks  
and others.

Pursuant to the order of the day, the rider to the Bill for amend- Rider to Toronto In-  
 ing the Act incorporating the City of Toronto was read the third time corporation amend-  
 and passed. ment bill passed.

Mr. Morrison, seconded by Mr. Cook, moves that the Bill be entitled “*An Act to repeal certain parts of and to amend an Act passed in the fourth year of His Majesty's Reign, entitled ‘An Act to extend the limits of the Town of York: to erect the said Town into a City; and to Incorporate it under the name of the City of Toronto, and for other purposes therein mentioned.’*” Title.

Which was carried, and Messrs. Morrison and Cook were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the following petitions were read:— Petitions read.

Of Henry McBride and twenty-two others, of the County of Carleton, praying for an amendment of the laws relating to the administration of justice. Of Henry McBride  
and others.

Of John Decow and one hundred and twenty-three others, of Thorold—of Samuel Becket and one hundred and thirty others, of the township of Pelham—of George Rowe and one hundred and eighty-four others, of the township of Stamford—of Samuel White Of John Decow  
and others.  
Of Samuel Becket  
and others.  
Of George Rowe  
and others.  
Of Samuel White  
and others.

Of Hugh McDiarmid and others.

and fifty others, of the township of Zorra—of Hugh McDiarmid and one hundred and sixty-seven others, of the Township of Nissouri—and of John H. Brown and one hundred and eighteen others, of the township of Albion; all praying the same as the petition of Robert Burns and others.

House goes into Committee on bill to abolish imprisonment for debt.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill to abolish Imprisonment for Debt.

Mr. David Duncombe in the Chair.

The House resumed.

Bill amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, made some amendments to the same, and submitted it for the adoption of the same.

The report was received.

Third reading to-morrow.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

Larceny bill (L. C.) read second time, and committed.

Pursuant to the order of the day, the Bill sent down from the Honorable the Legislative Council, entitled "*An Act to abolish the distinction between Grand and Petty Larceny, and to enable Courts of General Quarter Sessions of the Peace, and any Court having the like powers, to try all cases of simple Larceny, under certain restrictions, and to amend the laws respecting the punishment of Larceny,*" was read the second time.

The House was put into Committee of the whole on the Bill.

Mr. Lewis in the Chair.

The House resumed.

Committee rises.

The Chairman reported that the Committee had risen.

The report was received.

Speaker reports communication from His Excellency, announcing his intention to prorogue Parliament on the 20th instant.

The Speaker reported that he had received a communication from His Excellency the Lieutenant Governor, announcing the intention of His Excellency to prorogue the Parliament on the 20th instant.

Toronto Gas Light bill read second time, and committed.

Pursuant to the order of the day, the Toronto Gas Light Company bill was read a second time.

The House was put into Committee of the whole on the bill.

Mr. Malloch in the Chair.

The House resumed.

Bill amended.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

Third reading to-morrow.

*Ordered*—That the Toronto Gas Light Company bill be engrossed and read a third time to-morrow.

House goes into Committee of whole on second report of Welland Canal Committee.

Pursuant to the order of the day, the House was put into a Committee of the whole on the second report of the Select Committee on the Welland Canal affairs.

Mr. Smith in the Chair.

The House resumed.

Report progress. Committee to sit again to-morrow.

The Chairman reported that the Committee had made some progress, and asked leave to sit again to-morrow.

The report was received, and leave granted accordingly.

Motion for House to go into Committee of whole on taking Stock in Desjardins's Canal.

Mr. Durand, seconded by Mr. Hopkins, moves that the House do now resolve itself into Committee of the whole to take into consideration the expediency of the Government taking Stock of the Desjardins Canal Company, to a certain amount, or to afford assistance

to the Company in such other way as shall be deemed most proper, and that the thirty-first rule of this House be dispensed with so far as relates to this motion.

On which the yeas and nays were taken as follows :

**YEAS—MESSIEURS,**

|                           |            |           |                |           |
|---------------------------|------------|-----------|----------------|-----------|
| Cornwall,                 | Gilchrist, | Morrison, | Smith,         | Division. |
| Duncombe, <i>Oxford,</i>  | Hopkins,   | Robinson, | Thorburn,      | Yeas 19.  |
| Duncombe, <i>Norfolk,</i> | McMicking, | Rykert,   | Walsh,         |           |
| Durand,                   | Macnab,    | Rymal,    | Woolverton—19. |           |
| Gibson,                   | Merritt,   | Small,    |                |           |

**NAYS—MESSIEURS,**

|           |                            |          |            |          |
|-----------|----------------------------|----------|------------|----------|
| Always,   | Cook,                      | McLean,  | Strange,   |          |
| Boulton,  | Lewis,                     | Malloch, | Thom,      | Nays 20. |
| Bruce,    | McDonell, <i>Stormont,</i> | Moore,   | Wells,     |          |
| Caldwell, | McIntosh,                  | Roblin,  | Wilkinson, |          |
| Chisholm, | McKay,                     | Shaver,  | Yager—20.  |          |

The question was decided in the negative, by a majority of one. Lost, majority 1.

At half-past two of the clock, P. M. the Speaker left the Chair.

At a quarter past four, P. M. the Speaker resumed the Chair.

Pursuant to the order of the day, the Tavern License amendment bill was read the second time. Tavern License Bill read second time, and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Robinson in the Chair.

The House resumed, Black Rod being at the door.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. Third reading to-morrow.

Mr. Morrison, from the Committee to draft and report a Bill founded on the resolution of this House granting £9,000 for the improvement of the Harbor at Windsor, presented a draft, which was received and read a first time. Select Committee to draft Windsor Harbor Bill, present draft.

On the question for the second reading of the Bill to-morrow, In amendment, Mr. Morrison, seconded by Mr. Perry, moves, that the Bill be now read a second time, and that the fortieth rule, so far as relates to this motion, be dispensed with.

Which was carried, and the bill was read a second time.

Read second time, and committed.

The House was put into Committee of the whole on the Bill.

Mr. Perry in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill amended.

On the question for receiving the report,

On receiving the report,

In amendment, Mr. McLean, seconded by Mr. Richardson, moves, that the report be not received, but that the Committee of the whole on the Windsor Harbor Bill be discharged from the further consideration of the said Bill, and that the same be referred to a Select Committee, to consist of Messrs. Morrison, Perry, and Roblin, with instructions to frame a Bill for raising money for making of the Amendment to refer bill to Select Committee.

said Harbor, by Debentures, on the credit of the tolls to be collected at the said Harbor, and not on the credit of the general revenues of the Province.

On which the yeas and nays were taken as follows :

Division.

**YEAS—MESSIEURS,**

|          |   |   |   |  |
|----------|---|---|---|--|
| Yeas 16. | Chisholm,<br>Cook,<br>Cornwall.<br>Lewis, | McCrae,<br>McIntosh,<br>McKay,<br>McLean, | Malloch,<br>Richardson,<br>Rymal,<br>Strange. | Thom,<br>Wells,<br>Wilkinson,<br>Woolverton.—16. |
|----------|---|---|---|--|

**NAYS—MESSIEURS,**

|          |  |   |   |   |
|----------|--|---|---|---|
| Nays 26. | Brown,<br>Bruce,<br>Duncombe, <i>Oxford</i> ,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop,<br>Durand,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>Mackenzie,<br>McMicking,<br>Merritt, | Moore,<br>Morrison,<br>Parke,<br>Perry,<br>Robinson,<br>Roblin, | Rykert,<br>Small,<br>Smith,<br>Thorburn,<br>Waters,<br>Yager,—26. |
|----------|--|---|---|---|

Amendment lost, majority 10.

The question of amendment was decided in the negative by a majority of ten, and the report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Randal's Heirs relief bill read second time.

Pursuant to the order of the day, the Bill for the relief of the Heirs of the late Robert Randal was read a second time.

Mr. Caldwell in the chair.  
The House resumed.

Bill amended.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

On receiving report.

On the question for receiving the report, the yeas and nays being taken, were as follows :

**YEAS—MESSIEURS,**

|          |  |   |  |  |
|----------|--|---|--|--|
| Yeas 28. | Alway,<br>Bruce,<br>Chisholm,<br>Cook,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop,<br>Durand, | Gibson,<br>Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Gleng'y</i> ,<br>McDonell, <i>Stormont</i> ,<br>McIntosh, | McMicking,<br>Moore,<br>Morrison,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal. | Shaver,<br>Small,<br>Thorburn,<br>Waters,<br>Wilson,<br>Woolverton,<br>Yager—28. |
|----------|--|---|--|--|

**NAYS—MESSIEURS,**

|          |   |                                |                                 |                           |
|----------|---|--------------------------------|---------------------------------|---------------------------|
| Nays 10. | Lewis,<br>McDonell, <i>Northumb</i> ,<br>McKay, | McLean,<br>Macnab,<br>Malloch, | Robinson,<br>Solicitor General, | Strange<br>Wilkinson,—10. |
|----------|---|--------------------------------|---------------------------------|---------------------------|

The question was carried in the affirmative, by a majority of eighteen, and the report was received.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

Third reading to-morrow.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message, which was read as follows :

Speaker reports message from Legislative Council.

Mr. SPEAKER,

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, entitled "*An Act continuing the Road Acts of 1833 and 1834, and rendering the Commissioners accountable for the expenditure of the Road Moneys granted by the same.*"

Road Act continuation bill passed.

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of April, 1836. }

Pursuant to the order of the day, the House was put into a Committee of the whole on the report of the petition of J. McMillan. Mr. Shaver in the Chair. The House resumed.

House goes into Committee of whole on report of Select Committee on petition of J. McMillan.

The Chairman reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House.

Resolution reported.

The Report was received, and the Resolution adopted as follows :

*Resolved*—That the sum of twenty pounds, annually, be granted to His Majesty, to enable him to grant a Pension to J. McMillan, late a private in His Majesty's Service.

Granting £20 annually to J. McMillan.

On motion of Mr. Chisholm, seconded by Mr. McDonell of Stormont—

*Ordered*—That Messrs. McLean and Bruce be a Committee to draft a Bill pursuant to the Resolution.

Committee to draft bill in pursuance of resolution.

Mr. McMicking, from the Committee to draft and report Bills in accordance with the Resolutions of this House on Saturday last, reported the drafts of nine Bills.

Select Committee to draft bills in accordance with resolutions of Saturday, report

The Report was received.

The Bill for the relief of Joseph Turton, was read a first time, and ordered for a second reading to-morrow.

Turton's relief bill read first time. Second reading to-morrow.

The Bill granting one thousand pounds for the support of Light Houses, was read a first time, and ordered for a second reading to-morrow.

Light-house support bill read first time. Second reading to-morrow.

The Bill granting one hundred pounds for the repairs of the Dwelling of the Light-house Keeper at Gibraltar Point, was read a first time, and ordered for a second reading to-morrow.

Bill granting £100 to repair Light-Keeper's House, Gibraltar Point, read first time. Second reading to-morrow.

The Bill granting an additional sum of three hundred pounds for the erection of a Light-House on the Island of Bois Blanc, was read a first time, and ordered for a second reading to-morrow.

Bois Blanc Light House aid bill read first time. Second reading to-morrow.

The Bill granting a further sum of fourteen hundred pounds towards defraying the expense of a Steam Dredging Machine, purchased for the use of the Province, was read a first time, and ordered for a second reading to-morrow.

Bill to defray expense of Steam Dredging Machine, read first time. Second reading to-morrow.

The Bill granting five thousand pounds towards the further support and maintenance of the Provincial Penitentiary, was read a first time, and ordered for a second reading to-morrow.

Penitentiary aid bill read first time. Second reading to-morrow.

The Bill granting a sum of money, to be paid to Francis Hall, Esquire, was read a first time, and ordered for a second reading to-morrow.

Hall's remuneration bill read first time. Second reading to-morrow.

The Bill for the relief of Andrew Deacon, Esq. Collector at the Port of Hallowell, was read a first time, and ordered for a second reading to-morrow.

Deacon's relief bill read first time. Second reading to-morrow.

The Bill appointing Commissioners to investigate and report upon the School Lands, was read a first time.

School Land Commissioners bill read first time.

On the question for the second reading of the bill to-morrow,

In amendment, Mr. Perry, seconded by Mr. Morrison, moves, that the Bill be now read a second time, and that the fortieth rule of this House be dispensed with so far as relates to this motion.

Which was carried ; and the bill was read a second time.

Read second time and committed.

The House was put into Committee of the whole on the Bill.  
Mr. Durand in the Chair.  
The House resumed.

Bill amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

Third reading to-morrow.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

Adjourned.

TUESDAY, 12th APRIL, 1836.

The House met.

The minutes of yesterday were read.

Petitions brought up. Of Thomas Sprague and others.

Mr. Moore brought up the petition of Thomas Sprague, and two hundred and nine others, of the township of Yarmouth, (London District); which was laid on the table.

Of L. Thurston, and others.

Mr. Moore brought up the petition of Lyman Thurston, and eighty-seven others, of the township of Bayham (London District); which was laid on the table.

Of L. Bigelow and others.

Mr. Moore brought up the petition of Lucius Bigelow, and two hundred and fifty-six others, of the village of St. Thomas (Middlesex); which was laid on the table.

Of Dyer Wilcox and others.

Mr. Alway brought up the petition of Dyer Wilcox, and two hundred and seventy-seven others, of the township of Norwich, (Oxford); which was laid on the table.

Of Abraham Law and others.

Mr. Mackenzie brought up the petition of Abraham Law, and fifty-five others, of the township of York, and adjoining townships; which was laid on the table.

Of J. S. Heartwell and others.

Mr. Rymal brought up the petition of Jacob S. Heartwell, and one hundred and ten others; which was laid on the table.

Chatham and Camden boundary line bill passed.

Pursuant to the order of the day, the Chatham and Camden boundary line bill was read a third time and passed.

Title.

Mr. Cornwall, seconded by Mr. Wilkinson, moves, that the Bill be entitled "*An Act to establish the boundary lines in front of lots on the River Thames, in the townships of Chatham and Camden, in the Western District.*"

Which was carried, and Messieurs Cornwall and Wilkinson, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Abolition of imprisonment for debt bill passed.

Pursuant to the order of the day, the Bill to amend the law of Imprisonment for Debt was read the third time and passed.

Title.

Mr. McNab, seconded by Mr. Richardson, moves, that the Bill be entitled "*An Act to amend the law respecting Imprisonment for Debt.*"

Which was carried, and Messieurs McNab and Richardson, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Toronto Gas Company bill passed.

Pursuant to the order of the day, the Bill to incorporate a Company for the purpose of lighting the City of Toronto with gas, was read a third time and passed.

Title.

Mr. Morrison, seconded by Mr. Wells, moves, that the Bill be entitled "*An Act to incorporate a Company under the style and title of the City of Toronto Gas Light Company.*"



Which was carried, and Messieurs Morrison and Wells, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Tavern License Bill was read the third time and passed.

Tavern License Bill passed.

Mr. Small, seconded by Mr. Morrison, moves, that the Bill be entitled "*An Act to repeal and amend certain parts of an Act passed in the thirty-sixth year of the Reign of King George the Third, entitled, 'An Act to amend an Act for regulating the manner of licensing Public Houses, and for the more easy conviction of persons selling Spirituous Liquors without license,'*" and for other purposes therein mentioned.

Title.

Which was carried, and Messieurs Small and Morrison, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

On motion of Mr. Mackenzie, seconded by Mr. Wilson,

*Ordered*—That the messages sent down by His Excellency, with the Clergy Reserves accounts, the Hospital accounts and other documents, the Military Reserve accounts and papers, and the papers relative to Doctor Strachan and Mr. Macaulay's parsonage houses be printed, one thousand copies, for the use of Members; also the same number of the accounts of the receipt and expenditure from fund A.; of the casual and territorial revenue for 1835; and of the several accounts of receipt and expenditure of King's College, Upper Canada College, and the Board of Education, in 1835, and preceding years, as per the messages sent down to this House this Session by the Lieutenant Governor.

One thousand copies of certain messages and documents sent down by His Exc'y. the Lieut. Governor, to be printed.

Pursuant to the order of the day, the Windsor Harbour Bill was read a third time.

Windsor Harbor bill read third time.

On the question for passing the Bill the yeas and nays were taken as follows:

Division on passing.

YEAS—MESSIEURS.

|                            |                         |            |            |          |
|----------------------------|-------------------------|------------|------------|----------|
| Alway,                     | Gilchrist,              | Mackenzie, | Morrison,  |          |
| Duncombe, <i>Norfolk</i> , | Hopkins,                | McMicking, | Waters,    | Yeas 16. |
| Dunlop,                    | Lount,                  | Merritt,   | Wilson,    |          |
| Durand,                    | McDonell, <i>Glen</i> . | Moore,     | Yager,—16. |          |

NAYS—MESSIEURS.

|           |          |          |                 |          |
|-----------|----------|----------|-----------------|----------|
| Chisholm, | McKay,   | Strange, | Wells,          | Nays 13. |
| Cook,     | Malloch, | Thom,    | Wilkinson,      |          |
| Lewis,    | Rymal,   | Walsh,   | Woolverton,—13. |          |
| McIntosh, |          |          |                 |          |

The question was carried in the affirmative, by a majority of three, and the bill was passed.

Question carried, majority 3.

Mr. Morrison, seconded by Mr. Bruce, moves, that the bill be entitled "*An Act to authorise the raising by Debenture a sum of money, to be expended by Commissioners appointed by the same in the improvement of the Harbour of Windsor Bay, in the Township of Whitby.*"

Title.

Which was carried, and Messieurs Morrison and Bruce, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Bill for the relief of the Heirs of the late Robert Randal, was read the third time and passed.

Bill for relief of Randal's Heirs, passed.

Mr. Morrison, seconded by Mr. McMicking, moves that the bill be entitled "*An Act for the relief of the heirs and devisees of the late*

Title *Robert Randal, Esquire, in the matter of certain valuable landed estate claimed by them near the Falls of the Chaudiere, in the District, and on the River Ottawa."*

Which was carried, and Messrs. Morrison and McMicking were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Speaker reports communication from C. C. Chancery.

Mr. Speaker reported having received from the Clerk of the Crown in Chancery a communication, which was read as follows :

*Clerk of the Crown in Chancery's Office,  
Toronto, 12th April, 1836.*

Messrs. Buell and Howard returned for the County of Leeds.

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that he has received the return to the writ lately sued out for the County of Leeds, and that William Buell, and Mathew Munsel Howard, Esquires, have been duly elected to represent the said County in the present Parliament.

SAMUEL P. JARVIS,  
C. C. CHANCERY, &c. &c. &c.

The Hon. MARSHALL S. BIDWELL, Esq.,  
*Speaker, Commons House of Assembly.*

School Lands Commissioners bill read third time.

Pursuant to the order of the day, the bill appointing Commissioners to examine and report upon School Lands, &c, was read a third time.

On the question for passing the bill,

Motion to re-commit the bill.

Mr. Cook, seconded by Mr. Rykert, moves that the bill do not now pass, but that the same be recommitted for the purpose of altering the title so as to allow one Commissioner to examine the maps of the several townships, and correspond with the different members as to the goodness and value of the government lands lying in their respective counties.

Division.

On which the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

|          |           |                           |         |                 |
|----------|-----------|---------------------------|---------|-----------------|
| Yeas 14. | Caldwell, | McDonell, <i>Gleng'y.</i> | Rykert, | Walsh,          |
|          | Cook,     | McKay,                    | Rymal,  | Wilkinson,      |
|          | Hopkins,  | Macnab,                   | Thom,   | Woolverton.—14. |
|          | McCrae,   | Malloch,                  |         |                 |

NAYS—MESSIEURS,

|          |                          |            |            |             |
|----------|--------------------------|------------|------------|-------------|
| Nays 20. | Alway,                   | Gibson,    | McMicking, | Perry,      |
|          | Bruce,                   | Gilchrist, | Merritt,   | Smith,      |
|          | Chisholm,                | Lount,     | Moore,     | Strange,    |
|          | Duncombe, <i>Oxford,</i> | McIntosh,  | Morrison,  | Waters,     |
|          | Durand,                  | Mackenzie, | Parke,     | Wilson,—20. |

Lost, majority 6.

The question of amendment was decided in the negative by a majority of six.

On passing bill.

On the question for passing the bill, the yeas and nays being taken were as follows :—

YEAS—MESSIEURS,

|         |           |            |            |                |
|---------|-----------|------------|------------|----------------|
| Yeas 23 | Alway,    | Gibson,    | McMicking, | Smith,         |
|         | Bruce,    | Gilchrist, | Merritt,   | Waters,        |
|         | Chisholm, | Hopkins,   | Moore,     | Wells,         |
|         | Cook,     | Lount,     | Morrison,  | Wilson,        |
|         | Cornwall, | McIntosh,  | Parke,     | Woolverton—23. |
|         | Durand,   | Mackenzie, | Rymal,     |                |

NAYS—MESSIEURS,

|          |                           |          |                    |               |
|----------|---------------------------|----------|--------------------|---------------|
| Nays 12. | Caldwell,                 | McKay,   | Rykert,            | Thom,         |
|          | McCrae,                   | Macnab,  | Solicitor General, | Walsh,        |
|          | McDonell, <i>Gleng'y.</i> | Malloch, | Strange,           | Wilkinson—12. |

The question was carried in the affirmative, by a majority of eleven, and the bill was passed. Carried, majority 11.

Mr. Waters, seconded by Mr. Parke, moves that the bill be entitled "*An Act authorising the appointment of Commissioners to examine the Crown and School Lands in this Province, for the purpose of ascertaining what exchange can be profitably made for the benefit of the people of this Province, and for other purposes therein mentioned.*" Title.

Which was carried, and Messieurs Waters and Parke were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day the following petitions were read; Petitions read.

Of William Blackburn and forty-one others, of the township of Clarke, in the County of Durham, praying the same as the petition of Robert Burns and others. (page 408.) Of Wm. Blackburn and others.

Of Elijah Pease and forty-one others, of the Home District, praying the passing of an Act authorising the appointment of Guardians to protect the property of incorrigible Drunkards; and Of Elijah Pease and others.

Of George Mosier and fifty-six others, praying the same as the petition of Robert Burns and others, (page 408.) Of George Mosier and others.

Mr. Merritt gives notice that he will, on the morrow, move an Address to His Majesty, to relinquish the loan made by the British Government to the Welland Canal Company, in consideration of the public advantages derived from opening the Welland Canal. Notice, for address to His Majesty to relinquish the loan made to the Welland Canal.

Mr. Parke, from the Committee to whom was referred the petition of C. J. Baldwin and others, and the several petitions from others, on the subject of Orange Processions, presented the draft of a bill. Select Committee on petition of C. J. Baldwin and others report bill to prevent Orange processions.

The report was received.

The bill was read a first time.

*Ordered*—That the bill to prevent Orange Processions be read a second time tomorrow. Second reading to-morrow.

Mr. Wilson, from the Committee on the administration of Justice, presented a report, which was received and read. Select Committee on administration of Justice, present report.

Report—(See *Appendix*.)

Mr. Chisholm, from the Committee to draft and report a Bill, in pursuance of a Resolution of this House, granting a pension to John McMillan, presented a draft, which was received and read a first time. Select Committee to draft bill granting a pension to John McMillan, present draft.

On the question for the second reading of the bill tomorrow,

In amendment, Mr. Chisholm, seconded by Mr. McDonell, of *Stormont*, moves that the bill be read a second time this day, and that the 41st rule of this House be dispensed with as far as relates to the same.

Which was carried, and the bill was read a second time.

The House was put into Committee of the whole on the bill. Read second time, and committed.

Mr. Perry in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time this day. Third reading to-day.

Select Committee on petition of John J. Taylor, present report and address to His Excellency.

Mr. McMicking, from the Committee to which was referred the petition of John J. Taylor, and others, presented a report and the draft of an address to His Excellency, both of which were received.

The Report was read.

Report—(See Appendix.)

Address read twice and concurred in. Third reading to-day.

The address was read twice, concurred in, and ordered to be engrossed and read a third time this day.

Select Committee on petition of D. Cameron present report.

Mr. Lount, from the Select Committee to which was referred the petition of Donald Cameron, presented a report, which was received and read.

Report—(See Appendix.)

Select Committee on petition of J. Hammill, present report.

Mr. McNab, from the Select Committee to which was referred the petition of John Hammill, presented a report which was received and read.

Report—(See Appendix.)

Address to His Exc'y. on the conduct of certain Magistrates of the Newcastle District, passed.

Pursuant to the order of the day, the address to His Excellency, reported by the Committee on the petition of John J. Taylor, was read the third time and passed, and is as follows :

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

MAY IT PLEASE YOUR EXCELLENCY :

Address

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, beg leave to state to Your Excellency, that some of the inhabitants of the township of Hope, in the District of Newcastle, have complained of disorderly conduct on the part of certain Magistrates of the said District, namely, John Tucker Williams, and William Kingsmill, Esquires, at the last township meeting of the said township of Hope.

And that from the statements of persons who were present at the said meeting, who have been examined on this subject, it appears that the meeting resulted in the appointment or return of different individuals to the same offices, appointed in different ways at the said meeting. That subsequently, certain resolutions, purporting to have been passed at the said meeting, signed by the said John T. Williams, as Chairman, but which it appears were not drawn up until the day after that on which the meeting was holden, were transmitted to Sir John Colborne, the then Lieutenant Governor, accompanied by a petition, signed, amongst others, by the said John T. Williams and William Kingsmill, praying that as a last act of justice the name of John Brown, the Chairman first appointed at the said Township Meeting, who is also a Magistrate, might be left out of the Commission of the Peace.

And that in the investigation of this matter the Assembly have not discovered in the conduct of that Gentleman, as chairman of the aforesaid meeting, cause of complaint to justify such a course of proceeding against him.

MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly, }  
12th day of March, 1836. }

Committee to carry up address.

On motion of Mr. Wells, seconded by Mr. Thorburn,  
Ordered—That Messieurs Gibson and Lount, be a Committee

to wait on His Excellency, to know when he will be pleased to receive the address of this House, and to present the same.

Mr. McNab, seconded by Mr. Gibson, moves, that the report of the Select Committee on the claims of John Hammill, be referred to a Committee of the whole House, forthwith. Committee of whole on report on petition of John Hammill.

Which was carried, and the House was put into a Committee of the whole on the same.

Mr. Wilkinson in the chair.

The House resumed.

The Chairman reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Resolution reported

The report was received.

The Resolution was then read as follows :

*Resolved*,—That there be granted to His Majesty the sum of £150, to enable His Majesty to pay the like sum to John Hammill, for losses sustained by him in the erection of several bridges over the Grand River at Dunnville.

In amendment, Mr. Mackenzie, seconded by Mr. Malloch, moves, that after the word "Resolved," in the original resolution, the whole be expunged, and the following inserted, "that the report be referred back to the Select Committee who reported it, to enable them to give some statement in detail to shew the House upon what grounds this claim is made." Amendment.

On which the yeas and nays being taken, were as follows : Division.

**YEAS—MESSIEURS,**

|            |                            |            |             |          |
|------------|----------------------------|------------|-------------|----------|
| Bruce,     | Lewis,                     | Mackenzie, | Thom,       |          |
| Cook,      | Lount,                     | Malloch,   | Walsh,      | Yeas 20. |
| Durand,    | McDonell, <i>Gleng'y.</i>  | Moore,     | Waters,     |          |
| Gilchrist, | McDonell, <i>Stormont.</i> | Rymal,     | Woolverton, |          |
| Hopkins,   | McIntosh,                  | Shaver,    | Yager—20.   |          |

**NAYS—MESSIEURS,**

|                           |           |         |             |          |
|---------------------------|-----------|---------|-------------|----------|
| Alway,                    | Gibson,   | Norton, | Strange     | Nays 21. |
| Caldwell,                 | McKay,    | Parke,  | Thorburn,   |          |
| Cornwall,                 | Macnab,   | Rykert, | Wells,      |          |
| Duncombe, <i>Oxford,</i>  | Merritt,  | Small,  | Wilkinson,  |          |
| Duncombe, <i>Norfolk,</i> | Morrison, | Smith,  | Wilson,—21. |          |
| Dunlop,                   |           |         |             |          |

The question of amendment was decided in the negative by a majority of one, and the resolution was adopted as follows : Amendment lost. majority 1.

*Resolved*—That there be granted to His Majesty the sum of £150, to enable His Majesty to pay the like sum to John Hammill, for losses sustained by him in the erection of several bridges on the Grand River, at Dunnville. Resolution granting £150 to J. Hammill, for losses sustained by him.

On motion of Mr. Macnab, seconded by Mr. Rykert,

*Ordered*—That Messrs. Duncombe, of *Oxford*, and Merritt, be a Committee to draft and report a bill pursuant to the foregoing resolution. Committee to draft bill.

William Buell, Esquire, Member for the County of Leeds, was introduced by Messrs. Norton and Wells, who, having been sworn, took his seat. William Buell, Esq. takes his seat as Member for Leeds.

At a quarter past two of the clock, P. M. the Speaker left the Chair.

At four o'clock, P. M. the Speaker resumed the Chair.

Mr. Small, from the Committee to which was referred the matter in relation to the fire engine, the building of a house for the same, &c. presented a report, which was received and read, as follows : Select Committee on Fire Engine, present report.

*To the Honorable the House of Assembly :*

The Select Committee appointed to inquire into and report upon the expediency of granting a sum of money for the purpose of erecting a house for the engine attached to the Parliament Buildings, and the formation of a Company to take charge of and keep the same in order,

## RESPECTFULLY REPORT :

That in their opinion it is proper the sum of £400 should be granted, and placed in the hands of his Honor the Speaker of your Honorable House, to be expended in the erection of a house for the safe keeping of the engine; and that he be authorised to procure the formation of a Company to take charge of the same, and that a bill be passed for the above purpose.

JAMES E. SMALL,  
CHAIRMAN.

*Committee Room, House of Assembly, }  
11th April, 1836. }*

Select Committee on  
petition of Catharine  
Effner present report.

Mr. Small, from the Select Committee, to which was referred the petition of Catharine Effner, presented a report which was received and read.

Report—(See *Appendix*.)

Select Committee on  
petition of Rev. D.  
Macaulay present  
report.

Mr. Small, from the Select Committee to which was referred the petition of the Rev. D. Macaulay, presented a report, which was received and read.

Report—(See *Appendix*.)

Motion to refer the  
foregoing reports to  
Committee of the  
whole.

Mr. Small, seconded by Mr. Morrison, moves, that the report of the Select Committee upon the petition of the Rev. D. Macaulay, be referred to a Committee of the whole House forthwith, as also the report upon the subject of the Fire Engine attached to the Parliament buildings, and the report of the Select Committee upon the petition of Catharine Effner, and the first report of the Select Committee on the Library and Parliament Buildings, with the plan.

Amendment.

In amendment, Mr. Mackenzie, seconded by Mr. Wilson, moves, that so much of the original resolve as has reference to the referring the report of the Rev. D. Macaulay, be expunged.

Division.

On which the yeas and nays being taken were as follows :

## YEAS—MESSIEURS,

|          |   |   |  |  |
|----------|---|---|--|--|
| Yeas 19. | Alway,<br>Bruce,<br>Buell,<br>Cook,<br>Duncombe, <i>Norfolk</i> , | Gibson.<br>Gilchrist,<br>Lount,<br>McDonell, <i>Stormont</i> ,<br>McIntosh, | Mackenzie,<br>Moore,<br>Roblin,<br>Rymal,<br>Shaver, | Smith,<br>Waters,<br>Wilson,<br>Yager,—19. |
|----------|---|---|--|--|

## NAYS—MESSIEURS,

|          |  |  |   |  |
|----------|--|--|---|--|
| Nays 17. | Caldwell,<br>Cornwall,<br>Lewis,<br>McKay,<br>McMicking, | Macnab,<br>Merritt,<br>Morrison,<br>Parke, | Robinson,<br>Rykert,<br>Small,<br>Thom, | Thorburn,<br>Walsh,<br>Wells,<br>Wilkinson—17. |
|----------|--|--|---|--|

Amendment carried,  
majority 2.

The question of amendment was carried by a majority of two. The original question as amended was then put and carried, as follows :

Original question,  
as amended.

*Ordered*—That the report on the subject of the Fire Engine attached to the public buildings; the report of the Select Committee upon the petition of Catharine Effner, and the first report of the Select Committee on the Library and Parliament Buildings, with the plan, be referred to a Committee of the whole House forthwith.

The House was put into a Committee of the whole.  
Mr. Thom in the Chair.  
The House resumed.

The Chairman reported that the Committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Resolution reported.

The resolution was read as follows:

*Resolved*,—That the sum of £3,200 be granted to His Majesty, to be expended by a competent Commissioner appointed for the purpose, in the repair and additions to be made to the Parliament Building, according to the first report of the Select Committee and plan on that subject, as well as in the erection of a house for the Fire Engine belonging to the public buildings, that the said Engine may be used when necessity requires it, by a company constituted for the purpose, to be paid out of any moneys in the hands of the Receiver General of the Province, unappropriated. Resolution granting £3,200 for repairs and additions of Parliament buildings.

On the question for adopting the resolution the yeas and nays being taken were as follows: Division on adopting resolution.

**YEAS—MESSIEURS,**

|                            |            |           |                |          |
|----------------------------|------------|-----------|----------------|----------|
| Alway,                     | Hopkins,   | Moore,    | Smith,         |          |
| Bruce,                     | Lount,     | Morrison, | Strange,       |          |
| Caldwell,                  | McCrae,    | Perry,    | Thom,          | Yeas 31. |
| Chisholm,                  | Mackenzie, | Robinson, | Thorburn,      |          |
| Cornwall,                  | McLean,    | Roblin,   | Waters,        |          |
| Duncombe, <i>Norfolk</i> , | McMicking, | Rykert,   | Wells,         |          |
| Durand,                    | Macnab,    | Rymal,    | Wilkinson,—31. |          |
| Gibson,                    | Merritt,   | Small,    |                |          |

**NAYS—MESSIEURS,**

|           |         |             |          |         |
|-----------|---------|-------------|----------|---------|
| Cook,     | Shaver, | Woolverton, | Yager—5. | Nays 5. |
| McIntosh, |         |             |          |         |

The question was carried in the affirmative, by a majority of twenty-six, and it was resolved accordingly. Carried, majority 26.

On motion of Mr. Morrison, seconded by Mr. Chisholm,

*Ordered*—That Messieurs Perry and Alway, be a Committee to draft a bill on the foregoing resolution. Committee to draft bill on foregoing resolution.

Mr. Thorburn, from the Committee to which was referred the petition of William L. Mackenzie, Esquire, Executor to the estate of the late Robert Randal, reported the draft of an address to His Excellency the Lieutenant Governor, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day. Select Committee on petition of W. L. Mackenzie, Esq. report draft of Address to His Excellency. Address read twice and concurred in.

Pursuant to the order of the day, the address was read a third time and passed, and is as follows: Read third time and passed.

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

**MAY IT PLEASE YOUR EXCELLENCY :**

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to communicate to this House, at as early a period as possible— Address on estate of the late Robert Randal.

The report and opinion of the Executive Council, in 1833, on the claim of the late Robert Randal, Esquire, to the compensation for war losses on the Bridgewater place, at the Falls of Niagara.

Copy of all representations and petitions made to the Government of this Colony, and to His Majesty's Government in England, by the late Honorable Thomas Clark, or by others on his behalf, relative to the Bridgewater place, or the ten and a half acres thereto adjoining, previous to the issuing of the grant to him of that property, in December 1815, under the authority of the Prince Regent, notwithstanding the previous lease of 999 years.

Copy of observations sent home by the Colonial Government or its Officers here, to Lord Bathurst, Secretary of State for the Colonies, accompanying the petition of the late Robert Randal, Esquire, relative to the Bridgewater estate, and other property in Canada, on or about the month of December in 1823.

Copy of any correspondence between the Colonial Office and the Lieutenant Governor of this Colony, relative to Mr. Clark's or Mr. Randal's claim, or the heirs of either of them, to the Bridgewater estate, and ten and a half acres adjoining;—also copies of the reports of the Executive Council on Mr. Randal's petitions of the 12th of November, 1798, and the 14th of January, 1799;—also a copy of the report of the Executive Council on the subject of Mr. Randal's petition, dated the 30th of November, 1816, with the representations and papers on which that report was founded.

Or, that if it be inconvenient to copy these documents immediately, the originals may be sent down to the House, to be returned after reference has been made to them.

We are desirous to obtain these documents in order that we may be the better enabled to judge whether the Executor and Heirs of the late Mr. Randal are entitled to the relief prayed for in the petition to this House, of the 26th day of January 1836, and the several previous memorials to which it has reference.

MARSHALL S. BIDWELL,

SPEAKER.

*Commons House of Assembly, }*  
12th April, 1836. *}*

On motion of Mr. Thorburn, seconded by Mr. McMicking,

*Ordered*—That Messieurs Durand and Hopkins, be a Committee to carry up the address of this House to His Excellency, for certain information on the case of the Estate the late Robert Randal, Esquire, and to present the same.

Committee to carry up address.

Mr. McNab, from the Committee to which was referred the report of the Commissioners appointed for settling the affairs of the late pretended Bank of Upper Canada, and the petition of Robert Stanton, Esquire, informed the House that the Committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Select Committee on affairs of late Kingston Bank, present draft of bill.

The report was received, and the bill was read the first time.

On the question for the second reading of the bill tomorrow,

Mr. McNab, seconded by Mr. Strange, moves, in amendment, that the Kingston Bank bill be now read a second time, and that the 40th rule of this House be dispensed with, so far as relates to the same.

Read second time, and committed.

Which was carried, and the bill was read a second time.

The House was put into a Committee of the whole on the Bill. Mr. Merritt in the Chair.



The House resumed.

The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

Third reading to-morrow.

Mr. Thorburn, from the Committee to which was referred the petition of Joseph Wynn, and others, informed the House that the Committee had agreed to a report and bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Select Committee on petition of Jos. Wynn and others, present report and draft of a bill.

The report was received.

The report was read.

Report (*see Appendix.*)

The bill for erecting a suspension Bridge across the River Niagara, below the Falls, was read a first time.

Bill read first time.

On the question for the second reading of the bill to-morrow,

Mr. Thorburn, seconded by Mr. McMicking, moves that the bill for the erection of a suspension Bridge on the River Niagara, at or near Queenston, be read a second time this day, and that the 40th rule of this House be dispensed with so far as it may affect the same :

Which was carried, and the bill was read a second time.

Read second time, and committed.

The House was put into Committee of the whole on the bill.

Mr. Robinson in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time tomorrow.

Third reading to-morrow.

Mr. Charles Duncombe, Chairman of the Committee on Finance, presented a report, which was received.

Select Committee on Finance present report.

Report—(*See Appendix.*)

On motion of Mr. Mackenzie, seconded by Mr. Malloch,

Petitions referred.

*Ordered*—That the petition of Job Mattison, of Wolford, in the District of Johnstown, be referred to a Select Committee, to be composed of Messrs. Wells, Norton, and Thom, exclusive of the mover of this resolution.

Of Job Mattison.

On motion of Mr. Strange, seconded by Mr. Dunlop,

*Ordered*—That the petition of John Grass and others be referred to a Select Committee, composed of Messrs. Dunlop and McDonell of Stormont, with power to send for persons and papers, and report thereon by bill or otherwise.

Of John Grass and others.

On motion of Mr. Rymal, seconded by Mr. Duncombe of Norfolk,

*Ordered*—That the petition of Martin Snider be referred to a Select Committee, composed of Messrs. Parke, Durand, Gilchrist, Mackenzie, and McIntosh, to report thereon.

Of Martin Snider and others.

Mr. Mackenzie, seconded by Mr. Alway, moves that the petition of John Carey be referred to the same Committee to which was referred the petition of Martin Snider.

Motion to refer petition of Jno. Carey.

Amendment.

In amendment, Mr. Robinson, seconded by Mr. Macnab, moves, that the petitioner have leave to withdraw his petition.

On which the yeas and nays being taken, were as follows :

## YEAS—MESSIEURS,

|          |  |   |  |   |
|----------|--|---|--|---|
| Yeas 29. | Buell,<br>Caldwell,<br>Cook.<br>Cornwall,<br>Duncombe, <i>Norfolk</i> .<br>Dunlop,<br>Hopkins,<br>Lewis, | McCrae,<br>McDonell, <i>Gleng'y</i> .<br>McDonell, <i>Northumb.</i><br>McIntosh,<br>McKay,<br>McLean,<br>McMicking, | Macnab,<br>Malloch,<br>Merritt,<br>Richardson,<br>Robinson,<br>Rykert,<br>Smith, | Strange,<br>Thom,<br>Walsh,<br>Wells,<br>Wilkinson,<br>Woolverton,<br>Yager—29. |
|----------|--|---|--|---|

## NAYS—MESSIEURS,

|         |                  |                      |        |            |
|---------|------------------|----------------------|--------|------------|
| Nays 6. | Alway,<br>Lount, | Mackenzie,<br>Moore, | Rymal, | Waters,—6. |
|---------|------------------|----------------------|--------|------------|

Carried—majority 33.

The question of amendment was carried in the affirmative, by a majority of twenty-three.

Petition of Jno. Carey withdrawn.

The original question, as amended, was then put and carried, and the petition was withdrawn.

War Loss Bill read second time, and committed.

Pursuant to the order of the day, the Bill granting £20,000 to the satisfaction of the War Losses, was read the second time.

The House was put into a Committee of the whole on the Bill. Mr. Yager in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the bill, and agreed to the same without amendment.

The report was received.

On question for third reading to-morrow.

On the question for the third reading of the Bill to-morrow, the yeas and nays being taken, were as follows :

## YEAS—MESSIEURS,

|          |   |  |  |  |
|----------|---|--|--|--|
| Yeas 24. | Alway,<br>Brown,<br>Caldwell,<br>Cornwall,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop, | Durand,<br>Hopkins,<br>McCrae,<br>McDonell, <i>Gleng'y</i> .<br>McDonell, <i>Northumb.</i><br>McKay, | McLean,<br>Macnab,<br>Merritt,<br>Moore,<br>Richardson,<br>Robinson, | Rykert,<br>Rymal,<br>Smith,<br>Strange,<br>Walsh,<br>Wilkinson—24. |
|----------|---|--|--|--|

## NAYS—MESSIEURS.

|          |   |                                   |                                   |                                     |
|----------|---|-----------------------------------|-----------------------------------|-------------------------------------|
| Nays 13. | Bruce,<br>Buell,<br>Cook,<br>Gilchrist, | Lount,<br>McIntosh,<br>Mackenzie, | McMicking,<br>Malloch,<br>Waters, | Wells,<br>Woolverton,<br>Yager,—13. |
|----------|---|-----------------------------------|-----------------------------------|-------------------------------------|

Carried, majority 11.

The question was carried in the affirmative by a majority of eleven, and the bill was ordered to be engrossed and read a third time to-morrow.

Presque Isle Light House bill read second time and committed.

Pursuant to the order of the day, the Bill granting £1,000, to be expended in the erection of a Light House on Presque Isle Point, in the Township of Murray, was read the second time.

The House was put into Committee of the whole on the Bill.

Mr. Richardson in the Chair.

The House resumed.

Bill amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, made some amendments to the same, and submitted it for the adoption of the House.

The Report was received.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow. Third reading to-morrow.

On motion of Mr. Mackenzie, seconded by Mr. Durand,

*Ordered*—That an humble address be presented to His Excellency the Lieutenant Governor, requesting that copies may be laid before this House, with as little delay as possible, of all letters, despatches, or communications, which have been received in this Province, whether before or since His Excellency's arrival here, from any member or members of His Majesty's Government in England, relative to the claim of James Davidson; or respecting the address of this House to the late Lieutenant Governor, in behalf of the said James Davidson, dated in April 1835, and sent up to His Excellency, with sundry documents appended thereto, relative to the said claim; or to the proceedings of the Executive Government of this Province thereon; together with any proceedings of the Executive Council thereon; other than those stated in No. 96 of the second volume of the appendix to last year's Journal; and shewing what steps have been taken to afford Mr. Davidson that relief for which he has prayed the House and the Government; and that Messrs. Thorburn and McMicking be a Committee to draft and report said address, and that the thirty-first rule of this House be suspended as far as it would affect this motion.

Resolution for address to His Excellency on James Davidson.

Mr. McMicking, from the Committee to draft an address to His Excellency the Lieutenant Governor, on the subject of the claim of James Davidson, presented a draft, which was received and read twice, concurred in, read a third time and passed, and is as follows:

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

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency would be pleased to give directions that there may be laid before this House, with as little delay as possible, copies of all letters, despatches, or communications, which have been received in this Province, whether before or since Your Excellency's arrival in this Province, from any member or members of His Majesty's Government in England, relative to the claim of James Davidson, to restitution for property taken from him; or respecting the address of this House to the late Lieutenant Governor, on behalf of the said James Davidson, dated in April 1835, and sent up to His Excellency, with sundry documents appended thereto, relative to the said claim; or to the proceedings of the Executive Government thereon; together with any proceedings of the Executive Council thereon, other than those stated in No. 96 of the second volume of the appendix to the Journal of this House of last Session; and shewing what steps have been taken to afford Mr. Davidson that relief for which he has prayed the House and the Government.

MARSHALL S. BIDWELL,

SPEAKER.

*Commons House of Assembly,* }  
12th April, 1836. }

On motion of Mr. Mackenzie, seconded by Mr. Gilchrist,

*Ordered*—That Messieurs Thorburn and Hopkins be a Committee to wait on His Excellency, to know when he will be pleased to receive the address of this House, and to present the same.

Adjourned.

WEDNESDAY, 13th APRIL, 1836.

The House met.

The minutes of yesterday were read.

Petitions brought up.  
Of Paul Peterson  
and others.

Mr. Mackenzie brought up the petition of Paul Peterson, and one hundred and eight others, of the town of Kingston; which was laid on the table.

Of Rice Honeywell  
and others.

Mr. Wells brought up the petition of Rice Honeywell, and eighty seven others; which was laid on the table.

Of Martin Switzer  
and others.

Mr. Mackenzie brought up the petition of Martin Switzer, and fifty-seven others, of the township of Toronto; which was laid on the table.

McMillan relief bill  
passed.

Pursuant to the order of the day, the bill granting a pension to John McMillan, was read the third time and passed.

Title.

Mr. Chisholm, seconded by Mr. McDonell, of *Stormont*, moves that the bill be entitled "*An Act for the relief of John McMillan.*"

Which was carried, and Messieurs Chisholm and D. Æ. McDonell were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Kingston Bank Com-  
missioners bill passed.

Pursuant to the order of the day, the Kingston Bank Commissioners bill was read the third time and passed.

Title.

Mr. Richardson, seconded by Mr. Strange, moves that the bill be entitled "*An Act to authorise the Commissioners of the late pretended Bank of Kingston to dispose of certain real Estate, and for other purposes therein mentioned.*"

Which was carried, and Messieurs Richardson and Strange, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Suspension Bridge bill  
passed.

Pursuant to the order of the day, the Suspension Bridge bill was read a third time and passed.

Title.

Mr. McMicking, seconded by Mr. Thorburn, moves that the bill be entitled "*An Act for erecting a Snsension Bridge over the Niagara River, at or near Queenston, in Upper Canada.*"

Which was carried, and Messrs. McMicking and Thorburn were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

War Loss Bill passed.

Pursuant to the order of the day, the War Loss bill was read the third time;

Amendment.

Mr. McMicking, seconded by Mr. Thorburn, moves that the bill be amended by adding the following clause—"And be it further enacted by the authority aforesaid, that when any person having a claim for losses as aforesaid shall apply for the same by agent or attorney, it shall and may be lawful for the Receiver General of this Province to require a power of attorney, of a date not antecedent to the passage of this Act, as the said Receiver General's authority for the payment of the same to such agent."

Division.

On which the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|            |                           |         |             |          |
|------------|---------------------------|---------|-------------|----------|
| Alway,     | Lount,                    | Parke,  | Thorburn,   |          |
| Brown,     | McDonell, <i>Gleng'y.</i> | Perry,  | Waters,     |          |
| Buell,     | McIntosh,                 | Roblin, | Wells,      | Yeas 26. |
| Cook,      | Mackenzie,                | Rymal,  | Wilson,     |          |
| Gibson,    | McMicking,                | Small,  | Woolverton, |          |
| Gilchrist, | Malloch,                  | Thom,   | Yager—26.   |          |
| Lewis,     | Moore,                    |         |             |          |

NAYS—MESSIEURS,

|           |                            |             |               |          |
|-----------|----------------------------|-------------|---------------|----------|
| Caldwell, | McDonell, <i>Northumb.</i> | Merritt,    | Rykert,       | Nays 12. |
| Cornwall, | McKay,                     | Richardson, | Walsh,        |          |
| Dunlop,   | McLean,                    | Robinson,   | Wilkinson—12. |          |

The question was carried in the affirmative, by a majority of fourteen, and the amendment was read a second time, adopted and ordered to be engrossed and read a third time this day. Carried, majority 14. Amendment read twice, concurred in, and ordered for third reading to-day.

Pursuant to the order of the day, the amendment was read the third time. Read third time.

On the question for passing the bill, the yeas and nays were taken as follows : On passing bill,

YEAS—MESSIEURS,

|                           |                            |             |                |          |
|---------------------------|----------------------------|-------------|----------------|----------|
| Alway,                    | Durand,                    | McMicking,  | Roblin,        |          |
| Brown,                    | Gilchrist,                 | Macnab,     | Rykert,        | Yeas 32. |
| Bruce,                    | Hopkins,                   | Merritt,    | Rymal,         |          |
| Caldwell,                 | McCrae,                    | Moore,      | Smith,         |          |
| Cornwall,                 | McDonell, <i>Gleng'y.</i>  | Parke,      | Thom,          |          |
| Duncombe, <i>Oxford,</i>  | McDonell, <i>Northumb.</i> | Perry,      | Thorburn,      |          |
| Duncombe, <i>Norfolk.</i> | McKay,                     | Richardson, | Walsh,         |          |
| Dunlop,                   | McLean,                    | Robinson,   | Wilkinson,—32. |          |

NAYS—MESSIEURS,

|         |            |         |             |          |
|---------|------------|---------|-------------|----------|
| Buell,  | Lount,     | Shaver, | Wells,      |          |
| Cook,   | McIntosh,  | Small,  | Woolverton, | Nays 14. |
| Gibson, | Mackenzie, | Waters, | Yager,—14.  |          |
| Lewis,  | Malloch,   |         |             |          |

The question was carried in the affirmative by a majority of eighteen, and the bill was passed. Carried—majority 18.

Mr. Charles Duncombe, seconded by Mr. McMicking, moves that the bill be entitled "*An Act granting a sum of money to complete the payment of the War Losses.*" Title.

Which was carried, and Messieurs Charles Duncombe and McMicking, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Bill granting a sum of money for the erection of a Light House on Presque Isle Point, was read the third time, and passed. Presque Isle Light House bill passed.

Mr. Gilchrist, seconded by Mr. McIntosh, moves that the bill be entitled "*An Act granting a sum of money to be expended in the erection of a Light House on Presque Isle Point, in the District of Newcastle.*" Title.

Which was carried, and Messieurs Gilchrist and McIntosh were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the following petitions were read:— Petitions read.

Of William Johnson and others.  
Of Richard Loucks and others.  
Of John N. Ault and others.  
Of David Sprague and others.  
Of William Reid and others.  
Of Silas Fletcher, and others.  
Of John Coats and others.  
Of P. McNaughton and others.

Of William Johnson, and thirty-three others, of the township of Georgina.—Of Richard Loucks, and fifty-eight others, of the county of Stormont.—Of John N. Ault, and forty-eight others, of the Eastern District.—Of David Sprague, and fifty others, of North Gwillimbury. Of William Reid, and eighty-five others, of the township of East Gwillimbury.—Of Silas Fletcher, and sixty-eight others, of the Home District.—Of John Coats, and eighty others, of Albion—and of Peter McNaughton, and twenty-three others, of the township of Caledon, praying the same as the petition of Robert Burns, and others.

Motion to place certain bills first on the order of the day.

Mr. Perry, seconded by Mr. Durand, moves that the several bills for grants of money, reported by the Committee to whom the several resolutions for that purpose were referred, be placed first on the order of the day; and that the rules of this House be dispensed with so far as permits their being read more than once this day.

Amendment.

In amendment, Mr. Macnab, seconded by Mr. McKay, moves that after the word "moves" in the original motion, the whole be expunged and the following inserted, "that it be resolved that this House do forthwith resolve itself into a Committee of the whole for the purpose of granting the necessary supplies for the administration of the Government for the present year; and that the 31st rule of this House, so far as relates to the same, be dispensed with for that purpose."

Division.

On which the yeas and nays being taken, were as follows:

YEAS—MESSIEURS,

|          |                           |                            |             |               |
|----------|---------------------------|----------------------------|-------------|---------------|
|          | Caldwell,                 | McDonell, <i>Northumb.</i> | Merritt,    | Strange,      |
|          | Cornwall,                 | McKay,                     | Richardson, | Thom,         |
| Nays 18. | Duncombe, <i>Norfolk,</i> | McLean,                    | Robinson,   | Walsh,        |
|          | Dunlop,                   | Macnab,                    | Rykert,     | Wilkinson,—18 |
|          | McDonell, <i>Gleng'y.</i> | Malloch,                   |             |               |

NAYS—MESSIEURS,

|          |                          |            |           |             |
|----------|--------------------------|------------|-----------|-------------|
|          | Alway,                   | Gibson,    | Moore,    | Small,      |
|          | Bruce,                   | Gilchrist, | Morrison, | Smith,      |
| Yeas 28. | Buell,                   | Hopkins,   | Norton,   | Thorburn,   |
|          | Chisholm,                | Lount,     | Parke,    | Waters,     |
|          | Cook,                    | McIntosh,  | Perry,    | Wells,      |
|          | Duncombe, <i>Oxford,</i> | Mackenzie, | Roblin,   | Woolverton, |
|          | Durand,                  | McMicking, | Rymal,    | Yager,—28.  |

Amendment lost, majority 10.

The question of amendment was decided in the negative by a majority of ten.

On original question.

On the original question, the yeas and nays were taken as follows:

YEAS—MESSIEURS,

|          |                          |                        |           |             |
|----------|--------------------------|------------------------|-----------|-------------|
|          | Alway,                   | Gibson,                | Moore,    | Smith,      |
|          | Bruce,                   | Hopkins,               | Morrison, | Strange     |
| Yeas 40. | Buell,                   | Lount,                 | Norton,   | Thom,       |
|          | Caldwell,                | McDonell, <i>Glen.</i> | Parke,    | Thorburn,   |
|          | Chesser,                 | McIntosh,              | Perry,    | Walsh,      |
|          | Cook,                    | McKay,                 | Roblin,   | Waters,     |
|          | Cornwall,                | Mackenzie,             | Rykert,   | Wells,      |
|          | Duncombe, <i>Oxford,</i> | McLean,                | Rymal,    | Wilkinson,  |
|          | Dunlop,                  | McMicking,             | Shaver,   | Woolverton, |
|          | Durand,                  | Merritt,               | Small,    | Yager—40.   |

NAYS—MESSIEURS,

|         |                           |          |             |              |
|---------|---------------------------|----------|-------------|--------------|
| Nays 5. | Duncombe, <i>Norfolk,</i> | Malloch, | Richardson, | Robinson,—5. |
|         | Macnab,                   |          |             |              |

Carried, majority 35.

The question was carried in the affirmative, by a majority of thirty-five, and ordered accordingly.

Pursuant to the order of the day, the bill for the relief of Joseph Turton was read the second time. Turton's relief bill read second time and committed.

The House was put into a Committee of the whole on the bill.

Mr. Malloch in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.

On the question for receiving the report, the yeas and nays being taken were as follows:— On receiving report.

YEAS—MESSIEURS,

|                           |                           |             |            |          |
|---------------------------|---------------------------|-------------|------------|----------|
| Alway,                    | McDonell, <i>Gleng'y.</i> | Richardson, | Smith,     | Yeas 18. |
| Bruce,                    | McIntosh,                 | Roblin,     | Waters,    |          |
| Chisholm,                 | McMicking,                | Rymal,      | Wells,     |          |
| Duncombe, <i>Norfolk,</i> | Moore,                    | Small,      | Yager,—18. |          |
| Gilchrist,                | Morrison,                 |             |            |          |

NAYS—MESSIEURS,

|           |                            |          |                 |          |
|-----------|----------------------------|----------|-----------------|----------|
| Boulton,  | Dunlop,                    | McLean,  | Shaver,         | Nays 17. |
| Buell,    | Lewis,                     | Malloch, | Thom,           |          |
| Caldwell, | McDonell, <i>Northumb.</i> | Parke,   | Walsh,          |          |
| Cook,     | McKay,                     | Rykert,  | Woolverton,—17. |          |
| Cornwall, |                            |          |                 |          |

The question was carried in the affirmative by a majority of one, and the report was received. Carried, majority 1.

*Ordered*—That the bill for the relief of Joseph Turton be engrossed, and read a third time this day. Third reading to-day.

Pursuant to the order of the day, the bill for the encouragement of Agriculture was read the second time. Agricultural Society bill read second time, and committed.

The House was put into a Committee of the whole on the bill.

Mr. Lewis in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill, with some amendments, and submitted it for the adoption of the House. Bill amended.

The Report was received.

*Ordered*—That the bill be engrossed and read a third time this day. Third reading to-day.

Pursuant to the order of the day, the bill granting a sum of money for the support of Light Houses, was read the second time. Light House support bill read second time, and committed.

The House was put into a Committee of the whole on the bill.

Mr. Smith in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time this day. Third reading to-day.

Pursuant to the order of the day, the Bill granting a sum of money to be expended in the repairs of the dwelling house of the Light-keeper on Gibraltar Point, was read the second time. Bill to repair Light House Keeper's dwelling read second time, and committed.

The House was put into a Committee of the whole on the bill.

Mr. Shaver in the Chair.

The House resumed.

Bill amended.

The Chairman reported that the Committee had amended the bill, and submitted the same for the adoption of the House. The report was received.

Third reading to-day.

*Ordered*—That the Bill be engrossed, and read a third time this day.

Bois Blanc Light House bill read second time, and committed.

Pursuant to the order of the day, the bill granting an additional sum of money for the erection of a Light-house on the Island of Bois Blanc, was read the second time.

The House was put into a Committee of the whole on the bill.

Mr. Macnab in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

Third reading to-day.

*Ordered*—That the Bill be engrossed, and read a third time this day.

Penitentiary support bill read second time, and committed.

Pursuant to the order of the day, the Bill granting a sum of money for the support of the Penitentiary, was read the second time.

The House was put into a Committee of the whole on the bill.

Mr. Parke in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the provisions of the Bill, with some amendments, and submitted it for the adoption of the House.

The report was received.

Third reading to-day.

*Ordered*—That the bill be engrossed and read a third time this day.

Bill for relief Francis Hall, Esquire, read second time and committed.

Pursuant to the order of the day, the bill for the relief of Francis Hall, Esquire, was read the second time.

The House was put into a Committee of the whole on the bill.

Mr. Wells in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill, without amendment, and submitted the same for the adoption of the House.

The report was received.

Third reading to-day.

*Ordered*—That the bill be engrossed and read a third time this day.

Deacon's relief bill read second time, and committed.

Pursuant to the order of the day, the bill for the relief of Andrew Deacon was read the second time.

The House was put into a Committee of the whole on the bill.

Mr. McMicking in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

The report was received.

Third reading to-day.

*Ordered*—That the bill be engrossed and read a third time this day.

Bill granting additional sum for Steam Dredge, read second time, and committed.

Pursuant to the order of the day, the bill granting a further sum of money towards the purchase of a Provincial Steam Dredge, was read the second time.



The House was put into a Committee of the whole on the bill.  
Mr. Brown in the Chair.

The House resumed, Black Rod being at the door.

Black Rod.

The Speaker left the chair.

The Chairman resumed the chair of Committee.

The House resumed.

The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

On the question for the third reading of the bill this day,

On question for third reading to-day.

In amendment Mr. MacNab, seconded by Mr. Boulton, moves, that the bill be not read a third time this day, but that it be *Resolved*—That the Act passed in the fifth year of His Majesty's reign, entitled "An Act granting to His Majesty a sum of money for the purchase of a Steam Dredging Machine," appointing Charles Duncombe, David Thorburn, and Manuel Overfield, Commissioners for the purpose of procuring the said Dredging Machine, and requiring that the said Commissioners should transmit an account of the moneys that might be expended under the authority of the said Act, with the vouchers, to the Lieutenant Governor, in order that they might be laid before the Legislature within fifteen days of the commencement of its then next ensuing Session; and that similar annual reports should be thereafter made to the Lieutenant Governor for the information of the Legislature; and whereas the said sum of £2000, granted for the purpose aforesaid, was drawn from the Receiver General of this Province by Charles Duncombe, Esquire, one of the Commissioners, shortly after the prorogation of the last session of the present Parliament; and whereas no vouchers for the expenditure of said money have been transmitted to the Lieutenant Governor, or laid before this House; and whereas two of the said Commissioners, Charles Duncombe, Esq. and David Thorburn, Esquire, Members of this Honorable House, although repeatedly called upon for that purpose, have not furnished this House with the necessary vouchers for the expenditure of said £2000, or any part thereof, it is therefore inexpedient to grant any further sum of money to be placed in the hands of the said Commissioners.

Amendment moved.

On which the yeas and nays being taken, were as follows :

Division.

YEAS—MESSIEURS.

Boulton,  
Caldwell,  
Cook,  
Dunlop,

Lewis,  
McDonell, *Stormont*,  
McDonell, *Northumb.*  
McKay, Malloch,  
Robinson,

McLean,  
Macnab,  
Malloch,  
Robinson,

Rykert,  
Strange,  
Thom,—15.

Yeas 15.

NAYS—MESSIEURS.

Alway,  
Brown,  
Bruce,  
Duncombe, *Norfolk*,  
Durand,  
Gibson,

Gilchrist,  
Hopkins,  
Lount,  
Mackenzie,  
McMicking,  
Merritt,

Moore,  
Norton,  
Parke,  
Perry,  
Richardson,

Robin,  
Rymal,  
Shaver,  
Wells,  
Yager—22.

Nays 22.

The question of amendment was decided in the negative by a majority of seven, and the bill was ordered to be engrossed, and read a third time to-day.

Lost—majority 7.

Third reading to-day.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message, and

Message from Legislative Council.

Ottawa District Court bill sent down amended

Bill to protect public against private Banks sent down from Legislative Council.

the Bill entitled "*An Act to authorise His Majesty's Justices to hold a Court of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery in the Ottawa District,*" to which that Honorable House had made some amendments, and requested the concurrence of this House thereto; also a bill, entitled "*An Act to protect the public against injury from Private Banks,*" which that Honorable House had passed, and to which the concurrence of this House was requested.

The Message was read as follows:

Mr. SPEAKER,

Message.  
Brockville Market bill passed.

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, entitled "*An Act to establish a Market in the West Ward of the Town of Brockville.*"

JOHN B. ROBISON,  
SPEAKER.

Legislative Council Chamber, }  
Twelfth day of April, 1836. }

Amendments to Ottawa District Court bill read first time.

The amendments made by the Honorable the Legislative Council in and to the Bill sent down from this House, entitled "*An Act to authorise His Majesty's Justices to hold a Court of Oyer and Terminer, Assize, and Nisi Prius, and General Gaol Delivery in the Ottawa District,*" were read a first time as follows:

The amendments made by the Legislative Council in and to the bill sent up from the Assembly entitled, "*An Act to authorise His Majesty's Justices to hold a Court of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District*":

Amendments.

In the title, after "Justices" insert "under certain provisions therein mentioned."

Add to the bill—"And be it further enacted by the authority aforesaid, That this Act shall not take effect until provision shall be made by law for increasing the number of Judges in His Majesty's Court of King's Bench in this Province, and for defraying such contingent charges of the circuits in respect of the said District of Ottawa as were accustomed to be paid before the surrender by the Crown of the duties levied under a certain Act of the Parliament of Great Britain, passed in fourteenth year of the reign of His late Majesty King George the Third, entitled 'An Act to establish a fund towards further defraying the charges of the administration of Justice, and support of the Civil Government within the Province of Quebec, in America.'"

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
Thirteenth day of April, 1836. }

Second reading to-morrow.

Ordered—That the amendments be read a second time tomorrow.

At a quarter past four of the clock, P. M. the Speaker left the Chair.

At six o'clock, P. M. the Speaker took the Chair.

Bill to protect the public against private Banks read first time.

The bill sent up from the Legislative Council, entitled, "*An Act to protect the public against injury from private Banks,*" was read a first time.

*Ordered*—That the bill be read a second time to-morrow.

Second reading to-morrow.

Pursuant to the order of the day, the bill for the relief of Joseph Turton was read a third time.

Turton's relief bill read third time.

On the question for passing the bill, the yeas and nays being taken were as follows :

On passing.

**YEAS—MESSIEURS,**

|                           |                           |             |            |          |
|---------------------------|---------------------------|-------------|------------|----------|
| Brown,                    | Gilchrist,                | McNab,      | Rymal,     | Yeas 29. |
| Bruce,                    | Hopkins,                  | Moore,      | Small,     |          |
| Chisholm,                 | Lount,                    | Morrison,   | Strange,   |          |
| Cornwall,                 | McDonell, <i>Gleng'y.</i> | Perry,      | Waters,    |          |
| Duncombe, <i>Norfolk,</i> | McIntosh,                 | Richardson, | Wells,     |          |
| Durand,                   | McKay,                    | Robinson,   | Wilson,    |          |
| Gibson,                   | McMicking,                | Roblin,     | Yager,—28. |          |

**NAYS—MESSIEURS,**

|           |                            |          |            |          |
|-----------|----------------------------|----------|------------|----------|
| Buell,    | Lewis,                     | McLean,  | Rykert,    | Nays 13. |
| Caldwell, | McDonell, <i>Stormont,</i> | Merritt, | Shaver,    |          |
| Cook,     | McDonell, <i>Northumb.</i> | Parke,   | Walsh,—13. |          |
| Dunlop,   |                            |          |            |          |

The question was carried in the affirmative by a majority of five, and the bill was passed. Carried, majority 5.

Mr. Gibson, seconded by Mr. Brown, moves that the bill be entitled "*An Act for the relief of Joseph Turton.*" Title.

Which was carried, and Messieurs Gibson and Bruce were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill for the encouragement of Agriculture was read a third time, and passed. Agricultural encouragement bill passed.

Mr. Gilchrist, seconded by Mr. Shaver, moves that the bill be entitled "*An Act to establish Township Agricultural Societies, and to grant a sum of money in aid of the same.*" Title.

Which was carried, and Messieurs Gilchrist and Shaver were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill for the support of Light Houses was read a third time, and passed. Light House support bill passed.

Mr. Richardson, seconded by Mr. Robinson, moves that the bill be entitled "*An Act granting to His Majesty a sum of money for the support of Light Houses in this Province.*" Title.

Which was carried, and Messieurs Richardson and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Merritt, from the Committee to draft and report a bill, pursuant to a Resolution of the House, in relation to the Contractor for building a Bridge over the Grand River at Dunnville, presented a draft, which was received and read the first time. Committee to draft bill in accordance with resolution relative to the Contractor for building Dunnville Bridge, report Ham-mill's relief bill.

*Ordered*,—That the bill for the relief of John Harrison be read a second time to-morrow. Second reading to-morrow.

Mr. Wells, from the Committee to draft and report a bill founded on the Resolution of this House, granting a sum of money for the erection of a Lunatic Asylum, reported a draft, which was received and read a first time. Committee to draft bill on resolution for erection of Lunatic Asylum, report draft.

Second reading to-morrow.

*Ordered*,—That the bill be read a second time to-morrow.

Committee to draft bill on resolution granting money for repairs of Parliament Building, present draft.

Mr. Perry, from the Committee to draft and report a bill founded on the Resolution of this House, granting a sum of money for the purpose of putting the building at present occupied for the sittings of the Legislature into a condition more commodious for the transaction of the accumulating business of the Province, and for covering the roof with tin, in order to the preservation of the same, reported a draft, which was received and read the first time.

On the question for the second reading of the bill tomorrow,

Read second time and committed.

In amendment, Mr. Morrison, seconded by Mr. Perry, moves that the bill be now read a second time, and that the 40th rule be dispensed with so far as relates to this motion.

Which was carried, and the bill was read the second time. The House was put into a Committee of the whole on the bill. Mr. McIntosh in the Chair. The House resumed.

Report progress, and ask leave to sit again this day three months.

The Chairman reported that the Committee had made some progress in the bill, and asked leave to sit again this day three months.

On receiving report.

On the question for receiving the report, he yeas and nays being taken were as follows :

**YEAS—MESSIEURS,**

|          |   |   |   |  |
|----------|---|---|---|--|
| Yeas 22. | Boulton,<br>Buell,<br>Cook,<br>Duncombe, <i>Norfolk</i> ,<br>Dunlop,<br>Durand, | Hopkins,<br>Lewis,<br>Lount,<br>McDonell, <i>Northumb.</i><br>McIntosh,<br>McKay, | McMicking,<br>Macnab,<br>Malloch,<br>Richardson,<br>Roblin, | Rymal,<br>Shaver,<br>Strange,<br>Walsh,<br>Yager—22. |
|----------|---|---|---|--|

**NAYS—MESSIEURS,**

|          |   |   |   |  |
|----------|---|---|---|--|
| Nays 19. | Alway,<br>Bruce,<br>Cornwall,<br>Chisholm,<br>Gibson, | Gilchrist,<br>McDonell, <i>Glen'g'y.</i><br>McLean,<br>Merritt,<br>Moore, | Morrison,<br>Robinson,<br>Rykert,<br>Small,<br>Solicitor General, | Thorburn,<br>Wells,<br>Wilkinson,<br>Wilson,—19. |
|----------|---|---|---|--|

Carried, majority 3.

The question was carried in the affirmative, by a majority of three, and ordered accordingly.

Select Committee on affairs of Welland Canal Company, present third report.

Mr. Small from the Committee to which was referred the affairs of the Welland Canal Company, presented a third report, which was received and read.

*Report—(See Appendix.)*

Select Committee on expenditure of moneys for Roads & Bridges, present report and address to His Excellency.

Mr. McKay from the Committee to which was referred the matter of the expenditure of moneys granted for the repairs of roads and bridges through the Province, presented a report, and the draft of an address to His Excellency, which was received.

The report was read—*(See Appendix.)*

Third reading of address to-day.

The address was read twice, concurred in, and ordered to be engrossed and read a third time this day.

On motion of Mr. Merritt, seconded by Mr. Wilkinson,

Report from Welland Canal Company referred to Committee of whole on Friday.

*Ordered*—That the report of the Committee on the petition of the private shareholders in the Welland Canal Company be referred to a Committee of the whole, and be the first item on the order of the day for Friday.

Adjourned.

THURSDAY, 14th APRIL, 1836.

The House met.

The minutes of yesterday were read.

Petitions brought up.

Mr. Thorburn brought up the petition of Philip Garner, and one hundred and seven others, of the township of Stamford (Niagara District); which was laid on the table.

Of Philip Garner and others.

Mr. Park brought up the petition of William Putnam, and eighty five others, of the township of Dorchester (Middlesex); which was laid on the table.

Of William Putnam and others.

Mr. Shaver brought up the petition of Donald Æ. McDonell, Esq., Lieut. half pay 98th Regt.; which was laid on the table.

Of D. Æ McDonell, Esq.

Mr. Cook brought up the petition of Matthew Cook, and sixty-one others, of the township of Winchester (Eastern District); which was laid on the table.

Of Matthew Cook, and others.

Mr. Durand brought up the petition of John Lesslie, and four hundred and forty-two others, of West Flamboro', in the county of Halton; which was laid on the table.

Of John Lesslie and others.

Pursuant to the order of the day, the bill granting a sum of money for repairing the dwelling of the Light-house Keeper, Gibraltar Point, was read a third time and passed.

Bill to repair Light House Keeper's dwelling on Gibraltar point. passed.

Mr. Small, seconded by Mr. McIntosh, moves that the bill be entitled "*An Act granting to His Majesty the sum of one hundred pounds for the purpose of repairing the dwelling-house of the Light-house Keeper, on Gibraltar Point, in the Home District.*"

Title.

Which was carried, and Messrs. Small and McIntosh were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill granting a further sum of money for the erection of a Light-house on the Isle aux Bois Blanc, was read the third time and passed.

Bois Blanc Light House bill passed.

Mr. Caldwell, seconded by Mr. Rykert, moves that the bill be entitled "*An Act granting three hundred pounds towards the completion of a Light-house on Bois Blanc Island, in the Western District.*"

Title.

Which was carried, and Messieurs Caldwell and Rykert were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Bill granting a sum of money for the support of the Provincial Penitentiary, was read the third time and passed.

Penitentiary support bill passed.

Mr. Robinson, seconded by Mr. Strange, moves that the bill be entitled "*An Act granting a sum of money in support of the Provincial Penitentiary, and for other purposes therein mentioned.*"

Title.

Which was carried, and Messieurs Robinson and Strange were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill for the relief of Francis Hall, Esquire, was read the third time and passed.

Hall's remuneration bill passed.

Mr. Thorburn, seconded by Mr. McMicking, moves that the bill be entitled "*An Act to remunerate Francis Hall, Esquire, Civil Engineer, for professional services on the Burlington Bay Canal.*"

Title.

Which was carried, and Messieurs Thorburn and McMicking

were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Deacon's relief bill  
read third time

Pursuant to the order of the day, the Bill for the relief of Andrew Deacon, Esquire, was read a third time.

On passing.

On the question for passing the bill, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

|          |   |   |   |  |
|----------|---|---|---|--|
| Yeas 24. | Brown,<br>Bruce,<br>Buell,<br>Cook,<br>Cornwall,<br>Durand, | Gilchrist,<br>Hopkins,<br>Lount,<br>McIntosh,<br>Mackenzie,<br>Malloch, | Moore,<br>Morrison,<br>Parke,<br>Robinson,<br>Rykert,<br>Rymal, | Shaver,<br>Small,<br>Thorburn,<br>Wilkinson,<br>Wilson,<br>Woolverton,—24. |
|----------|---|---|---|--|

NAYS—MESSIEURS,

|         |                                 |                   |                   |                        |
|---------|---------------------------------|-------------------|-------------------|------------------------|
| Nays 9. | Alway,<br>Boulton,<br>Caldwell, | Dunlop,<br>Lewis, | McKay,<br>McLean, | Macnab,<br>Merritt,—9. |
|---------|---------------------------------|-------------------|-------------------|------------------------|

Carried—majority 15. The question was carried in the affirmative by a majority of fifteen, and the bill was passed.

Title. Mr. Wilson, seconded by Mr. Waters, moves that the bill be entitled "*An Act for the relief of Andrew Deacon.*"

Which was carried, and Messrs. Wilson and Waters were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Steam Dredge bill  
read third time.

Pursuant to the order of the day, the bill granting a further sum of money to complete the purchase of a Steam Dredge was read a third time.

Amendment.

Mr. Macnab, seconded by Mr. Wilkinson, moves that the Bill be amended by adding the following clause :

And be it further enacted by the authority aforesaid, that John McIntosh, George Chalmers, and Colin C. Ferry be Commissioners for the purposes of this Act: Provided always, nevertheless, that no part of the said sum of £1400 shall be paid by the Commissioners aforesaid, until they are perfectly satisfied of the correct and proper expenditure heretofore made of the sum of £2000, granted during the last Session of the present Parliament, for the purchase of a Steam Dredging Machine.

Division.

On which the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

|          |   |  |   |   |
|----------|---|--|---|---|
| Yeas 17. | Boulton,<br>Caldwell,<br>Cornwall,<br>Dunlop,<br>Lewis, | McCrae,<br>McDonell, <i>Northumb.</i><br>McKay,<br>McLean, | Macnab,<br>Malloch,<br>Richardson,<br>Robinson, | Solicitor General,<br>Strange,<br>Thom,<br>Wilkinson,—17. |
|----------|---|--|---|---|

NAYS—MESSIEURS,

|          |  |   |  |   |
|----------|--|---|--|---|
| Nays 26. | Alway,<br>Bruce,<br>Buell,<br>Cook,<br>Duncombe, <i>Norfolk.</i><br>Durand,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Lount,<br>McDonell, <i>Stormont.</i><br>McIntosh,<br>Mackenzie,<br>McMicking, | Merritt,<br>Moore,<br>Morrison,<br>Parke,<br>Perry,<br>Roblin,<br>Rymal, | Shaver,<br>Small,<br>Waters,<br>Wells,<br>Woolverton,—26. |
|----------|--|---|--|---|

Amendment lost.  
majority 9.

The question was decided in the negative by a majority of nine and lost accordingly.

Mr. Mackenzie, seconded by Mr. Cook, moves that the following clause be added to the bill as a rider.

And whereas, the Commissioners state that the sum of £2000, granted last year, was not expended by them within fifteen days of the commencement of the present Session, and it was therefore impossible for them to comply with that part of the Act which requires them to account for the said expenditure within that period: And whereas, it is fit and proper that a full and satisfactory account of the said expenditure should be rendered by them: Be it further enacted by the authority aforesaid, That no part of the sum of £1400, granted under the authority of this Act, shall be paid until a duplicate of the contract for the said Dredging Machine, together with the vouchers for the several payments made thereon, and a statement in detail shewing the whole expenditure of the sum granted last Session (by the said Commissioners, Messrs. Duncombe, Thorburn, and Overfield) duly attested under their hands, shall be transmitted to the Receiver General, and to be reported on by him to the Lieutenant Governor, as being full, ample, and satisfactory; which said report, vouchers, and documents shall be communicated to the Legislature at its next ensuing Session.

On which the yeas and nays were taken, as follows:

YEAS—MESSIEURS,

|                            |                             |             |                 |          |
|----------------------------|-----------------------------|-------------|-----------------|----------|
| Alway,                     | Gilchrist,                  | Merritt,    | Rymal,          |          |
| Brown,                     | Hopkins,                    | Moore,      | Shaver,         |          |
| Bruce,                     | Loont,                      | Morrison,   | Waters,         | Yeas 26. |
| Cook,                      | McDonell, <i>Stormont</i> , | Parke,      | Wells,          |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                   | Perry,      | Woolverton,—26. |          |
| Durand,                    | Mackenzie,                  | Richardson, |                 |          |
| Gibson,                    | McMicking,                  | Roblin,     |                 |          |

NAYS—MESSIEURS,

|                            |          |                    |                |          |
|----------------------------|----------|--------------------|----------------|----------|
| Boulton,                   | McKay,   | Robinson,          | Strange,       | Nays 15. |
| Cornwall,                  | McLean,  | Rykert,            | Thom,          |          |
| Lewis,                     | Macnab,  | Small,             | Wilkinson,—15. |          |
| McDonell, <i>Northumb.</i> | Malloch, | Solicitor General, |                |          |

The question was carried in the affirmative by a majority of eleven, and the amendment was read twice, concurred in, and ordered to be engrossed, and read a third time this day.

The Master in Chancery brought down from the Honorable the Legislative Council a Message, and the bill entitled "*An Act to raise a sum of money to continue the Improvement of certain Roads in the Vicinity of the City of Toronto, and for other purposes therein mentioned,*" which that Honorable House had passed with some amendments, to which they requested the concurrence of this House.

The amendments made by the Honorable the Legislative Council in and to the Bill, entitled "*An Act to raise a sum of money to continue the Improvement of certain roads in the Vicinity of the City of Toronto, and for other purposes therein mentioned,*" were read a first time as follows:

Press 6, line 23.—After "Road," insert "Allan McLean, of the Township of Scarboro', Esquire; Thomas Helliwell, of the City of Toronto, Brewer; Richard Douglass Hamilton, Esquire; Stephen Pherril, Yeoman; Jonathan Gates, Yeoman; and John Thorn, Yeoman, of the Township of Scarboro'."

- “ 7, “ 2.—Expunge “ on,” and insert “ across.”  
 “ 7, “ 10.—Expunge “ Commissioners,” and insert “ Trustees.”  
 “ 7, “ 18.—After “ being,” insert “ at least once in three months.”  
 “ 10, “ 1.—Expunge “ Commissioners,” and insert “ Trustees.”  
 “ 10, “ 11.—Expunge “ Commissioners,” and insert “ Trustees.”  
 “ 10, “ 12.—Expunge “ Commissioners,” and insert “ Trustees.”

At the end of the Bill add “ 33. And be it further enacted by the  
 “ authority aforesaid, That the said Trustees if they think  
 “ proper, may commute the Tolls with any person or per-  
 “ sons by taking of him or them a certain sum, either  
 “ monthly or annually, in lieu of such Tolls ; and that the  
 “ said Trustees shall affix in a conspicuous place at all  
 “ such Toll Gates, a table of the rates of Tolls to be  
 “ exacted and taken, to be plainly and legibly printed.

“ 34. And be it further enacted by the authority  
 “ aforesaid, That if any person or persons shall after  
 “ proceeding upon any of the said roads with any of the  
 “ carriages or animals liable to Toll, turn out of the same  
 “ into any other road, and shall enter the said roads be-  
 “ yond the said Turnpike Gate or Gates without paying  
 “ Toll, whereby such payment shall be evaded, shall for  
 “ every such offence forfeit and pay the sum of ten shil-  
 “ lings, which said sum shall be expended on the said  
 “ roads, or towards the payment of the principal or inter-  
 “ est of the sum expended thereon ; and any one Magis-  
 “ trate of the said Home District shall on conviction of  
 “ such offender, fine such person in the said penalty, and  
 “ from whose judgment there shall be no appeal.

“ 35. And be it further enacted by the authority  
 “ aforesaid, That if any person or persons occupying or  
 “ possessing any enclosed lands near any Toll Houses or  
 “ Toll Gates, which shall be erected in pursuance of this  
 “ Act, shall knowingly permit or suffer any person or  
 “ persons to pass through such lands, or through any  
 “ gate, passage, or way thereon, with any carriage, or  
 “ with any horse, mare, gelding, or other animal liable to  
 “ the payment of the Toll, whereby such payment shall  
 “ be avoided, every person or persons so offending, and  
 “ also the persons riding or driving the animal or car-  
 “ riage whereon such payment is avoided, being thereof  
 “ convicted, shall for every such offence severally forfeit  
 “ and pay any sum not exceeding ten shillings, which  
 “ shall be laid out in improving such road.

“ 36. Provided always, and it is hereby further enacted  
 “ by the authority aforesaid, that all persons, horses, or  
 “ carriages going to or attending or returning from any  
 “ funeral of any person shall pass the gate free of Toll.

“ 37. And be it further enacted by the authority  
 “ aforesaid, That it shall and may be lawful for the Gov-  
 “ ernor, Lieutenant Governor, or person administering  
 “ the Government of this Province for the time being,  
 “ from time to time, by commission under his hand and  
 “ seal, to nominate and appoint such person or persons  
 “ as he may think fit to fill any vacancy or vacancies  
 “ which may happen in the said Board of Trustees, by  
 “ death, resignation, or otherwise.



Pursuant to the order of the day, the address to His Excellency on the expenditure of road money, was read the third time.

On the question for passing the same being put, Mr. Wells moves the previous question, namely, that the question be not now put.

Which was carried.

Address to His Excellency on expenditure of road money read third time.  
Previous question moved.

Pursuant to the order of the day, the following petitions were read:—

Of Thomas Spragg, and two hundred and nine others, of the Township of Yarmouth, (London District);

Of Lyman Thurston, and eighty-seven others, of the Township of Bayham, (London District);

Of Lucius Bigelow, and two hundred and fifty-six others, of the Village of St. Thomas, (Middlesex);

Of Dyer Wilcox, and two hundred and seventy-seven others, of the Township of Norwich, (London District);

Of Abram Law, and fifty-five others, of the Township of York, and adjoining Townships; and

Of Jacob S. Heartwell, and one hundred and ten others, praying the same as the petition of Robert Burns and others.

Mr. Roblin, seconded by Mr. Shaver, moves that the petition of D. Æ. McDonell be now read, and that the 41st rule of this House be dispensed with for that purpose so far as relates to the same.

Which was carried, and the petition of D. Æ. McDonell, Esq. praying for redress, was read.

Mr. Robinson gives notice that he will on to-morrow move for leave to bring in a bill to continue the Macadamization of certain roads in the Home District.

On motion of Mr. Roblin, seconded by Mr. Cook,

*Ordered*—That the petition of D. Æ. McDonell be referred to a Select Committee, composed of Messrs. Shaver and Bruce, with leave to report thereon by Address to His Majesty or otherwise.

On motion of Mr. McLean, seconded by Mr. Wilkinson,

*Ordered*—That the Select Committee on the petitions of Angus McDougall and Allan McDonell, praying that pensions may be granted to them, respectively, for disabilities contracted during the late war, be discharged from the further consideration of the same, and that the said petitions be referred to the Committee on pensions, to report thereon.

Pursuant to the order of the day, the amendment to the bill granting a further sum of money to complete the purchase of a Steam Dredge was read a third time.

On the question for passing the bill, the yeas and nays were taken as follows:

#### YEAS—MESSIEURS,

|                           |                            |           |             |          |
|---------------------------|----------------------------|-----------|-------------|----------|
| Alway,                    | Gilchrist,                 | Merritt,  | Roblin,     | Yeas 22. |
| Brown,                    | Hopkins,                   | Moore,    | Rymal,      |          |
| Bruce,                    | Lount,                     | Morrison, | Waters,     |          |
| Duncombe, <i>Norfolk.</i> | McDonell, <i>Stormont,</i> | Norton,   | Woolverton, |          |
| Dunlop,                   | Mackenzie,                 | Parke,    | Yager—22.   |          |
| Gibson,                   | McMicking,                 |           |             |          |

#### NAYS—MESSIEURS,

|           |           |         |                    |          |
|-----------|-----------|---------|--------------------|----------|
| Boulton,  | McKay,    | Rykert, | Solicitor General, | Nays 14. |
| Buell,    | McLean,   | Shaver, | Strange,           |          |
| Cook,     | Macnab,   | Small,  | Wilkinson,—14.     |          |
| McIntosh, | Robinson, |         |                    |          |
|           |           |         |                    |          |

Question carried,  
majority 8.

The question was carried in the affirmative by a majority of eight, and the bill was passed.

Title.

Mr. Mackenzie, seconded by Mr. Shaver, moves that the bill be entitled "*An Act granting a further sum of money for the purchase of a Steam Dredging Machine.*"

Which was carried, and Messieurs Mackenzie and Shaver were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Secretary Joseph brought down from His Excellency the Lieutenant Governor, several Messages and documents.

Messages from His  
Excellency the  
Lieutenant Governor.

The Messages were read as follows :

#### F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the request of the Grand Jury of the Home District, at the present Assizes, the accompanying statement of that body, with a copy of a charge of the presiding Judge at the opening of the Court.

*Government House,* }  
12th April, 1836. }

With statement of  
Grand Jury, and the  
charge of the Judge.

#### F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, in compliance with its Address of the 28th ultimo, the accompanying statement of the Adjutant General of Militia, on the subject of Militia fines.

*Government House,* }  
12th April, 1836. }

With statement from  
Adjutant General of  
Militia on Militia  
Fines.

#### F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, in compliance with its Address on the 5th instant, on the subject of Parsonages and Rectories, the accompanying statements of the Secretary and Registrar, the Clerk of the Executive Council, and acting Surveyor General.

*Government House,* }  
13th April, 1836. }

With statement on  
Parsonages and  
Rectories.

#### F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly the accompanying Memorial of the Inspectors of the Provincial Penitentiary, to the subject of which he invites the attention of the House.

*Government House,* }  
12th day of April, 1836. }

With Memorial of the  
Inspectors of the  
Penitentiary.

#### F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, with reference to the 3rd, 4th, and 8th paragraphs of its Address of the 17th ultimo, and to his Message to the House of the 28th, the accompanying Documents relative to the receipts and payments of all monies arising from the sale or leasing of the Clergy Reserves, to grants for the building of Churches and Chapels, and for the maintenance of Clergymen and religious teachers of various denominations of Christians, and to lands set apart for the endowment of Churches.

*Government House,* }  
12th April, 1836. }

With receipts and  
payments of monies  
arising from sales of  
Clergy Reserves, and  
of grants for religious  
purposes.

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly, with reference to its Address of the 18th ultimo, and to his Message to the House of the 23th, the accompanying communication and documents from the Rev. William Macaulay, relative to the Parsonage House erected at Cobourg during his incumbency.

With account of Parsonage House at Cobourg.

Government House, }  
12th April, 1836. }

F. B. HEAD.

The Lieutenant Governor transmits to the House of Assembly the accompanying communication and enclosures, received from the Deputy Post Master General of British North America, on the subject of the Post Office.

With communication from Post Master General.

Government House, }  
12th April, 1836. }

Documents—(See Appendix.)

On motion of Mr. Parke, seconded by Dr. Morrison,

*Ordered*—That so much of His Excellency the Lieutenant Governor's Message, together with the Documents appended to the same, relating to moneys granted for building Churches and Chapels, &c. and other religious purposes, be referred to the Committee to whom was referred that subject.

Message and documents relating to grants of money for building Churches, &c. referred.

Mr. Shaver, from the Select Committee to which was referred the petition of Donald Æ. McDonell, Esquire, reported the draft of an Address to His Majesty, which was received, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Committee on petition of D. Æ. McDonell, report draft of Address to His Majesty, concurred in—to be read a third time this day.

Mr. Gibson, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House, on the subject of the wrongs done to William Forsyth, of Stamford, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Committee to wait on the Lieut. Governor, with addresses on the case of W. Forsyth, report answer.

GENTLEMEN,

In reply to this Address, I can only refer the House of Assembly to the eleventh paragraph of my answer to its Address of the 5th of February.

Answer.

At a quarter past two of the clock, P. M. the Speaker left the Chair.

Chair left.

At four, P. M. the Speaker took the Chair.

Chair resumed.

Pursuant to the order of the day, the Toronto Assessment Bill was read the second time.

Toronto assessment bill read 2nd time.

The House was put into a Committee of the whole on the bill. Mr. Boulton in the Chair.

Committed.

The House resumed, Black Rod being at the door.

House resumes. Black rod.

The Speaker left the chair.

Chair resumed.

The Chairman resumed the chair of Committee.

House resumes.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Bill reported Amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

3rd reading to-morrow.

Currency bill brought down from Legislative Council, amended.

Mr. Speaker reported that the Master in Chancery had brought down from the Hon. the Legislative Council a Message and the Bill sent up from this House entitled "*An Act affixing the value at which certain Gold Coins shall pass current in this Province—making the same a legal tender—and establishing the rate at which British Silver Money now in circulation shall be taken within the same,*" to which that Honorable House had made some amendments and requested the concurrence of this House thereto.

MR. SPEAKER,

Bill to improve the Navigation of the waters of the Newcastle District ;  
And Burlington Bay fishery bill passed Legislative Council.

The Legislative Council has passed the Bill sent up from the Commons House of Assembly entitled "*An Act to improve the Navigation of the inland waters of the District of Newcastle,*" and also the Bill entitled "*An Act for the preservation of the fishery within Burlington Bay,*" without any amendment.

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
Fourteenth day of April, 1836. }

Amendments to currency bill read first time.

The amendments made by the Honorable the Legislative Council in and to the Bill entitled "*An Act affixing the value at which certain Gold Coins shall pass current in this Province—making the same a legal tender—and establishing the rate at which British Silver Money now in circulation shall be taken within the same,*" were read a first time as follows :

Amendments.

In the title after "Act" expunge the remainder and insert "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 certain Gold and Silver Coins shall pass current in this Province."

In the Bill, after "whereas," expunge the remainder of the Bill, except the last clause, and insert "it is expedient to amend the Laws for the regulation of certain coins current in this Province: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled "An Act for making more effectual provision for the government of the Province of Quebec in North America," and to make further provision for the government of the said Province;" and by the authority of the same, that the first, second, third, fourth, and eighth sections of an Act passed in the thirty-sixth year of the reign of King George the Third, entitled "An Act for the better regulation of certain coins current in this Province," and also "An Act passed in the forty-ninth year of His Majesty's reign, entitled "An Act to repeal and amend certain parts of an Act passed in the thirty-sixth year of His Majesty's reign, entitled "An Act for the better regulation of certain coins current in this Province, to equalize them to the standard weight and value of the like coins in the Province of Lower Canada," and also an Act passed in the seventh year of the reign of His

late Majesty King George the Fourth, entitled "An Act to repeal part of an Act passed in the thirty-sixth year of His late Majesty's reign entitled "An Act for the better regulation of certain coins current in this Province, and to make further provision for the regulation of the British Silver and Copper coinage current in this Province;" and also another Act passed in the eleventh year of the reign of His said Majesty King George the Fourth, entitled "An Act for the better regulation of the currency," shall be and the same are hereby repealed.

2. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, the Gold and Silver coins hereinafter mentioned, shall pass current and be deemed a legal tender in payment of all debts and demands whatsoever in this Province at the weights and rates following, (that is to say :)

"Of the Gold Coins, The British Guinea, weighing five pennyweights nine and a half grains Troy, at one pound five shillings and six pence."

"The British Sovereign weighing five pennyweights three and a half grains Troy, at twenty-four shillings and four pence."

"The Eagle of the United States of America coined before the first day of July, one thousand eight hundred and thirty four, weighing eleven pennyweights six grains Troy, at fifty-three shillings and four pence."

"The Eagle of the United States of America coined since the first day of July one thousand eight hundred and thirty four, weighing ten pennyweights eighteen grains Troy, at fifty shillings."

"And of Silver Coins, The British Crown at six shillings."

"The British Half Crown at three shillings."

"The British Shilling at one shilling and three pence."

"The British Six-pence at seven-pence half-penny."

"The Spanish Milled Dollar at five shillings, equal to four shillings and six-pence Sterling money of Great Britain."

"The Dollar of the United States of America at five shillings."

"The Mexican Dollar coined in the years one thousand eight hundred and thirty one, one thousand eight hundred and thirty two, and one thousand eight hundred and thirty three, at five shillings."

"And all the higher and lower denominations of the said gold and silver coins shall also pass current, and be deemed a legal tender in payment of all debts and demands whatsoever in this Province in the same proportions respectively."

3. And be it further enacted by the authority aforesaid, That if any person or persons shall colour gold or case over with gold or silver or with any wash or materials producing the colour of gold or silver, any coin of coarse gold or of coarse silver or of base metal resembling any coin made or declared to be current by this Act, or if any person or persons shall bring or cause to be brought into this Province any forged, false or counterfeit money like to any of the gold or silver coin made or declared to be

current in this Act knowing the same to be false, forged or counterfeit, or any coin of coarse gold or of coarse silver or of base metal coloured, gilded or cased over with gold or silver or with any wash or materials producing the colour of gold or silver and resembling any such coin, or any piece of gilded silver resembling any such coin, knowing the same, every such person shall for every such offence be deemed guilty of felony, and upon conviction thereof shall be liable to suffer such punishment as is provided by the twenty-fifth clause of a certain Act of the Parliament of this Province passed in the third year of the reign of His present Majesty entitled "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy; and to make other alterations in certain criminal proceedings before and after conviction."

"And be it further enacted by the authority aforesaid, That if any person or persons shall after the passing of this Act utter or tender in payment to any person or persons any false or counterfeit money, counterfeited to any of the gold or silver coins made or declared to be current by this Act, as hereinbefore specified or to any of the higher or lower denominations thereof, knowing the same to be false or counterfeit and shall be thereof convicted, every such person so offending shall be liable to suffer such punishment as is provided for any of the offences mentioned in the last preceding clause of this Act."

"5. And be it further enacted by the authority aforesaid, That such of the gold and silver coins made or declared current by this Act as are depreciated in weight more than one twenty-fifth part of their full weight, shall not be legal money in this Province."

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }  
Fourteenth day of April, 1836. }

Committee of whole  
on report of Com. on  
petition of James  
King.

Pursuant to the order of the day, the House was put into Committee of the whole on the Report of the Select Committee on the petition of James King.

Mr. Bruce in the Chair.

The House resumed.

Address reported  
without amendment.

The Chairman reported that the Committee had agreed to the Address without amendment.

On receiving report.

On the question for receiving the report, the yeas and nays being taken were as follows:—

YEAS—MESSIEURS,

Yeas 21.

Alway,  
Bruce,  
Buell,  
Chisholm,  
Cook,  
Duncombe, *Norfolk*,

Dunlop,  
Gibson,  
Gilchrist,  
Hopkins,  
Lount,

Mackenzie,  
McMicking,  
Moore,  
Parke,  
Rymal,

Shaver,  
Smith,  
Thorburn,  
Wells,  
Wilson,—21.

## NAYS—MESSIEURS,

|   |   |  |  |          |
|---|---|--|--|----------|
| Boulton,<br>Caldwell,<br>Cornwall,<br>McCrae, | McDonell, <i>Gleng'y.</i><br>McDonell, <i>Northumb.</i><br>McIntosh,<br>McLean, | McNab,<br>Merritt,<br>Robinson,<br>Rykert, | Solicitor General,<br>Thom,<br>Walsh,<br>Woolverton,—16. | Nays 16. |
|---|---|--|--|----------|

The question was carried in the affirmative by a majority of five and the Report was received. Question carried. majority five.

*Ordered*—That the Address be engrossed, and read a third time this day. Address, 3rd reading this day.

Pursuant to the order of the day, the Bill sent down from the Honorable the Legislative Council, entitled "*An Act for the relief of William Conway Keele*," was read a second time. Keele relief bill read 2nd time.

The House was put into a Committee of the whole on the Bill. Committed.  
Mr. Gibson in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The Report was received.

On the question for the third reading of the bill to-morrow being put, On 3rd reading to-morrow.

In amendment, Mr. Mackenzie, seconded by Mr. Bruce, moves that the bill be read a third time this day, and that the 41st rule be suspended as far as it would affect this motion. Amendment.

Which was carried, and the bill was read the third time and passed. Bill read 3rd time and passed.

Messrs. McKenzie and Bruce were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to acquaint that Honorable House that this House had passed the same without amendment. Sent to Leg. Council.

Mr. Mackenzie seconded by Mr. Buell, moves that it be resolved that a message be sent to the Honorable the Legislative Council requesting that leave be granted to Grant Powell, Esq., the Clerk of that House to attend and give evidence before the committee of this House appointed to inquire into the state of the library and public buildings. Message to Leg. Council for permission to G. Powell Esq to attend a Select Committee.

Which was carried, and Messrs. Mackenzie and Buell were ordered by the Speaker to carry up the message.

Pursuant to the order of the day, the bill for the relief of Thomas Smith was read the second time. Smith relief bill read 2nd time.

The House was put into a Committee of the whole on the bill. Committed.

Mr. Wells in the Chair.

The House resumed.

The Chairman reported that the Committee had made some progress in the bill and asked leave to sit again this day three months. Progress, three months.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the Hamilton Water Works bill was read the second time. Hamilton Water Works bill read 2nd time.

The House was put into a Committee of the whole on the bill. Committed.

Mr. Chisholm in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

3rd reading to-mor-  
row.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Bill to amend Town-  
ship officer's Act  
brought in.

Mr. Hopkins, seconded by Mr. Gilchrist, moved for leave to bring in a bill to amend the Township Officer's Act, and that the thirty first rule of this House be dispensed with so far as relates to the same.

Which was granted, and the bill read.

On 2nd reading to-  
morrow.

On the question for the second reading to-morrow,

Amendment.

In amendment, Mr. Hopkins, seconded by Mr. Durand, moves, that the bill be now read a second time and that the 40th rule of this House be dispensed with so far as relates to the same.

Bill read 2nd time.

Which was carried, and the bill to amend the Township Officer's Act was read a second time.

Committed.

The House was put into a Committee of the whole on the bill. Mr. Small in the Chair.

The House resumed.

Bill reported  
Amended.

The Chairman reported that the Committee had gone through the provisions of the bill, made some amendments to the same, and submitted it for the adoption of the House.

The report was received.

3rd reading to-mor-  
row.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Committee of whole  
on 1st report of com-  
mittee on Finance.

Mr. Perry, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the whole on the first report of the Committee of Finance.

Which was carried, and the House was put into a Committee of the whole on the report,

Mr. Malloch in the Chair.

The House resumed.

Resolution reported.

The Chairman reported that the Committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The Report was received, and the Resolution adopted as follows :

Resolution.

*Resolved*, That there be allowed the Receiver General of this Province one fourth per cent on the late loans made by him in England, as a compensation to him for the responsibility and extra expense he incurred in accomplishing the same.

On motion of Mr. Perry, seconded by Mr. Lount,

Committee to draft bill  
on resolution.

*Ordered*,—That Messrs. Roblin and Shaver be a Committee to draft and report a bill pursuant to the foregoing resolution.

Committee on petition  
of N. Cozens, report  
an address.

Mr. Perry from the Committee to which was referred the petition of Nelson Cozens, presented a report and the draft of an address, which were received.

The Report was received and read.

Report—(See Appendix.)

Address passed.

The address was read twice, concurred in, read the third time, passed and is as follows :

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



MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, beg leave humbly to request Your Excellency to transmit to His Majesty's Government the report of the Select Committee to whom was referred the petition of Nelson Cozens, together with the claim preferred by him to the late Lieutenant Governor in Council, and documents thereto belonging, in order that the same may be submitted to the early and favorable consideration of His Most Gracious Majesty.

Address on the case of N. Cozens.

MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly, }  
12th April, 1836. }

On motion of Mr. Perry, seconded by Mr. Shaver,

Ordered—That Messrs. Bruce and Chisholm be a Committee to wait upon His Excellency with the Address, Report and Appendix, and present the same.

Committee to wait on His Excellency with Address &c.

Pursuant to the order of the day, the House was again put into a Committee on the bill to amend the law of Elections.

Election Law amendment bill committed.

Mr. Rymal in the Chair.  
The House resumed.

The Chairman reported that the Committee had gone through the provisions of the bill, agreed to the same without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The report was received.

Ordered—That the Bill be engrossed, and read a third time to-morrow.

3rd reading to-morrow.

Pursuant to the order of the day, the Bill sent down from the Honorable the Legislative Council entitled "*An Act to provide more effectually for the punishment of certain offences and to enable the Governor, Lieutenant Governor, or person administering the Government of this Province, to commute the sentence of death in certain cases for other punishment in this Act mentioned,*" was read the second time.

Bill from Leg. Council to provide for the punishment of certain offences &c., Read 2nd time.

The House was put into a Committee of the whole on the bill.  
Mr. Small in the Chair.  
The House resumed.

Committed.

The Chairman reported that the Committee had made an amendment to the bill, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

Ordered—That the amendment be engrossed and read a third time to-morrow.

Amendment read 3rd time to-morrow.

Mr. Thorburn, from the Select Committee on Contingencies, reported that the Committee had agreed to a resolution which he begged leave to submit for the adoption of the House.

Committee on contingencies report resolution.

The report was received, and the resolution was read and adopted as follows :

Resolution adopted.

Resolved, That the Speaker be authorised to pay out of the monies now in his hands the following sums :

Resolution.

|                           |          |
|---------------------------|----------|
| To Peter McArthur,.....   | £18 7 3. |
| “ Bickerstaff & Son,..... | 37 1 9.  |
| “ Robert Marchant,.....   | 100 0 0. |

|   |                             |     |   |     |
|---|-----------------------------|-----|---|-----|
| “ | Ridout, Brothers, & Co..... | 3   | 2 | 7.  |
| “ | W. J. O'Grady,.....         | 200 | 0 | 0.  |
| “ | Saxon & McNight,.....       | 200 | 0 | 0.  |
| “ | Joseph Chilver,.....        | 4   | 9 | 4½. |

As accounts for contingent expenses for the present Session.

On motion of Mr. Thorburn, seconded by Mr. McMicking,

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to issue his Warrant in favor of the Speaker of this House for the sum of £2000, for the purpose of in part defraying the contingencies of the present Session, and that Messrs. Charles Duncombe and Roblin be a Committee to draft and report the same.

An Address to His Excellency for a further advance on contingencies ordered.

Draft of Address reported and passed.

Mr. Roblin, from the Committee to draft an Address to His Excellency the Lieutenant Governor, requesting a further advance on contingencies, reported a draft, which was received, read twice, concurred in, read the third time and passed as follows:

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

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency would be pleased to issue Your Warrant on the Receiver General in favor of the Speaker of the House of Assembly, for the sum of two thousand pounds, towards further defraying the contingencies of this House, which sum we will make good during the present Session.

Address For £2000.

MARSHALL S. BIDWELL,

SPEAKER.

*Commons House of Assembly, }  
12th April, 1836. }*

On motion of Mr. Thorburn, seconded by Mr. McMicking,

*Ordered*—That Messrs. Durand and Hopkins be a Committee to wait on His Excellency to know when he will receive the Address and present the same.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill entitled “*An Act to repeal an Act passed in the fourth year of His present Majesty's reign, entitled “An Act to establish a Board of Police in the Town of Belleville, and to make further provisions for the establishment of a Police in said Town,”*” were read the second time.

Amendments made by Legislative Council to the Belleville Police bill, read 2nd time.

Committed.

The House was put into a Committee of the whole on the amendments.

Mr. Robinson in the Chair.

The House resumed.

Amendments agreed to.

The Chairman reported that the Committee had agreed to the amendments, and directed him to submit the same for the adoption of the House.

The report was received.

*Ordered*—That the amendments be read a third time to-morrow. Adjourned.

3rd reading to-morrow.

TUESDAY, 15th APRIL, 1836.

The House met.

The minutes of yesterday were read.

Mr. Speaker reported that Mr. Howard, member for Leeds, had taken the oath prescribed by law—who, being introduced by Messrs. Shaver and Cook, took his seat.

Matthew M. Howard,  
Esquire, takes his seat  
as Member for Leeds.

Mr. Wells brought up the petition of Hugh McMurray and forty two others; which was laid on the table.

Petitions brought up.  
Of Hugh McMurray,  
and others.

Mr. Gilchrist brought up the petition of Simeon Kellogg and sixty two others of the village of Brighton; which was laid on the table.

Of Simeon Kellogg,  
and others.

Mr. Hopkins brought up the petition of John Erwin and eighty nine others of the county of Halton; which was laid on the table.

Of John Erwin,  
and others.

Mr. Parke brought up the petition of Boyle Travers and one hundred and fifty others of the District of London; which was laid on the table.

Of B. Travers, and  
others.

Mr. Parke brought up the petition of Oliver Edmonds and one hundred and twenty eight others of the District of London; which was laid on the table.

Of O. Edwards, and  
others.

Pursuant to the order of the day, the Address to His Majesty on the subject of the complaint of Donald Æ. McDonell, Esq., was read the third time, passed and is as follows:

Address to His  
Majesty, concerning  
D. Æ. McDonell, Esq.  
passed.

## TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to express our sincere conviction that Your Most Gracious Majesty has ever in view that impartial justice shall be administered to Your Canadian subjects by Your Majesty's Representative in this Province. In the full conviction of this belief, we humbly beg leave to represent to Your Majesty that it is the opinion of Your faithful Commons that that impartial justice has not been extended to Donald Æ. McDonell, a member of Your Majesty's Commons House of Assembly of Upper Canada, for the County of Stormont, and late a Lieutenant Colonel of the first Regiment Stormont Militia, in as much as a Lieutenant Colonel has been taken from another Regiment and placed over the head of the said Donald Æ. McDonell, who it appears is a Lieutenant on half pay of Your Majesty's ninety eighth Regiment, and the son of a United Empire Loyalist, and who has faithfully discharged his duty to his country during the late War with the United States of America, as set forth in his petition hereunto annexed; and the Adjutant General of Militia's Report will show upon what grounds the vacancy to that Regiment has been filled up.

Address.

We beg to express to Your Majesty our sincere regret that it should ever be deemed necessary by Your Majesty's Representative in this Colony, or by any officer or head of a Department acting under such Representative, to pass over the just claims of individual merit, and to excite a prejudicial feeling of injustice having been done to any of Your Majesty's dutiful and loyal subjects by an evident partiality to favorites.

We, Your Majesty's faithful Commons, humbly beg that Your Majesty will take the case of the said Donald Æneas McDonell into Your Royal consideration, and graciously be pleased to direct

that justice may be done him in the case, in such way as may to Your Majesty seem meet and consistent.

MARSHALL S. BIDWELL,

SPEAKER.

*Commons House of Assembly,* }  
15th April, 1836. }

Toronto Assessment  
bill passed.

Pursuant to the order of the day, the Toronto Assessment Bill was read a third time and passed.

Title.

Mr. Small, seconded by Mr. Wilkinson, moves that the bill be entitled "*An Act to repeal and amend the several Assessment Laws of this Province so far as the same relate to or affect the City of Toronto or the liberties thereof.*"

Which was carried, and Messrs. Small and Wilkinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address to His  
Excellency on claim  
of Mr. Hopkins read  
third time.  
On passing,

Pursuant to the order of the day, the Address to His Excellency in behalf of the claim of Lieutenant Hopkins was read the third time.

On the question for passing the Address, the yeas and nays being taken, were as follows :

YEAS—MESSIEURS,

Yeas 18.

Alway,  
Bruce,  
Buell,  
Chisholm,  
Cook,

Duncombe, *Norfolk*, Lount,  
Dunlop, McDonell, *Stormont*,  
Gilchrist, Moore,  
Hopkins, Parke,  
Howard,

Rymal,  
Shaver,  
Waters,  
Wells,—18.

NAYS—MESSIEURS,

Nays 12.

Brown,  
Caldwell,  
McKay,

Macnab,  
Merritt,  
Robinson,

Rykert,  
Small,  
Thom,

Walsh,  
Wilkinson,  
Woolverton,—12.

Carried—majority 6.

The question was carried in the affirmative by a majority of six, and the Address was passed and is as follows :

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

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to state to Your Excellency that William R. Hopkins, Esq. a meritorious British officer of twenty four years service, was induced to emigrate to this Province in the year 1833, under the provision of the General Order of the Horse Guards of 1st August 1831, by which he was entitled to \$692 worth of land. On his arrival he was located by the late Government, with the sanction of Sir John Colborne, for Lots Nos. 2 and 3 in the first Concession of the Township of Vespra in the Home District, and that on the faith of this location of the late local Government, he, with his wife and family, settled on the said Lots, built a house and made some other improvements thereon, where they remained for four months. At the expiration of six weeks of this time Mr. Hopkins was obliged to come to the City of Toronto for medical advice, in consequence of the breaking out of a wound received in the Castle of Badagos, after it was carried by

Escalade. On his arrival in town he was informed for the first time that the Lots, with others, were reserved for Park Lots for an intended town on Kempenfeldt Bay.

At the expiration of four months from the time of location, Mr. Hopkins received from Mr. Surveyor General Hurd an official letter of the first of October 1833, intimating that the land in question was a reserve and would be laid out in five acre lots, two lots of which would be put up to auction, to afford him an opportunity of purchasing his own improvements.

Mr. Hopkins, finding all remonstrances with the local Government in vain, referred his case to the consideration of the Right Honorable the Secretary of State for the Colonies, who adjudged that Mr. Hopkins should be at liberty to purchase twenty five acres of the alleged reserve at ten shillings per acre.

We are of opinion that if Mr. Spring Rice, the then Colonial Secretary, had been aware that Mr. Hopkins was located by the local Government, with the sanction of Sir John Colborne, that four hundred acres of this alleged reserve, with a frontage on Lake Simcoe, were recently sold to a Captain Oliver, at five shillings per acre, and that three hundred acres more were granted to the North-West Company, he would have come to a different conclusion.

The intended town of Kempenfeldt, after the experience of over twenty years, its situation not being such as to induce people to settle on it, was abandoned, and the town of Barrie, two miles distant, being at the head of the Navigation of Lake Simcoe, was selected a few months before Mr. Hopkins obtained his location.

We beg leave to refer Your Excellency to the Provincial Act 41st Geo. 3, chap. 2, sections 1 and 3, commonly called the Heir and Devisee Act, whereby the Commissioners appointed under that Act have the power to reject or allow the claims of the Heir or Devisee of the nominee of the Crown, where no patent is issued to a lot or lots of land, as in their judgment the justice and equity of the case may require, without any regard to legal forms or solemnities whatsoever, and to report on the same accordingly; such to be final and conclusive. The Lieutenant Governor for the time being, on receiving a favorable report, has, in our opinion, no discretionary power to prevent the issuing of the patent to such heir or devisee.

If Mr. Hopkins had died intestate, after being located for the lots in question, we humbly conceive his heir at law would have both a legal and equitable claim to them.

If, therefore, Mr. Hopkins' eldest son would be entitled to them after his decease, it is respectfully submitted, that to deprive the father while living, appears to be at variance with common justice.

We beg also, to refer Your Excellency to the case of a man of the name of Patrick Strange, who was located for a lot in the township of Markham, and that for some cause or other his name was erased from the map, and at the expiration of twenty years after his location, and of two years after his death, his heir at law applied to the Commissioners under the heir and devisee Act, the name of Patrick Strange was ordered to be restored to the map, and the patent issued in the name of Richard Strange, his brother and heir at law.

This House, taking into consideration the peculiar hardship of Mr. Hopkins' case, and the great injustice done him, and also considering that if his case is left unredressed, it may have (from its publicity) the effect of discouraging the settlement amongst us of valuable emigrants. We therefore humbly pray that Your Excellency will be graciously pleased to restore him to his land, and to compensate him for his loss of time, inconvenience, and the great expense

he has been put to without any fault of his own, upon his surrendering to the Crown the seven hundred acres already granted to him by the late local Government.

MARSHALL S. BIDWELL,

SPEAKER.

Committee Room, House of Assembly, }  
15th April, 1836. }

Committee to carry up Address.

Mr. Wells, seconded by Mr. Bruce, moves that Messrs. Dunlop and McDonell of Stormont, be a Committee to wait on His Excellency to know when he will be pleased to receive the Address, and to present the same.

Hamilton Water Works bill passed.

Pursuant to the order of the day, the Hamilton Water Works bill was read the third time and passed.

Title.

Mr. Macnab, seconded by Mr. Rymal, moves that the bill be entitled "*An Act to incorporate certain persons under the style and title of the 'Hamilton Water Works Company.'*"

Which was carried, and Messieurs Macnab and Rymal were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Township Officers' Amendment bill passed.

Pursuant to the order of the day, the Bill to amend the Township Officers Act was read the third time and passed.

Title.

Mr. Hopkins, seconded by Mr. Gilchrist, moves that the Bill be entitled "*An Act to amend and extend the provisions of an Act passed during the last Session of the Provincial Legislature, entitled 'An Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province, except an Act passed in the fourth year of the reign of William the Fourth, chapter 12, entitled 'An Act to regulate line fences and water-courses,' and to repeal so much of an Act passed in the 33rd year of the reign of His late Majesty King George the Third, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province' as relates to the office of fence viewers being discharged by overseers of highways and roads.'*"

Which was carried, and Messieurs Hopkins and Gilchrist were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Election bill read third time.

Pursuant to the order of the day, the Election Law Amendment Bill was read the third time.

On passing.

On the question for passing the bill, the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

|          |  |  |   |  |
|----------|--|--|---|--|
| Yeas 22. | Bruce,<br>Buell,<br>Duncombe, <i>Norfolk</i> ,<br>Durand,<br>Gibson.<br>Gilchrist, | Hopkins,<br>Howard,<br>Lount,<br>McDonell, <i>Gleng'y</i> .<br>McIntosh,<br>Mackenzie, | Merritt,<br>Moore,<br>Parke,<br>Perry,<br>Robinson, | Rymal,<br>Thorburn,<br>Wells,<br>Wilkinson,<br>Woolverton,—22. |
|----------|--|--|---|--|

NAYS—MESSIEURS,

|         |         |         |       |          |
|---------|---------|---------|-------|----------|
| Nays 4. | Dunlop, | Macnab, | Thom, | Walsh—4. |
|---------|---------|---------|-------|----------|

Carried—majority 18.

The question was carried in the affirmative, by a majority of eighteen, and the bill was passed.

Title.

Mr. Perry, seconded by Mr. Gibson, moves that the bill be entitled "*An Act to provide for holding Elections throughout this Province.*"

Which was carried, and Messieurs Perry and Gibson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Bill sent down from the Honorable the Legislative Council entitled "*An Act to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or person administering the Government of this Province, to commute the sentence of Death in certain cases for other punishment in this Act mentioned*" as amended by this House, was read the third time.

Bill to provide more effectual punishment for certain offences read third time.

On the question for passing the bill,

Mr. Mackenzie, seconded by Mr. Parke, moves in amendment that the Bill do not now pass, but that the question be postponed till Monday next, and that in the mean time one hundred and fifty copies be printed for the use of members.

On passing,

Amendment moved.

Which was carried and ordered.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill entitled "*An Act to repeal and amend an Act passed in the fourth year of His present Majesty's reign, entitled 'An Act to establish a Board of Police in the Town of Belleville' and to make further provisions for the establishment of a Police in said Town*" were read the third time and passed.

Amendments to Belleville Police bill passed.

Messrs. Yager and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to inform that Honorable House that this House had agreed to the amendments.

Pursuant to the order of the day, the petition of Paul Peterson and one hundred and eight others of the town of Kingston, praying the House to address His Majesty and the Imperial Parliament to amend the Constitutional Act as regards the responsibility of the Executive Council.

Petitions read.

Of Paul Peterson, and others.

Of Rice Honeywell and eighty-seven others, and of Martin Switzer and fifty-seven others of the Township of Toronto, praying the same as the petition of Robert Burns and others, were read.

Of R. Honeywell, and others.  
Of M. Switzer, and others.

Mr. Speaker reported that he had received a letter and a report from the Government Directors of the Welland Canal, which were read as follows:

Speaker reports letter and report from Welland Canal Government directors.

#### COMMITTEE ROOM.

SIR :

The Government Directors of the Welland Canal Company have the honor to transmit to you herewith, for the information of the Honorable the House of Assembly, and for the direction of the Welland Canal Company, the annexed report, made in conformity with the first clause of an Act of the Parliament of this Province, passed at the last Session, upon the subject of the Welland Canal Company.

We have the honor to be, &c.

DAVID THORBURN,  
CHARLES DUNCOMBE,  
W. L. MCKENZIE.

To the Honorable

MARSHALL S. BIDWELL,

Speaker of the House of Assembly.

Report—(See Appendix.)

Committee of whole  
on 2nd report on Wel-  
land Canal affairs.

Pursuant to the order of the day, the House was put into a Committee of the whole on the second report on Welland Canal affairs. Mr. McDonell of *Glengary* in the Chair.  
The House resumed.

Resolution reported.

The Chairman reported that the Committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was received.

The resolution was then read as follows:

*Resolved*, That it appears by Francis Hall, Esquire, the Engineer employed by the Directors appointed by the House of Assembly at its last Session, and agreed to by the Directors generally, that it is absolutely necessary that something should be done without delay to put the Canal in a state of complete repair, and that it is also expedient that the Canal should be either owned exclusively by the public or by the Company.

Resolution.

That it is therefore expedient to provide by Law for the appointment of three Commissioners, with full power and authority to treat with the Welland Canal Company, or the individual Stockholders of the said Company, for the purchase of their said Stock and interest in the said Canal by the Government, or the disposal of the Government Stock, loans or interest in the same to the said Welland Canal Company, and receive proposals from the said Company or Stockholders for the transfer of the Stock and interest to the Government, and enter into contracts for either the purchase by the Government of the Stock and interest of the said Company and individual Stockholders, or the sale of the Government Stock, loans and interest in the said Canal in such way and manner as shall be binding on both parties: *Provided always*, that the said Commissioners shall not be authorised to contract on the part of the Government to give the said Company and Stockholders any sum exceeding 25 per cent on the said Stock and interest in the said Canal, nor to take a less sum than 25 per cent on the Government stock, loans, advances and interest in the said Canal, and in either case the sum agreed upon to be paid within one year from the date of said contract: *Provided also*, that in the event of the transfer of the Government Stock, loans and interests as aforesaid, the Company shall procure a release and acquittance to the Government of this Province, from all claims and demands whatsoever on the part of His Majesty's Government, or the Government of any Colony of His Majesty, or any body corporate or politic or any individuals, for loans or demands of any sum or sums of money in aid of the said Welland Canal Company, as well as for any damages done by the said Company to any property within this Province, or contracts entered into between the said Company and any other body politic or corporate; and also to provide for a reasonable remuneration for the time the said Commissioners may be actually engaged in the said negotiation and arrangement; and that the said Commissioners shall report to the Governor, Lieutenant Governor, or person administering the Government of this Province, a full statement and account of all their proceedings relative thereto, in order that the same may be laid before the Legislature at the next Session of Parliament.

Amendment.

Mr. Perry, seconded by Mr. Charles Duncombe, moves that the Resolution be amended by inserting after the words "as well as" the words "security against claims."

Which was carried.



On the original question as amended being put, the yeas and nays being taken, were as follows: On original question as amended. Division.

YEAS—MESSIEURS,

|                          |                            |           |                    |
|--------------------------|----------------------------|-----------|--------------------|
| Caldwell,                | McCrae,                    | Norton,   | Solicitor General, |
| Chisholm,                | McDonell, <i>Gleng'y.</i>  | Perry,    | Strange,           |
| Cornwall,                | McDonell, <i>Northumb.</i> | Robinson, | Thorburn,          |
| Duncombe, <i>Oxford,</i> | McMicking,                 | Roblin,   | Wells,             |
| Dunlop,                  | Macnab,                    | Rykert,   | Wilkinson,         |
| Gilchrist,               | Merritt,                   | Small,    | Woolverton,—25.    |
| Hopkins,                 |                            |           |                    |

NAYS—MESSIEURS,

|                           |                            |            |             |
|---------------------------|----------------------------|------------|-------------|
| Alway,                    | Howard,                    | Mackenzie, | Richardson, |
| Bruce,                    | Lewis,                     | McLean,    | Rymal,      |
| Buell,                    | Lount,                     | Malloch,   | Walsh,      |
| Cook,                     | McDonell, <i>Stormont,</i> | Moore,     | Waters,     |
| Duncombe, <i>Norfolk,</i> | McIntosh,                  | Morrison,  | Yager—23.   |
| Gibson,                   | McKay,                     | Parke,     |             |

The question was carried in the affirmative by a majority of two and the resolution was adopted. Carried, majority 2.

On motion of Mr. Perry, seconded by Mr. Roblin,

*Ordered*—That Messrs. Charles Duncombe and Thorburn be a Committee to draft and report a Bill pursuant to the resolution. Committee to draft bill in pursuance of resolution.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two Messages, and the Bill entitled "*An Act to erect the County of Hastings into a separate District,*" to which that Honorable House had made some amendments and requested the concurrence of this House thereto. Speaker reports message from Leg. Council, and Hastings separation bill sent down amended.

The Messages were read as follows: Messages.

Mr. SPEAKER,

The Legislative Council has passed the Bill entitled "*An Act granting a sum of money for improving the hill at the River Rouge and other purposes therein mentioned,*" and also the Bill entitled "*An Act to Incorporate a Company under the style and title of the City of Toronto Gas Light Company,*"—also the Bill entitled "*An Act to repeal and amend certain parts of an Act passed in the thirty-sixth year of the Reign of King George the Third, entitled 'An Act to amend an act for regulating the manner of licensing public houses, and for the more easy conviction of persons selling spirituous liquors without license, and for other purposes therein mentioned'*" without any amendment. Rouge hill improvement bill passed. Toronto Gas Comp'y bill passed. Tavern license amendment bill passed.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }  
Fifteenth day of April, 1836. }

Mr. SPEAKER,

The Legislative Council have given leave to Grant Powell, Esquire, their Clerk, to attend and give evidence before a Committee of the Commons House of Assembly, as requested by the message of that House received to-day. Leave to Grant Powell Esq. to attend select Committee.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }  
Fifteenth day of April, 1836. }

Amendments to Hastings separation bill read first time.

The amendments made by the Honorable the Legislative Council in and to the Bill entitled "*An Act to erect the County of Hastings into a separate District*" were read a third time as follows:

Amendments made by the Legislative Council in and to the Bill entitled "*An Act to divide the County of Hastings into a separate District.*"

In the title, line 1, expunge "erect" and insert "provide under certain conditions for erecting."

Amendments.

In the Bill, Press 14—Expunge the last clause and insert "And whereas by the law now in force it is provided that the Courts of General Quarter Sessions of the Peace in and for the Midland District shall be holden in the town of Adolphustown on the fourth Tuesday in the month of January and on the second Tuesday in the month of July, and in the town of Kingston on the fourth Tuesday in the month of April and second Tuesday in the month of October: And whereas by reason of the intended erection of the County of Hastings into a separate District it will become inexpedient that the said provision should be continued: Be it therefore enacted by the authority aforesaid, That from and after the date of the proclamation whereby the said County of Hastings shall be declared a separate and distinct District, so much of the several laws of this Province as relates to the place of holding the Courts of General Quarter Sessions of the Peace in and for the said Midland District, shall be and the same is hereby repealed, and that from thenceforth the said Courts shall be holden in the town of Kingston on the fourth Tuesday in the months of January and April, and on the second Tuesday in the months of July and October."

"And be it further enacted by the authority aforesaid, That this Act shall not take effect until provision shall be made by Law for increasing the number of Judges in His Majesty's Court of King's Bench in this Province, and for defraying such contingent expenses of the Circuits in respect to the new District intended to be formed by this Act as were accustomed to be paid before the surrender by the Crown of the duties levied under a certain Act of the Parliament of Great Britain passed in the fourteenth year of the reign of his late Majesty King George the Third, entitled "An Act to establish a fund towards further defraying the charges of the administration of Justice and support of the civil Government within the Province of Quebec in America, nor until provision has been made by Law for securing the payment by the County of Hastings of a just proportion of the debt contracted on the credit of the Midland District for building the Gaol and Court House.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }  
Fifteenth day of April, 1836. }

2nd reading to-morrow.

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

Mr. Perry, from the Committee to which was referred the correspondence of His Excellency relative to the late Executive Council, presented a report and a memorial to the House of Commons, also the draft of an Address to His Majesty; which were received.

Select Com. on correspondence between His Excellency and late Executive Council present report and memorial to House of Commons.  
Draft of Address to the King.

The report and address were read.

Report—(See Appendix.)

The memorial was read as follows:

### MEMORIAL TO THE HOUSE OF COMMONS.

*To the Honorable the Knights Citizens and Burgesses of the United Kingdom of Great Britain and Ireland in Parliament assembled.*

MAY IT PLEASE YOUR HONORABLE HOUSE:

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, after unavailing struggles for a series of years to obtain such an administration of our local affairs as would secure to the people of this Province, possessing "the very image and transcript of the British Constitution," the blessings of good government, are at length driven to appeal to the wisdom, justice and magnanimity of your Honorable House, in the hope that your powerful intercession with His Majesty may yet redeem us from a condition every day becoming more ruinous and alarming. We are not unacquainted with the overwhelming influence of station and weight of authority which will be brought to bear against our exertions to procure redress; and without the interposition of your Honorable House we entertain a fear, grounded on the experience of the past, that His Majesty's ear will be so abused by secret despatches and personal detractions as almost to set at defiance the best directed intentions of His Majesty to arrive at the truth. And we desire to add, as a further difficulty, an inveterate disposition to adhere to what is called the Colonial system, under which our present condition has been produced, instead of accommodating it, as both wisdom and justice require, to the changing state and increasing wealth and population of the country.

Memorial.

In answer to the Address of this House to His Most Gracious Majesty, in the late Session upon the subject of our grievances, we received as our new Lieutenant Governor His present Excellency Sir Francis Bond Head, who by message communicated to the House the instructions he had received from His Majesty's Government for his guidance. But these instructions leave us under the same unsatisfactory and injurious system that has hitherto prevailed,—and we practically feel that the institutions of the country are so directed, their operations so abridged, and public functionaries so protected in misgovernment by their distance from their superiors, as to render illusive and abortive the most promising schemes framed in England for our amelioration. Upon the arrival of Sir Francis B. Head to represent His Most Gracious Majesty among the constitutional authorities of the Province, we were disposed to entertain the happiest expectations—and when His Excellency from the Throne invited us to render him "that loyal, constitutional, unbiassed and fearless assistance which your King expects, and which the rising interests of your country require," and when we saw our often repeated dissatisfaction with the Executive Council removed, and the highest public confidence secured by the addition of the Honorable John

Henry Dunn, Robert Baldwin and John Rolph, Esquires, we fully believed that we were about to enjoy under His Excellency, the full benefit of our charter, by a wise, impartial and constitutional administration of our affairs. The reign of universal thankfulness and tranquillity under this change of things, was, we lament to state, of short duration.

The country had always supposed that the Executive Council of the Province, from time to time appointed by His Majesty, under the 31st Geo. 3rd, chap. 31, to advise His Majesty and his Representative upon the affairs of the Province, actually discharged the important duties assigned to them by the constitution: in consequence whereof all public odium of the mismanagement of our affairs has been heretofore visited on the Executive Council, while every Lieutenant Governor has been acquitted upon the presumption of his being, as pleaded to us by Sir F. B. Head, "a stranger lately arrived among us," and therefore unintentionally misled by corrupt advisers. But it has now come to light that the Executive Council have been almost limited in their duties to a Land Board and Board of Audit, while the affairs of the Province, so unsatisfactorily managed, seldom passed under their review or were submitted for their advice. It appears from the Appendix to this memorial to which we refer Your Honorable House, and to which we earnestly pray a patient, candid and impartial regard, that the late Executive Council composed of the old Council with the aforesaid additions, after remaining three weeks in office under the old but concealed system of withholding from their advice the affairs of the Province, addressed to His Excellency Sir F. B. Head the confidential representation hereto annexed, praying either that the affairs of the Province might be systematically submitted for their advice, preparatory to his Excellency's final and discretionary action thereon, or that they might be allowed to disabuse the public respecting the nature and extent of the duties confided to them. And the need of this request must have been injuriously felt, from the fact notorious to us, and to the country, that every act of his Excellency's administration proved either that the late Council had betrayed public confidence or that his Excellency followed the advice of other uncertain, unsworn and irresponsible persons neither possessing nor entitled to political confidence.

In the above constitutional, just and reasonable representation made to his Excellency in official confidence under oath, his Excellency made the reply also appended hereto, and concludes, after denying the Constitutional origin and duties of the Council, with the assurance to his Council, "that his estimation of their talents and integrity, as well as his personal regard for them, remain unshaken, "and that he is not insensible of the difficulties to which he will be "exposed, should they deem it necessary to leave him. At the same "time should they be of opinion that the oath they have taken "requires them to retire from his confidence, rather than from the "principles they have avowed, he begs that on his account they will "not for a moment hesitate to do so."

Under these circumstances the Council feeling themselves under the alternative of abandoning either their principles or their place, honorably chose the latter. The aforesaid representation and reply, his Excellency's answer to us accompanying the same, and various other popular explanations given by his Excellency to the public, with the public proceedings on the same, together with various other documents connected with the subject, and the adopted report of a Select Committee thereon, are all appended hereto, for

the more full information of Your Honorable House, and the more ample communication of our wants and views.

It is with pain, disappointment and humiliation, we notice the reiterated declaration of his Excellency to conduct our affairs, without the advice of the Executive Council, according to his own will and pleasure, which his public acts have already proved to be arbitrary and vindictive. And this view of his own sole ministerial power and authority with a nominal responsibility to Downing Street, he has sustained before the public by misstatements and misrepresentations so palpably opposed to candor and truth, as to destroy all hopes of further justice from his Government; all which is more fully set forth in the documents appended hereto. Since the resignation of the late Council, his Excellency has formed another, composed of Robert Baldwin Sullivan, Esquire, and the Honorables William Allan, Augustus Baldwin and John Elmsley; neither enjoying nor entitled to the political confidence of the People or their Representatives. Upon the formation of this Council, although R. B. Sullivan, Esquire, was sworn in and appeared to the public as senior Councillor, upon whom, in the event of the death or absence of his Excellency, might devolve the administration of the Government, yet a secret agreement was entered into, written in the Council Chamber by his Excellency himself, by which was to be defeated the apparent succession of the senior Councillor to the administration of the Government. This arrangement was denied by his Excellency to us in his answer to our address on the subject; while on the other hand the facts so denied are proved by the testimony of R. B. Sullivan, Esquire, and the Honorable Captain Baldwin, both of whom are still retained by his Excellency in the Council. For other instances of his deviation from candor and truth, as well as of his utter unacquaintance with the nature of our Constitution and the mode in which it should be administered, we refer to the appended documents, wherein are also detailed other grievances of an urgent and serious nature; to all of which we humbly pray the serious, speedy and impartial attention of Your Honorable House. Being denied the beneficial and constitutional operation of our local institutions for the management of our local affairs; being threatened with the exercise of the unadvised, arbitrary government of his Excellency, virtually irresponsible, and being satisfied that nothing but an open, entire and honorable abandonment of this policy, equally unconstitutional and pernicious, will ever restore our peace, welfare and good Government; we have, in justice to the People, whose civil and religious interests we are solemnly bound, fearlessly, to vindicate, been obliged as a last resort, to stop (most reluctantly) the Supplies, and for the attainment of redress in these and other matters contained in the appended Report, we pray the aid of Your Honorable House.

And as by inclination and by duty we are led and bound to do, we shall ever pray.

Mr. Perry, seconded by Mr. Roblin, moves that the report and address be taken into consideration on Monday next, and that it be the first item on the order of the day, and that there be a call of the House on that day at the hour of 11 o'clock in the forenoon.

Motion to take Report and Address into consideration on Monday.

In amendment Mr. Norton, seconded by Mr. Gibson, moves that the following be added, "And that 5000 copies of the Report, Appendix, Address and Memorial, be printed in pamphlet form for the use of Members, and that the Clerk be directed to prepare a

Amendment.

table of contents or index, and marginal notes for the same.

Which was carried.

Carried.

The original question as amended was then put and carried.

Adjourned.

SATURDAY, 16th APRIL, 1836.

The House met.

The minutes of yesterday were read.

Petitions brought up  
C. H. McCollum and  
others.

Mr. Shaver brought up the petition of C. H. McCollum and four hundred and fifty others of the county of Hastings; which was laid on the table.

J. Galbraith and  
others.

Mr. Mackenzie brought up the petition of John Galbraith and seventy-one others of Toronto and Etobicoke; which was laid on the table.

G. Garnett and T.  
Dalton.

Mr. Macnab brought up the petition of George Garnett and Thomas Dalton; which was laid on the table.

J. R. Christie and  
others

Mr. Wells brought up the petition of John R. Christie and thirty-six others of the District of Johnstown; which was laid on the table.

Petitions read.

Pursuant to the order of the day the following petitions were read.

P. Garner and others.

Of Philip Garner and one hundred and seven others of the township of Stamford (Niagara District) praying that the House would address His Majesty for the removal of the advisers of the Crown in this Colony, that the attention of the House of Commons may be called to the state of public affairs, that the supplies may be withheld, and that an Address may be sent to His Excellency requesting him to remove His present Executive Council.

W. Putman and others.

Of William Putman and eighty-five others of Dorchester (Middlesex)—And

Of M. Cook and  
others.

Of Matthew Cook and sixty-one others of the township of Winchester, Eastern District, praying the same as the petition of Robert Burns and others,—And

Of J. Lesslie and  
others.

Of John Lesslie and four hundred and forty-two others of West Flamboro' in the county of Halton, praying the House to address His Majesty to constitute the Executive Council a responsible body.

Committee to wait on  
His Excellency with  
Address for docu-  
ments on estate of  
R. Randal report an-  
swer.

Mr. Durand, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House for documents relative to the estate of the late Robert Randal, reported delivering the same and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN :

Answer.

I have been informed by the Clerk of the Executive Council that it will be totally out of his power to transcribe the documents requested in your Address, before the prorogation of the Parliament.

I regret that I cannot authorise the delivery of the original documents.

On motion of Mr. Mackenzie, seconded by Mr. Gibson,

500 copies of Welland  
Canal Report to be  
printed.

*Ordered*—That 500 copies of the Welland Canal Report and the evidence, be printed for the use of members.

Committee on Land  
Granting department  
report.

Mr. McNab, from the Select Committee on the Land Granting department, presented a report and the draft of an Address to His Majesty, and also a draft of an Address to His Excellency;

Which were received.

The report was read as follows :

Report read.

*To the Honorable the House of Assembly :*

Your Committee, to whom was referred the subject of the Land Granting department, beg leave to Report :

That they have given the all important subject their best consideration, and beg leave to recommend to Your Honorable House the adoption of the annexed Resolutions and Address to His Majesty.

Report.

ALLAN N. MACNAB,

CHAIRMAN.

*Committee Room,* }  
16th April, 1836. }

The Address to His Majesty was read the first time.

Address to His Majesty on Trade read first time.

The Address to His Excellency was read the first time.

On motion of Mr. Mackenzie, seconded by Mr. Gibson,

*Ordered*—That it be resolved that the Select Committee appointed to superintend the printing, be authorised to give directions to the Clerk to contract for the printing that has been or may be ordered to be done during the recess, on such terms as to them shall appear to be the best calculated to promote the public interest.

The Clerk of the House to contract for printing during the recess.

Mr. Parke, from the Select Committee to which was referred the matter of the petitions of Jackson, Ardiel and Lewis presented a Report and an Address to His Majesty, which were received.

Committee on petitions of Jackson, Ardiel and Lewis present a Report and Address.

The Report was read.

Report—(See Appendix.)

The address to His Majesty was read twice, concurred in, read the third time, passed and is as follows :

Report read. Address to His Majesty passed.

TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to represent to Your Majesty that John Ardiel, William Jackson and Levi Lewis were located by Colonel Talbot on Lands in the London District, in which they remained in possession for nearly eight or nine years, performed some settlement duty and the Statute labor, and paid the taxes required by Law on the same—that Colonel Talbot located the lands to other persons to whom patents for two of the said lots have issued ; they beg also to represent, that these cases were brought before the Executive Government of this Province, who reported unfavorably to these persons' claims on the representation of Colonel Talbot. The petitioners have since for two successive Sessions of Parliament applied to the House of Assembly for redress, who appointed Select Committees on the same, that examined into their complaints and procured both the testimony of Colonel Talbot and four others, and have arrived at the conclusion that these three persons have suffered severe wrongs and injuries in being dispossessed of their lands, which they long enjoyed to their personal benefit without the show of authority or justice, and they believe they have not been treated with a due regard to their just rights as His Majesty's faithful and loyal subjects. The loyalty and general character of the petitioners stand unimpeached as will more fully appear by the

Address.

report and documents which have been forwarded to Your Majesty's principal Secretary of State for the Colonies for Your Majesty's information on the subject. We therefore pray Your Majesty may be graciously pleased to order the lands either to be restored to these persons or an equivalent made to them for their loss.

MARSHALL S. BIDWELL,

SPEAKER.

*Commons House of Assembly,* }  
16th April, 1836.

On motion of Mr. Small, seconded by Mr. Lount,

M. Priestman's petition referred to Select Committee.

*Ordered*—That the Finance Committee be discharged from the further consideration of the petition of Matthew Priestman, and that the said petition be referred to a Select Committee to be composed of Messrs. Robinson and Gibson with power to report thereon.

Committee on the subject of religious grants report.

Mr. Parke, from the Committee to which was referred the subject of grants made for the purpose of building Churches and Chapels for certain religious denominations, presented a report.

On receiving report.

On the question for receiving the same, the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

|          |                           |            |            |                 |
|----------|---------------------------|------------|------------|-----------------|
| Yeas 26. | Alway,                    | Durand,    | McIntosh,  | Rymal,          |
|          | Bruce,                    | Gibson,    | Mackenzie, | Shaver,         |
|          | Buell,                    | Gilchrist, | McMicking, | Small,          |
|          | Chisholm,                 | Hopkins,   | Moore,     | Thorburn,       |
|          | Cook,                     | Howard,    | Morrison,  | Wells,          |
|          | Duncombe, <i>Oxford,</i>  | Lount,     | Norton,    | Woolverton,—26. |
|          | Duncombe, <i>Norfolk,</i> |            | Parke,     |                 |

NAYS—MESSIEURS,

|          |           |                            |                    |            |
|----------|-----------|----------------------------|--------------------|------------|
| Nays 17. | Boulton,  | McDonell, <i>Gleng'y.</i>  | Malloch,           | Thom,      |
|          | Caldwell, | McDonell, <i>Northumb.</i> | Robinson,          | Walsh,—17. |
|          | Dunlop,   | McKay,                     | Roblin,            |            |
|          | Lewis,    | McLean,                    | Rykert,            |            |
|          | McCrae,   | McNab,                     | Solicitor General, |            |

Question carried, majority 9.

The question was carried in the affirmative by a majority of nine, and the Report was received.

Report—(See *Appendix.*)

Motion for 2000 copies of religious grant report to be printed

Mr. Parke, seconded by Mr. Shaver, moves that two thousand copies of the Report and Appendix of the Select Committee on Government grants to religious denominations be printed for the use of members.

Debates.

On which debates ensued.

Chair left.

At  $\frac{1}{2}$  past two of the clock P. M. the Speaker left the Chair.

Chair resumed.

At four, P. M. the Speaker resumed the Chair.

Division on last motion.

On Mr. Parke's motion, the yeas and nays were taken as follows :

YEAS—MESSIEURS,

|          |           |         |                            |            |
|----------|-----------|---------|----------------------------|------------|
| Yeas 12. | Bruce,    | Dunlop, | McDonell, <i>Stormont,</i> | Rymal,     |
|          | Chisholm, | Gibson, | Moore,                     | Small,     |
|          | Durand,   | Lount,  | Morrison,                  | Walsh,—12. |

NAYS—MESSIEURS.

|          |           |          |             |           |
|----------|-----------|----------|-------------|-----------|
| Nays 10. | Caldwell, | McLean,  | Richardson, | Thom,—10. |
|          | Cornwall, | Malloch, | Robinson,   |           |
|          | McKay,    | Merritt, | Rykert,     |           |



The question was carried in the affirmative, by a majority of two, and it was ordered accordingly. Question carried, majority 2.

Mr. Small, from the Committee to which was referred the petition of Matthew Priestman, reported an Address to His Excellency, which was received and read twice, concurred in and ordered to be engrossed and read a third time this day. Committee on petition of Matthew Priestman report address to Lieutenant Governor.

Mr. Richardson, from the Committee to which was referred the subject of claims for pensions, presented a report, which was received and read as follows: Committee on pensioners' claims report.

*To the Honorable the Commons House of Assembly:*

Your Committee, to whom was referred the subject of claims for pensions &c., beg leave to submit the following as their second Report: Report on claims.

Your Committee having examined the claims of the following Individuals, recommend that they be placed on the pension list at the rates opposite their respective names.

- 1. Thomas Servos, in addition to the sum now allowed him,.....£20.
- 2. Ziba M. Philips,.....40.
- 3. James Fortier,.....20.
- 4. John Y. Cozens, in addition to the sum now allowed him,.....20.
- 5. Antoine Baron,.....20.
- 6. J. B. Delisle,.....20.
- 7. William Coll,.....20.
- 8. Silas V. Yorke,.....20.
- 9. John Bryant,.....20.
- 10. Angus McDougall,.....20.
- 11. Allan McDonell,.....20.

CHARLES RICHARDSON,  
CHAIRMAN.

*Committee Room, Commons House of Assembly, }  
16th April, 1836.*

Mr. Richardson, seconded by Mr. Robinson, moves that the Committee of Supply be discharged from the consideration of the report of the Select Committee on the petition of Gilbert McMicking, and that the said Report, together with the second Report of the Select Committee on claims, be referred to a committee of the whole House forthwith. House in Committee on petition of G. McMicking and the 2nd report on claims.

Which was carried, and the House was put into a Committee of the whole.

Mr. Gilchrist in the Chair.  
The House resumed.

The Chairman reported that the Committee had agreed to two resolutions which he was directed to submit for the adoption of the House. Two resolutions reported.

The report was received. Resolutions carried.

The resolutions were then put and carried as follows:

*Resolved,* That there be granted to His Majesty the sum of £400 10s. to remunerate Gilbert McMicking Esq., for losses sustained by the late Peter McMicking during the late War with the United States of America. 1st Resolution.

*Resolved,* That it is expedient to pass a Law granting pensions of twenty pounds each to Ziba M. Philips, James Fortier, Antoine 2nd Resolution.

Baron, J. B. Delisle, William Coll, Silas V. Yorke, John Bryant, Angus McDougall, and Allan McDonell, Militiamen disabled from wounds and accidents during the late War with the United States, on their severally producing to His Excellency the Lieutenant Governor proof to satisfy him of such disability from three surgeons of their several Districts and that the same arises from wounds or accidents on service during the late War with the United States.

On motion of Mr. Richardson, seconded by Mr. MacNab,

Committee to draft bills on resolutions.

*Ordered*—That Messrs. Thorburn and Cook be a Committee to draft bills pursuant to the resolutions adopted by this House on the subject of pensions.

Bill to improve certain roads near Toronto brought in and read.

Pursuant to notice, Mr. Robinson, seconded by Mr. Small, moves for leave to bring in a bill founded on a resolution adopted in Committee of the whole for the purpose of continuing the improvements on certain roads leading to the City of Toronto.

Which was granted, and the bill read.

On motion for 2nd reading on Monday.

On the motion for the second reading of the bill on Monday next,

Amendment.

In amendment, Mr. Robinson, seconded by Mr. Small, moves that the bill be now read a second time and the 40th rule of this House dispensed with for that purpose.

Carried, bill read 2nd time.

Which was carried, and the bill was read a second time.

Committee.

The House was put into a Committee of the whole on the bill.

Mr. Parke in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3rd reading Monday.

*Ordered*—That the Bill be engrossed, and read a third time on Monday next.

Bill to appoint Commissioners on the Welland Canal stock read.

Mr. Perry, from the Committee to draft and report a bill, founded upon a resolution of this House for appointing Commissioners to treat on matters concerning the Stock held by the Government in the Welland Canal, presented a draft which was received and read the first time.

On question for 2nd reading on Monday.

On the question for the second reading of the bill on Monday next,

Amendment.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves that the bill be now read a second time, and that the 40th rule of this House be dispensed with so far as relates to the same.

Carried, bill read 2nd time.

Which was carried, and the bill was read the second time.

Committed.

The House was put into a Committee of the whole on the bill.

Mr. Caldwell in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The Report was received.

On 3rd reading Monday.

On the question for the third reading of the bill on Monday, the yeas and nays were taken as follows:

**YEAS—MESSIEURS,**

|                           |            |           |                    |          |
|---------------------------|------------|-----------|--------------------|----------|
| Boulton,                  | Hopkins,   | Norton,   | Solicitor General, |          |
| Bruce,                    | Lount,     | Perry,    | Strange,           |          |
| Caldwell,                 | McCrae,    | Robinson, | Thom,              | Yeas 27. |
| Chisholm,                 | McMicking, | Roblin,   | Wells,             |          |
| Cornwall,                 | Macnab,    | Rykert,   | Wilkinson,         |          |
| Duncombe, <i>Oxford</i> , | Merritt,   | Shaver,   | Wilson,            |          |
| Gilchrist,                | Morrison,  | Small,    | Woolverton,—28.    |          |

**NAYS—MESSIEURS,**

|        |                             |            |            |          |
|--------|-----------------------------|------------|------------|----------|
| Alway, | Howard,                     | McIntosh,  | Moore,     | Nays 10. |
| Buell, | Lewis,                      | Mackenzie, | Yager,—10. |          |
| Cook,  | McDonell, <i>Stormont</i> , |            |            |          |

The question was carried in the affirmative by a majority of eighteen, and ordered accordingly. Question carried, majority 18.

Pursuant to the order of the day, the Address to His Excellency in behalf of Matthew Priestman was read the third time. Address to His Excellency in behalf of M. Priestman read 3rd time.

On the question for passing the same, the yeas and nays were taken as follows: On passing.

**YEA—Mr. Small.** Yea 1.

**NAYS—MESSIEURS,**

|           |                             |           |                    |          |
|-----------|-----------------------------|-----------|--------------------|----------|
| Alway,    | Duncombe, <i>Norfolk</i> ,  | Macnab,   | Shaver,            |          |
| Boulton,  | Durand,                     | Moore,    | Solicitor General, |          |
| Bruce,    | Gilchrist,                  | Morrison, | Strange            | Nays 31. |
| Buell,    | Howard,                     | Norton,   | Thom,              |          |
| Caldwell, | Lewis,                      | Parke,    | Wilkinson,         |          |
| Chisholm, | McDonell, <i>Stormont</i> , | Roblin,   | Wilson,            |          |
| Cook,     | McIntosh,                   | Rykert,   | Yager,—31.         |          |
| Cornwall, | McMicking,                  | Rymal,    |                    |          |

The question was decided in the affirmative by a majority of thirty and lost accordingly. Question lost, majority 30.

Mr. Shaver, from the Select Committee appointed to draft a bill founded on the resolution of this House allowing a per centage to the Receiver General for contracting loans, presented a draft which was received and read the first time. Committee to draft bill on per centage on loans report draft which was read.

*Ordered*, That the bill allowing a per centage on loans to the Receiver General be read a second time on Monday next. 2nd reading Monday.

Mr. Solicitor General, from the Committee on the petition of Thomas Markland Esquire, informed the House that the Committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Committee on petition of J. Markland Esq. report draft of a bill.

The report was received and the bill was read the first time. Bill read.

On the question for the second reading of the bill on Monday, On question for 2nd reading Monday.

In amendment, Mr. Solicitor General, seconded by Mr. Strange, moves that the bill be now read a second time, and that the 40th rule of this House be dispensed with for that purpose. Amendment.

Which was carried, and the bill was read the second time. Carried. Bill read 2nd time.

The House was put into a Committee of the whole on the bill. Committed.

Mr. Wilkinson in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

Midland District  
Schol bill to be read  
3rd time on Monday.

*Ordered*, That the Midland District School Society Bill be engrossed and read a third time on Monday next.

Adjourned.

MONDAY, 18th APRIL, 1836.

The House met pursuant to adjournment.

The minutes of Saturday were read.

Petition brought up.  
Of Rev. E. Evans.

Mr. Rykert brought up the petition of the Rev. Ephraim Evans, which was laid on the table.

Home District roads  
bill passed.

Pursuant to the order of the day, the bill for continuing the macadamization of Yonge Street and Dundas Street, East and West of the City of Toronto, was read the third time and passed.

Title.

Mr. Small, seconded by Mr. Robinson, moves that the bill be entitled "*An Act to continue the improvement of certain roads in the Home District.*"

Which was carried, and Messieurs Small and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Message from  
Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council a Message, which was read as follows:

Mr. SPEAKER,

Cayuga Bridge Com-  
pany bill passed.

Penitentiary  
support bill passed.

Light House support  
bill passed.

Bois Blanc Light  
House completion  
bill passed.

Bill to repair Light  
House Keeper's Dwel-  
ling, Gibraltar Point,  
passed.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "*An Act to incorporate certain persons under the style and title of the Cayuga Bridge Company,*"—also the bill entitled "*An Act granting a sum of money in support of the Provincial Penitentiary, and for other purposes therein mentioned,*"—also the bill entitled "*An Act granting to His Majesty a sum of money for the support of Light Houses in this Province,*"—also the bill entitled "*An Act granting three hundred pounds towards the completion of a Light House on Bois Blanc Island in the Western District,*"—and also a bill entitled "*An Act granting to His Majesty the sum of one hundred pounds for the purpose of repairing the dwelling house of the Light House Keeper on Gibraltar Point in the Home District,*" without any amendment.

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
Eighteenth day of April, 1836. }

House called.

Pursuant to the order of the day, the House was called at eleven o'clock A. M., and the following members were absent, viz:

Members absent.

Messieurs CHESSEUR,  
JONES,  
McDONELL, of Glengarry,  
McLEAN,  
SHIBLEY,  
TAYLER,  
SMITH, (sick) 7.

House goes into con-  
sideration of report  
of Select Committee  
on the Executive  
Council.

Messrs. D. McDonell  
and McLean enter  
the House.

Pursuant to the order of the day, the House went into the consideration of the Report of the Select Committee on the correspondence between His Excellency the Lieutenant Governor and his late Executive Council.

(At ten minutes after eleven o'clock, Messrs. McDonell of Glengarry and McLean entered.)

Mr. Morrison, seconded by Mr. Gibson, moves that it be *Resolved*, That the report of the Select Committee to whom was referred the communications between His Excellency and the late Executive Council be now adopted, and that the memorial to the House of Commons accompanying the same be also concurred in and adopted and signed by the Speaker, and transmitted by him to some member of the House of Commons with the request of this House that he will present the same and support its prayer.

Motion to adopt report and memorial, and transmit the memorial to the House of Commons.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves that the following be added to the resolution :

That this House regards it as one of the brightest features and most important attributes of the British Constitution that the head of the Government is assisted in all its affairs by the advice of known and responsible Councillors and officers who possess the confidence of the people; and that the people of this Province had imparted to them the same form of Government by the British Statute 31st Geo. 3 chap. 31, which in the memorable language of the revered Simcoe, 'established the British Constitution and all the forms which secure and maintain it in this distant country; and singularly blessed this Province, not with a mutilated Constitution, but with a Constitution which has stood the test of experience, and is the very image and transcript of that of Great Britain.'

Amendment.

On which debates ensued.

At three of the o'clock the Speaker left the Chair.

At a quarter before five clock, P. M. the Speaker resumed the Chair.

On which the debates were resumed.

The Clerk of the Honorable the Legislative Council brought down from that Honorable House a Message, and having delivered the same, retired.

Message from Legislative Council.

Mr. Perry's amendment was then put.

On which the yeas and nays being taken, were as follows :

Division on amendment.

#### YEAS—MESSIEURS.

|                            |                             |            |             |          |
|----------------------------|-----------------------------|------------|-------------|----------|
| Alway,                     | Gibson,                     | McMicking, | Shaver,     |          |
| Bruce,                     | Gilchrist,                  | Moore,     | Small,      |          |
| Buell,                     | Hopkins,                    | Morrison,  | Thorburn,   | Yeas 32. |
| Chisholm,                  | Howard,                     | Norton,    | Waters,     |          |
| Cook,                      | Lount,                      | Parke,     | Wells,      |          |
| Duncombe, <i>Oxford</i> ,  | McDonell, <i>Stormont</i> , | Perry,     | Wilson,     |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                   | Roblin,    | Woolverton, |          |
| Durand,                    | Mackenzie,                  | Rymal,     | Yager—32.   |          |

#### NAYS—MESSIEURS.

|           |                            |             |                    |          |
|-----------|----------------------------|-------------|--------------------|----------|
| Boulton,  | McDonell, <i>Gleng'y</i> , | Malloch,    | Solicitor General, |          |
| Brown,    | McDonell, <i>Northumb.</i> | Merritt,    | Strange,           | Nays 21. |
| Caldwell, | McKay,                     | Richardson, | Thom,              |          |
| Dunlop,   | McLean,                    | Robinson,   | Walsh,             |          |
| Lewis,    | Macnab,                    | Rykert,     | Wilkinson,—21.     |          |
| McCrae,   |                            |             |                    |          |

The question was carried in the affirmative by a majority of eleven. Carried, majority 11.

On the original question as amended being put, the yeas and nays were taken as follows :

Division on original question as amended.

YEAS—MESSIEURS,

|          |                           |                            |            |             |
|----------|---------------------------|----------------------------|------------|-------------|
| Yeas 32. | Alway,                    | Gibson,                    | McMicking, | Shaver,     |
|          | Bruce,                    | Gilchrist,                 | Moore,     | Small,      |
|          | Buell,                    | Hopkins,                   | Morrison,  | Thorburn,   |
|          | Chisholm,                 | Howard,                    | Norton,    | Waters,     |
|          | Cook,                     | Lount,                     | Parke,     | Wells,      |
|          | Duncombe, <i>Oxford.</i>  | McDonell, <i>Stormont,</i> | Perry,     | Wilson,     |
|          | Duncombe, <i>Norfolk,</i> | McIntosh,                  | Roblin,    | Woolverton, |
|          | Durand,                   | Mackenzie,                 | Rymal,     | Yager—32.   |

NAYS—MESSIEURS,

|          |           |                            |             |                    |
|----------|-----------|----------------------------|-------------|--------------------|
| Nays 21. | Boulton,  | McDonell, <i>Gleng'y.</i>  | Malloch,    | Solicitor General, |
|          | Brown,    | McDonell, <i>Northumb.</i> | Merritt,    | Strange,           |
|          | Caldwell, | McKay,                     | Richardson, | Thom,              |
|          | Dunlop,   | McLean,                    | Robinson,   | Walsh,             |
|          | Lewis,    | Macnab,                    | Rykert,     | Wilkinson—21.      |
|          | McCrae,   |                            |             |                    |

Carried—majority 11. The question was carried in the affirmative by a majority of eleven, and it was,

Original question as amended. *Resolved*, That the Report of the Select Committee to whom was referred the communications between His Excellency and the late Executive Council be now adopted, and that the memorial to the House of Commons accompanying the same be also concurred in and adopted and signed by the Speaker, and transmitted by him to some member of the House of Commons with the request of this House that he will present the same and support its prayer.

That this House regards it as one of the brightest features and most important attributes of the British Constitution that the head of the Government is assisted in all its affairs by the advice of known and responsible Councillors and officers who possess the confidence of the people; and that the people of this Province had imparted to them the same form of Government by the British Statute, 31st Geo. 3 chap. 31, which in the memorable language of the revered Simcoe, 'established the British Constitution and all the forms which secure and maintain it in this distant country,' and 'singularly blessed this Province, not with a mutilated Constitution, but with a Constitution which has stood the test of experience and is 'the very image and transcript of that of Great Britain.'

The Address to His Majesty was read a first time.

On the question for the second reading of the Address,

Mr. Solicitor General, seconded by Mr. McLean, moves in amendment, that the Address be not read a second time but that it be,

*Resolved*, That from the period of the final cession of the Province of Quebec to the Crown of Great Britain in 1763 until the year 1774, the Government of the country was entrusted to a Governor, assisted by a Council, both of which were responsible to, and removable at the pleasure of the Sovereign.

That in the year 1774, an Act was passed by the British Parliament entitled "An Act for making more effectual provision for the Government of the Province of Quebec in North America," by which the inhabitants of the Colony were relieved from the arbitrary rule of the Governor and Council as above mentioned, and His Majesty was empowered to appoint a Legislative Council from among the residents of the Province, the members of which held their office for life, and were no longer removable at the pleasure of the Crown, and who, with the person administering the Government, were authorised under certain limitations and restrictions, to enact ordinances

Address to His Majesty reported from Executive Council Committee, read first time.

Amendment.

for the peace, welfare, and good government of His Majesty's subjects within the said Province.

That by the 4th clause of this Act all ordinances previously adopted by the Governor and Council of the Province of Quebec were annulled and made void after the 1st May, 1775.

That in the thirty-first year of the reign of our late revered Sovereign Lord King George the Third, an Act was passed by the Parliament of Great Britain, which divided the Province of Quebec into the Provinces of Upper and Lower Canada, and conferred on each a constitution under which the inhabitants of this Province have attained and continue to enjoy a degree of prosperity and contentment equal to, if not surpassing, that of any other people in the civilized world.

That the said Acts respectively refer to the existence of an Executive Council in the said Province of Quebec prior to their adoption, but neither of them contains any enactment renewing or continuing the said Council.

That the said Executive Council being appointed after the passing of the said Acts at the mere will and pleasure of the Sovereign for the affairs of His Provinces, and being in like manner dependent on His Majesty for its continuance, was subject, when created, to the performance of such duties only in respect to the affairs of the Provinces as were required of it by His Majesty.

That His Majesty, for the purpose of defining the duties required by Him of His Executive Council thus created, was pleased by His Royal Instructions to His Lieutenant Governor, promulgated at the first establishment of the Government of this Province to declare the same in the following words: "To the end that our Executive Council *may* be assisting to you in all affairs relating to our service, you are to communicate to them *such* and *so many* of these our instructions *wherein their advice is mentioned to be requisite*, and likewise all such others from time to time as you SHALL FIND CONVENIENT for our service to be imparted to them."

That any attempt made on the part of the Executive Council to assume control over the affairs of this Province, or to interfere with the administration of the Government thereof, without the sanction of His Majesty or His Representative, would be justly regarded by the people of this Province as an illegal assumption of power unauthorised by the terms of the Constitution, and in direct violation of the declared object for which such Council had been appointed.

That to submit the affairs of this Province and the important interests of its inhabitants to the control and discretion of an Executive Council, composed of a number of persons selected by the King, who being sworn to silence would necessarily perform their acts in secret, and who could not be made liable for any act of favoritism, injustice or oppression however great, must inevitably prove destructive of the peace, welfare and good government of the Province, and His Majesty's subjects resident therein.

That it might be reasonably feared that an Executive Council in Upper Canada, composed as must unavoidably be the case, of persons having numerous connexions and extensive private interests in the Province, would, if possessed of the power and patronage now exercised by the Representative of the King, employ their influence for the advancement of their own particular wishes and views and those of their friends and dependents, and thereby destroy that confidence in the impartiality and justice of His Majesty's Government, without which the affections of the people would inevitably and reasonably be alienated.

That the Governor, Lieutenant Governor, or person administering the Government of this Province is entrusted with the exercise of the Royal Prerogative within the same, and is Constitutionally responsible as well to the Sovereign as the people of this Province collectively and individually for the impartial and upright performance of the important duties of his high office—a responsibility essential to the preservation of the rights and liberties of His Majesty's subjects in Upper Canada, and which it is in an especial manner the imperative duty of the Representatives of the people in Provincial Parliament assembled, to maintain and enforce, and not to suffer that responsibility, so far as depends on them, to be weakened or destroyed by transferring the whole or any portion of it to other parties.

That this House has recently observed with surprise and regret an attempt made by the late Executive Council of this Province to possess themselves of the power and patronage vested by Law in the person administering the Government, and which, since the time of the establishment of the Constitution, to the present period, has been exercised by each succeeding Governor without question or dispute.

That the attempt thus made was in derogation of the Constitution, and if submitted to must have been attended with consequences dangerous to the liberties of the people and destructive of the impartial administration of the affairs of the Province.

That this House has seen with unfeigned satisfaction the firm, consistent and Constitutional resistance of His Excellency, the Lieutenant Governor, to this unwarrantable attempt to subvert these principles of Government, upon the preservation of which, we declare it to be our settled conviction, the stability of our social and political institutions entirely depends.

That it is therefore the imperative duty of the Representatives of the People to assure His Excellency, the Lieutenant Governor, of their fixed determination to support and maintain him to the utmost of their power in the patriotic and Constitutional course of policy he has hitherto avowed and acted upon, especially in reference to the causes which led to the resignation of the late Executive Council; and to declare that every attempt made by any party or body of men by intimidation or otherwise, to induce His Excellency to adopt different principles of Government, calls for the strongest expression of disapprobation on the part of this House as subversive of the Constitution, and destructive of the highest interests of His Majesty's loyal subjects in this Province.

Division on Amendment:

On which the yeas and nays being taken, were as follows:

YEAS—MESSIEURS,

|          |           |                            |             |                    |
|----------|-----------|----------------------------|-------------|--------------------|
| Yeas 20. | Boulton,  | McCrae,                    | McNab,      | Solicitor General, |
|          | Brown,    | McDonell, <i>Gleng'y.</i>  | Malloch,    | Strange,           |
|          | Caldwell, | McDonell, <i>Northumb.</i> | Richardson, | Thom,              |
|          | Dunlop,   | McKay,                     | Robinson,   | Walsh,             |
|          | Lewis,    | McLean,                    | Rykert,     | Wilkinson,—20.     |

NAYS—MESSIEURS,

|          |                           |                            |            |             |
|----------|---------------------------|----------------------------|------------|-------------|
| Nays 31. | Alway,                    | Gibson,                    | McMicking, | Shaver,     |
|          | Bruce,                    | Gilchrist,                 | Moore,     | Small,      |
|          | Buell,                    | Hopkins,                   | Morrison,  | Thorburn,   |
|          | Chisholm,                 | Howard,                    | Norton,    | Waters,     |
|          | Cook,                     | Lount,                     | Parke,     | Wells,      |
|          | Duncombe, <i>Oxford.</i>  | McDonell, <i>Stormont.</i> | Perry,     | Woolverton, |
|          | Duncombe, <i>Norfolk.</i> | McIntosh,                  | Roblin,    | Yager—31.   |
|          | Durand,                   | Mackenzie,                 | Rymal,     |             |



The question of amendment was decided in the negative by a majority of eleven, and the Address was read the second time, concurred in, and read the third time.

Lost—majority 11.  
Address adopted, and read second and third time.

On the question for passing the Address, the yeas and nays were taken as follows :

## YEAS—MESSIEURS,

|                            |                             |            |             |          |
|----------------------------|-----------------------------|------------|-------------|----------|
| Alway,                     | Gibson,                     | McMicking, | Shaver,     |          |
| Bruce,                     | Gilchrist,                  | Moore,     | Small,      | Yeas 31. |
| Buell,                     | Hopkins,                    | Morrison,  | Thorburn,   |          |
| Chisholm,                  | Howard,                     | Norton,    | Waters,     |          |
| Cook,                      | Lount,                      | Parke,     | Wells,      |          |
| Duncombe, <i>Oxford</i> ,  | McDonell, <i>Stormont</i> , | Perry,     | Woolverton, |          |
| Duncombe, <i>Norfolk</i> , | McIntosh,                   | Roblin,    | Yager—31.   |          |
| Durand,                    | Mackenzie,                  | Rymal,     |             |          |

## NAYS—MESSIEURS,

|           |                            |             |                    |          |
|-----------|----------------------------|-------------|--------------------|----------|
| Boulton,  | McCrae,                    | Macnab,     | Solicitor General, |          |
| Brown,    | McDonell, <i>Gleng'y</i> , | Malloch,    | Strange,           | Nays 20. |
| Caldwell, | McDonell, <i>Northumb.</i> | Richardson, | Thom,              |          |
| Dunlop,   | McKay,                     | Robinson,   | Walsh,             |          |
| Lewis,    | McLean,                    | Rykert,     | Wilkinson—20.      |          |

The question was carried in the affirmative by a majority of eleven, and the Address was signed and is as follows :

Carried—majority 11.

## TO THE KING'S MOST EXCELLENT MAJESTY.

## MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly approach Your Majesty with our renewed assurances of loyalty and attachment to Your Majesty's Person and Government.

It is with pain we acknowledge how seldom it is we have to address Your Majesty in the unmixed language of gratitude and thankfulness, and we have noticed the difficulties, at this distance from Your Majesty's immediate care, which attend the fulfilment of the most benevolent intentions.

We have now to pray Your Majesty's patient and impartial attention to the history of our complaint against a sudden, abrupt, and most ungracious denial, by His Excellency, of those indispensable Constitutional principles in our local Government, the just preservation of which is, above all things, calculated to endear Your Majesty to Your Canadian People, and to strengthen the bond of union between this loyal and valuable portion of Your Empire and the Parent State. The Report of a Select Committee of Your Majesty's faithful Canadian Commons, which has, after mature consideration, been adopted by this House, (and accompanies this Address) will amply inform Your Majesty upon all particulars ; and we regret it should necessarily contain disclosures to Your Majesty equally injurious to the interests and confidence of the people and to the character of the Royal Station in the Province. Under feelings of solicitude lest Your Majesty's Royal ear should be prepossessed against us by those who have easier and secret access to Your Majesty and Your Majesty's Ministers, we have prayed the aid of Your Majesty's Imperial House of Commons, as will appear from the accompanying copy of our Memorial, in the hope that they will aid Your Majesty in extending to us speedy and effectual measures for the redress of our wrongs, and for the maintenance of the honor and dignity of the Crown.

MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly, }  
Eighteenth day of April, 1836. }

On motion of Mr. Perry, seconded by Mr. Roblin,

Committee to draft  
Address to His  
Excellency to transmit  
Address to King.

*Ordered*,—That Messrs. Morrison and Norton be a Committee to draft and report an Address to His Excellency, requesting him to transmit the several Addresses of this House to the King, passed during the present Session.

Adjourned.

TUESDAY, 19th APRIL, 1836.

The House met.

The minutes of yesterday were read.

Committee to wait on  
His Excellency with  
Address on James  
Davidson, report  
answer.

Mr. Thorburn, from the Committee to wait upon His Excellency with the Address of this House on the case of James Davidson, reported delivering the same and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN :

Answer.

In compliance with this Address I deliver to you the papers requested by the House of Assembly.

Documents—(*See Appendix.*)

Mr. Charles Duncombe, seconded by Mr. Perry, moves that it be

Resolution for Address  
to His Majesty,  
thanking him for  
communications  
respecting James  
Davidson.

*Resolved*, That an Address be presented to His Majesty, thanking Him for His gracious communication respecting the claims of James Davidson, as set forth in the Address of this House of last Session, in a copy of the Despatch of His Majesty's noble Secretary of State for the Colonies on that subject dated Downing Street 30th July, 1835—and although it has been communicated at the close of the Session and amidst the great pressure of business, yet justly and gratefully appreciating the exalted principles of public and private justice and the attention of His Majesty's Government to the representations of the House which distinguish that memorable Despatch, we cannot fail to offer to His Majesty for it our warm and dutiful thanks—and that Messrs. Bruce and Wells be a Committee to draft and report the Address, and that the rule of this House be dispensed with so far as relates to the same.

Which was ordered.

Committee to draft  
Address pursuant to  
foregoing resolution  
present draft.

Mr. Wells, from the Committee to draft and report an Address to His Majesty thanking His Majesty for His gracious attention to the Address of this House in the case of James Davidson, presented a draft which was received and read twice, concurred in, read a third time, and passed, *nem. con.*, and is as follows :

TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN :

Address.

We, Your Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, have received from His Excellency, the present Lieutenant Governor, in answer to our Address for copies of all communications from Your Majesty's Government respecting the claims of James Davidson, set forth in the Address of this House of last Session, a copy of the Despatch of Your Majesty's noble Secretary of State for the Colonies on that subject, dated Downing Street, 30th July, 1835; and although it has been communicated at the close of the Session, and amidst the great pressure of business, yet justly and gratefully appreciating the exalted principles of public and private justice, and the attention of Your

Majesty's Government to the representations of this House, which distinguish that memorable despatch, we cannot fail to offer to Your Majesty for it our warm and dutiful thanks.

MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly, }  
19th April, 1836.

PRESENT—Messrs. Bruce, Duncombe of Oxford, Duncombe of Norfolk, Durand, Gibson, Gilchrist, Hopkins, Lount, McCrea, McDonell of Glengarry, McDonell of Stormont, McDonell of Northumberland, McLutosh, McKay, Mackenzie, McLean, McMicking, Macnab, Malloch, Merritt, Moore, Morrison, Richardson, Robinson, Rykert, Rymal, Shaver, Small, Strange, Thorburn, Thom, Waters, Wells, Wilson, Wolverton.

Nem. con.  
Present.

Mr. Morrison from the Committee to draft and report an Address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the several Addresses passed by the House to His Majesty, to His Majesty's Principal Secretary of State for the Colonies, reported a draft which was received, read twice, concurred in, read the third time and passed, and is as follows :

Committee to draft  
Address to His Excellency  
requesting him  
to transmit Address to  
King report draft.

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

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, respectfully request that Your Excellency will be pleased to transmit to His Majesty's Principal Secretary of State for the Colonies the Addresses to His Majesty which have been passed by this House, viz: one respecting the settlement of the lands of the Crown under the direction of Colonel Talbot; one respecting the petition of Lieutenant Colonel Donald Æ. McDonell; one respecting the resignation of the late and the appointment of the present Council; and one thanking His Majesty for the Despatch of His Majesty's Principal Secretary of State respecting James Davidson; with various documents referred to in them, in order that the same may be laid at the foot of the Throne.

Address.

MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly, }  
19th April, 1836.

On motion of Mr. Charles Duncombe, seconded by Mr. Shaver,

Ordered—That Messrs. Bruce and Wells be a Committee to wait on His Excellency to know when he will be pleased to receive this House with their several Addresses to His Majesty.

Committee to carry  
up address.

Mr. Bruce, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House on the subject of the petition of Nelson Cozens, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

Committee to wait  
on his Excellency  
with address on  
petition of N. Cozens,  
report answer.

## GENTLEMEN :

Answer.

I request you will acquaint the House of Assembly that I shall transmit to His Majesty's Secretary of State for the Colonies this Report of a Select Committee of the House, with such observations as I shall feel it my duty to make upon the subject for the information of the King's Government.

Committee to wait on his Excellency with address on contingencies, report answer.

Mr. Durand, from the Committee to wait upon His Excellency with the Address of this House requesting His Excellency to issue His Warrant in favor of the Speaker of this House for a further advance on contingencies, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

## GENTLEMEN :

Answer.

As the Legislature is to be prorogued on Wednesday next, I regret extremely that I cannot deem it advisable to comply with the request contained in this Address.

Petitions brought up :  
Of C. Lewis, and others.

Mr. Morrison brought up the petition of Chauncey Lewis and thirty-two others of the County of Middlesex ; which was laid on the table.

Of A. Hamilton, and others.

Mr. Morrison brought up the petition of Alfred Hamilton and thirty others of the County of Middlesex ; which was laid on the table.

Of S. H. Elliott, and others.

Mr. Morrison brought up the petition of Stephen H. Elliott and twenty-six others of the Township of Bayham (London District) ; which was laid on the table.

Of H. Dalley, and others.

Mr. Morrison brought up the petition of Henry Dalley and sixty-two others of the County of Middlesex ; which was laid on the table.

Of M. Campbell, and others.

Mr. Morrison brought up the petition of Malcolm Campbell and thirty-one others of the Township of Aldborough in the London District ; was laid on the table.

Of A. Brega, and others.

Mr. Rymal brought up the petition of A. Brega and ninety-five others of the Town of Hamilton ; which was laid on the table.

Of J. Montgomery, and others.

Mr. Gibson brought up the petition of John Montgomery and one hundred and eighteen others of the Township of York ; which was laid on the table.

Of J. Bogart, and others.

Mr. McIntosh brought up the petition of John Bogart, Senior, and sixty-two others of the Township of Whitchurch (York ;) which was laid on the table.

Of M. Booty and others.

Mr. Mackenzie brought up the petition of M. Booty and fifty-one others of the Village of Gosford (Leeds;) which was laid on the table.

Of J. Gray.

Mr. Perry brought up the petition of James Gray of Brockville ; which was laid on the table.

Amendments to currency bill read third time.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act affixing the value at which certain Gold Coins shall pass current in this Province, making the same a legal tender—and establishing the rate at which British Silver Money now in circulation, shall be taken within the same,*" were read the third time.

On passing amendments.

On the question for passing the same, the yeas and nays being taken, were as follows :

## YEAS—MESSIEURS,

Yeas 82.

|                    |                     |             |                    |
|--------------------|---------------------|-------------|--------------------|
| Boulton,           | Durand,             | Macnab,     | Small,             |
| Brown,             | Gilchrist,          | Malloch,    | Solicitor General, |
| Buell,             | Lewis,              | Merritt,    | Strange,           |
| Caldwell,          | McCrae,             | Richardson, | Thom,              |
| Cook,              | McDonell, Stormont, | Robinson,   | Walsh,             |
| Cornwall,          | McDonell, Northumb. | Roblin,     | Wells,             |
| Duncombe, Oxford,  | McKay,              | Rykert,     | Wilson,            |
| Duncombe, Norfolk, | McLean,             | Shaver,     | Woolverton,—32.    |

NAYS—MESSTEURS.

Chisholm,  
Gibson,  
McDonell, *Gleng'y.*

McIntosh,  
Mackenzie,

Moore,  
Morrison,

Rymal,  
Waters,—9.

Nays 19.

The question was carried in the affirmative by a majority of twenty-three and the amendments were passed. Carried, majority 23.

Messrs. *Charles Duncombe* and *Macnab* were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council and to acquaint that Honorable House that this House had concurred in the amendments.

Mr. Speaker reported that the Clerk to the Honorable the Legislative Council had, yesterday, brought down from that Honorable House a message and the bill entitled "*An Act to amend and extend the provisions of an Act passed during the last Session of the Provincial Legislature entitled 'An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province, except an Act passed in the fourth year of the Reign of William the Fourth, chap. 12, entitled 'An Act to regulate line fences and water-courses,' and to repeal so much of an Act passed in the thirty-third year of the Reign of His late Majesty King George the Third, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province as relates to the office of Fence Viewers being discharged by Overseers of High-ways and Roads;'*" to which that Honorable House had made some amendments and requested the concurrence of this House thereto.

Township Officers amendment bill sent down from Legislative Council amended.

The Message was read as follows:

MR. SPEAKER:

The Legislative Council has passed the bill sent up from the Commons House of Assembly entitled "*An Act granting to His Majesty a sum of money for the improvement of Roads and Bridges in the several Districts of this Province*" without any amendment.

Message from Legislative Council.

Road and Bridge bill passed.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }  
Nineteenth day of April, 1836. }

The amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act to amend and extend the provisions of an Act passed during the last Session of the Provincial Legislature entitled 'An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province, except an Act passed in the fourth year of the Reign of William the Fourth, chap. 12, entitled 'An Act to regulate line fences and water-courses' and to repeal so much of an Act passed in the thirty-third year of the Reign of His late Majesty King George the Third, entitled an Act to provide for the nomination and appointment of Parish and Town Officers within this Province as relates to the office of Fence Viewers being discharged by the Overseers of High-ways and Roads,'*" were read a first time as follows:

Amendments to township officers amendment bill read first time.

Amendments made by the Legislative Council in and to the bill sent up from the Commons House of Assembly entitled "*An Act to amend and extend the provisions of an Act passed during the last Session of the Provincial Legislature entitled 'An Act to reduce to*"

Amendments.

*one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province, except an Act passed in the fourth year of the Reign of William the Fourth, chap. 12, entitled 'An Act to regulate line fences and water-courses' and to repeal so much of an Act passed in the thirty-third year of the Reign of His late Majesty King George the Third entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province as relates to the office of Fence Viewers being discharged by Ovsrseers of High-ways and Roads.'*

Pres. 2, line 21, After "three" insert "nor the Town Clerk for any number of days over ten."

Pres. 3, line 1, After "with" insert "an account of."

Pres. 3, line 3, After "inspection" insert "and immediately thereafter the said accounts shall be transmitted by the said Town Clerk to the Treasurer of the District to be laid before the Magistrates in Quarter Sessions."

Expunge the last clause and insert—"5th. And Whereas by the twenty-third clause of the said Act passed in the fifth year of His present Majesty's Reign it is provided that the Collectors shall in each year collect the assessments imposed for the previous year, which provision is inapplicable and inconvenient: Be it therefore enacted by the authority aforesaid, That so much of the said clause as requires the Collector for each year to collect the assessments made for the previous year, be and the same is hereby repealed, and that the Collectors chosen for each year shall be authorised and required to collect the assessments for that year in which they are chosen to serve, any former Law to the contrary notwithstanding."

JOHN B. ROBINSON,  
SPEAKER.

*Legislative Council Chamber,* }  
Twenty-eighth day of April, 1836. }

Amendments read 2nd  
time and committed.

Mr. Hopkins, seconded by Mr. Durand, moves that the amendments be now read a second time and that the 40th rule of this House be dispensed with so far as relates to the same.

The House was put into a Committee of the whole on the amendments.

Mr. Wells in the Chair.

The House resumed.

Reported amended.

The Chairman reported that the Committee had agreed to the amendments with an amendment which they submitted for the adoption of the House.

3rd reading to-day.

The report was received, and the amendment to the amendments was ordered to be engrossed and read a third time this day.

Welland Canal Com-  
missioners bill read  
third time.

Pursuant to the order of the day, the Welland Canal Commissioners bill was read the third time.

Amendment moved.

Mr. Macnab, seconded by Mr. Dunlop, moves that the bill be amended by striking out the name of David Thorburn and inserting the names of the Honorable John Macaulay and John Willson, Esq.

Division

On which the yeas and nays being taken were as follows:—

YEAS—MESSIEURS,

Yeas 9.

Boulton,  
Cornwall,  
McKay,

Macnab,  
Robinson,

Solicitor General,  
Strange,

Thorburn,  
Wilkinson,—9

NAYS—MESSIEURS,

|                          |            |             |             |          |
|--------------------------|------------|-------------|-------------|----------|
| Brown,                   | Howard,    | Morrison,   | Shaver,     |          |
| Buell,                   | Lount,     | Norton,     | Small,      |          |
| Caldwell,                | McCrae,    | Perry,      | Thom,       |          |
| Chisholm,                | McIntosh,  | Richardson, | Waters,     | Nays 29. |
| Cook,                    | McMicking, | Roblin,     | Wilson,     |          |
| Duncombe, <i>Oxford,</i> | Merritt,   | Rykert,     | Woolverton, |          |
| Gibson,                  | Moore,     | Rymal,      | Yager,—29.  |          |
| Gilchrist,               |            |             |             |          |

The question was decided in the negative by a majority of twenty. Lost, majority 20.

Mr. Macnab, seconded by Mr. Dunlop, moves that the bill be amended by inserting the names of the Honorable John Macaulay and John Willson of *Saltfleet*, as Commissioners. Another amendment.

On which the yeas and nays were taken as follows: Division.

YEAS—MESSIEURS,

|           |          |                    |               |          |
|-----------|----------|--------------------|---------------|----------|
| Boulton,  | McNab,   | Robinson,          | Thorburn      | Yeas 17. |
| Caldwell, | Malloch, | Rykert,            | Thom,         |          |
| Cornwall, | Merritt, | Solicitor General, | Walsh,        |          |
| McCrae,   | Norton,  | Strange,           | Wilkinson—17. |          |
| McKay,    |          |                    |               |          |

NAYS—MESSIEURS,

|            |            |             |             |          |
|------------|------------|-------------|-------------|----------|
| Brown,     | Hopkins,   | Morrison,   | Small,      |          |
| Buell,     | Howard,    | Perry,      | Waters,     |          |
| Chisholm,  | Lount,     | Richardson, | Wells,      | Nays 24. |
| Cook,      | McIntosh,  | Roblin,     | Wilson,     |          |
| Gibson,    | McMicking, | Rymal,      | Woolverton, |          |
| Gilchrist, | Moore,     | Shaver,     | Yager—24.   |          |

The question was carried in the affirmative by a majority of seven. Lost—majority 7.

Mr. Macnab, seconded by Mr. Dunlop, moves that the names of Samuel Street, Esquire, and George Rykert, Esquire, be added as Commissioners. Another amendment.

On which the yeas and nays being taken were as follows: Division.

YEAS—MESSIEURS,

|           |          |                    |                |          |
|-----------|----------|--------------------|----------------|----------|
| Boulton,  | McCrae,  | Merritt,           | Strange,       | Yeas 15. |
| Caldwell, | McKay,   | Norton,            | Thom,          |          |
| Cornwall, | Macnab,  | Robinson,          | Wilkinson,—15. |          |
| Lewis,    | Malloch, | Solicitor General, |                |          |

NAYS—MESSIEURS,

|           |            |             |             |          |
|-----------|------------|-------------|-------------|----------|
| Alway,    | Gilchrist, | Moore,      | Shaver,     |          |
| Brown,    | Hopkins,   | Morrison,   | Small,      | Nays 18. |
| Bruce,    | Howard,    | Perry,      | Waters,     |          |
| Buell,    | Lount,     | Richardson, | Wells,      |          |
| Chisholm, | McIntosh,  | Roblin,     | Wilson,     |          |
| Cook,     | Mackenzie, | Rykert,     | Woolverton, |          |
| Gibson,   | McMicking, | Rymal,      | Yager—28.   |          |

The question was decided in the negative by a majority of thirteen. Lost, majority 3.

Mr. Macnab, seconded by Mr. Boulton, moves that the bill be amended by adding the names of the Honorable J. H. Dunn and Robert Baldwin, Esquire, as Commissioners. Another amendment.

On which the yeas and nays were taken as follows: Division.

YEAS—MESSIEURS,

|           |                           |           |                    |          |
|-----------|---------------------------|-----------|--------------------|----------|
| Boulton,  | McDonell, <i>Gleng'y.</i> | Merritt,  | Solicitor General, |          |
| Caldwell, | McKay,                    | Norton,   | Strange,           | Yeas 17. |
| Cornwall, | Macnab,                   | Robinson, | Thom,              |          |
| Lewis,    | Malloch,                  | Rykert,   | Wilkinson,—17:     |          |
| McCrea,   |                           |           |                    |          |

## NAYS—MESSIEURS.

|          |   |  |  |   |
|----------|---|--|--|---|
| Nays 27. | Alway,<br>Brown,<br>Bruce,<br>Buell,<br>Chisholm,<br>Cook,<br>Gibson, | Gilchrist,<br>Hopkins,<br>Howard,<br>Lount,<br>McIntosh,<br>Mackenzie,<br>McMicking, | Moore,<br>Morrison,<br>Parke,<br>Richardson,<br>Roblin,<br>Rymal,<br>Shaver, | Small,<br>Waters,<br>Wells,<br>Wilson,<br>Woolverton,<br>Yager,—27. |
|----------|---|--|--|---|

Lost, majority ten.

The question was decided in the negative by a majority of ten.

Division on passing bill.

On the question for passing the Bill, the yeas and nays were taken as follows :

## YEAS—MESSIEURS,

|          |  |  |  |  |
|----------|--|--|--|--|
| Yeas 27. | Alway,<br>Brown,<br>Bruce,<br>Caldwell,<br>Chisholm,<br>Cornwall,<br>Duncombe, <i>Oxford</i> , | Gilchrist,<br>Hopkins,<br>Lount,<br>McCrea,<br>McDonell, <i>Gleng'y.</i><br>McMicking,<br>Merritt, | Moore,<br>Norton,<br>Parke,<br>Robinson,<br>Roblin,<br>Ryker,<br>Shaver, | Thom,<br>Waters,<br>Wells,<br>Wilkinson,<br>Wilson,<br>Woolverton,—27. |
|----------|--|--|--|--|

## NAYS—MESSIEURS.

|          |   |  |   |  |
|----------|---|--|---|--|
| Nays 18. | Boulton,<br>Buell,<br>Cook,<br>Gibson,<br>Howard, | Lewis,<br>McIntosh,<br>McKay,<br>Mackenzie,<br>McLean, | Macnab,<br>Malloch,<br>Morrison,<br>Richardson, | Rymal,<br>Sinall,<br>Thorburn,<br>Yager,—18. |
|----------|---|--|---|--|

Carried—majority 9.

The question was carried in the affirmative by a majority of nine, and the bill was passed.

Title.

Mr. *Charles Duncombe*, seconded by Mr. Bruce, moves that the bill be entitled "*An Act appointing Commissioners to treat with the Welland Canal Company relative to the purchase or sale of the Stock of the said Company, and for other purposes therein mentioned.*"

Which was carried, and Messieurs *Charles Duncombe* and Bruce were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Midland District School Society bill passed.

Pursuant to the order of the day, the Midland District School Society Bill was read the third time and passed.

Title.

Mr. Solicitor General, seconded by Mr. Gibson, moves that the bill be entitled "*An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the Reign of George the Third, entitled 'An Act to incorporate the Midland District School Society.'*"

Which was carried, and Messieurs Solicitor General and Gibson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Amendments to township officers amendment bill passed as amended.

Pursuant to the order of the day, the amendment made by this House in and to the amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act to amend and extend the provisions of an Act passed during the last Session of the Provincial Legislature entitled 'An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province, except an Act passed in the fourth year of the Reign of William the Fourth, chap. 12, entitled 'An Act to regulate lime fences and water courses' and to repeal so much of an Act passed in the thirty-third year of the Reign of His late Majesty King*



*George the Third, entitled an Act to provide for the nomination and appointment of Parish and Town Officers within this Province as relates to the office of Fence Viewers being discharged by Overseers of High-ways and Roads,"* was read the third time and passed.

Messrs. Hopkins and Roblin were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to inform that Honorable House that this House had made an amendment in and to the amendments made by the Honorable the Legislative Council to the bill, and to request their concurrence thereto.

Mr. Robinson, seconded by Mr. Small, moves for leave to bring in a bill to cover the expenses of the last and part of the present Sessions, and that the 31st and 40th rules be dispensed with so far as relates to the same.

Covering bill brought in, read twice, and committed.

Which was carried, and the bill was read twice.

The House was put into a Committee of the whole on the bill.

Mr. Rykert in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received and the bill was read the third time and passed.

Bill passed.

Mr. Robinson, seconded by Mr. Small, moves that the bill be entitled "*An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province, and also to make good certain monies advanced in compliance with two addresses of the House of Assembly during the present Session.*"

Title.

Which was carried, and Messieurs Robinson and Small were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Committee to wait on His Excellency to learn when he will receive House with addresses to King, report that His Excellency will receive House at half past three to-morrow.

Mr. Wells, from the Committee to wait upon His Excellency to know when he will be pleased to receive this House with its several Addresses to His Majesty, reported that His Excellency had been pleased to name the hour of half past three o'clock to-morrow.

Pursuant to the order of the day, the Receiver General's remuneration bill was read the second time.

Receiver General's remuneration bill read 2nd time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Howard in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill without amendment and submitted it for the adoption of the House.

The report was received.

On the question for the third reading of the bill to-morrow, In amendment, Mr. Wells, seconded by Mr. Shaver, moves that the bill be not read a third time to-morrow, but that it be read a third time this day, and that the 40th rule of this House be dispensed with so far as relates to this motion.

Motion for 3rd reading to-day.

On which the yeas and nays being taken, were as follows:

Division.

YEAS—MESSIEURS,

Alway,  
Boulton,  
Bruce,  
Duncombe, *Oxford*,  
Duncombe, *Norfolk*,  
Gibson,

Gilchrist,  
Howard,  
Lewis,  
Lount,  
McDonell, *Northumb*,  
McIntosh,

Macnab,  
Moore,  
Morrison,  
Parke,  
Richardson,  
Shaver,

Solicitor General,  
Walsh,  
Wells,—  
Woolverton,  
Yager,—23.

Yeas 23.

## NAYS—MESSIEURS,

Nays 3. Buell, Cook, Mackenzie,—3.

Carried, majority 20,  
and bill passed.

The question was carried in the affirmative by a majority of twenty, and the bill was read the third time and passed.

Title.

Mr. *Charles Duncombe*, seconded by Mr. Bruce, moves that the bill be entitled "*An Act to remunerate the Receiver General of this Province for certain services therein mentioned.*"

Which was carried, and Messrs. *Charles Duncombe* and Bruce were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Motion to read petition  
of Rev. Ephraim  
Evans.

Mr. Rykert moves that the petition of the Rev. Ephraim Evans be now read, and that the 41st rule of this House be dispensed with so far as relates to the same.

Order of the day moved  
and lost.

On which the orders of the day were moved, and the House dividing on the same, it was lost.

On original question.

On the original question the yeas and nays being taken, were as follows :

## YEAS—MESSIEURS,

Yeas 31.

|            |  |            |                    |
|------------|--|------------|--------------------|
| Alway,     | Hopkins,                               | McMicking, | Rykert,            |
| Boulton,   | Howard,                                | Malloch,   | Rymal,             |
| Buell,     | Lewis,                                 | Morrison,  | Shaver,            |
| Caldwell,  | Lount,                                 | Parke,     | Solicitor General, |
| Cook,      | McDonell, <i>Gleng'y.</i> Perry,       |            | Thom,              |
| Durand,    | McDonell, <i>Stormont.</i> Richardson, |            | Walsh,             |
| Gibson,    | McDonell, <i>Northumb.</i> Robinson,   |            | Woolverton,—31.    |
| Gitchrist, | McKay,                                 | Roblin,    |                    |

## NAYS—MESSIEURS,

Nays 9.

|           |            |           |           |
|-----------|------------|-----------|-----------|
| Bruce,    | Mackenzie, | Norton,   | Waters,   |
| Chisholm, | Moore,     | Thorburn, | Wells,—9. |
| McIntosh, |            |           |           |

Carried, majority 22.  
Petition of Reverend  
Ephraim Evans read.

The question was carried in the affirmative by a majority of twenty-two, and the petition of the Rev. Ephraim Evans of the City of Toronto, Editor of the *Christian Guardian*, complaining of the Committee on Religious Grants, and praying that he may be allowed to make his defence at the Bar of the House, was read.

Crown Land protection  
bill brought in,  
read twice, and  
committed.

Mr. Solicitor General, seconded by Mr. Gibson, moves for leave to bring in a bill to protect the Lands of the Crown from being occupied by any body corporate within the Province without the assent of His Majesty, and that the 31st and 40th rules of this House be dispensed with for that purpose.

Which was granted, and the bill was read twice.

The House was put into a Committee of the whole on the bill.

Mr. Boulton in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill without amendment and submitted it for the adoption of the House.

Bill passed.

The report was received and the bill was read the third time and passed.

Title.

Mr. Solicitor General, seconded by Mr. *Charles Duncombe*, moves that the bill be entitled "*An Act to prevent bodies corporate within this Province from entering upon and taking possession of the Lands of the Crown without the permission of His Majesty.*"

Which was carried, and Messrs. Solicitor General and *Charles Duncombe* were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council and to request their concurrence thereto.

At three o'clock P. M. the Speaker left the Chair.

At five o'clock, P. M. the Speaker resumed the Chair.

Mr. Small from the Committee to which were referred the affairs of the Welland Canal Company, presented a final report and a resolution, both of which were read as follows:

Select Committee on Welland Canal affairs present final report, and resolution.

*To the Honorable the House of Assembly:*

Report.

The Committee on the Welland Canal Company's Affairs beg leave to make a final report:

They recommend that the following sums be paid by the Speaker out of the contingent fund in his hands, viz:

|   |       |    |   |
|---|-------|----|---|
| To the Government Directors who acted last Summer as Commissioners in investigating the affairs of the Welland Canal Company, .....   | £ 250 | 0  | 0 |
| To Francis Hincks, Esquire, .....   | 39    | 15 | 0 |
| James Young, Esquire, .....   | 39    | 15 | 0 |
| (for their attendance on the Committee in investigating the books and accounts of the Company under the order of the House.)  |       |    |   |
| Also to the Secretary of the Welland Canal Company, to defray the expense of bringing over from St. Catharines the office and books in pursuance of the order of the House, ..... | 10    | 0  | 0 |
|   | <hr/> |    |   |
|   | £ 339 | 10 | 0 |

JAMES E. SMALL,  
CHAIRMAN.

*Committee Room, Commons House of Assembly, }  
19th April, 1836.*

*Resolved,* That the following sums be paid by the Speaker out of the contingent fund in his hands, viz: Resolution.

|  |       |    |   |
|--|-------|----|---|
| To the Government Directors who acted last Summer as Commissioners in investigating the affairs of the Welland Canal Company, .....  | £ 250 | 0  | 0 |
| To Francis Hincks, Esquire, .....  | 39    | 15 | 0 |
| James Young, Esquire, .....  | 39    | 15 | 0 |
| (for their attendance on the Committee in investigating the books and accounts of the Company, under the order of the House.)  |       |    |   |
| Also to the Secretary of the Welland Canal Company, to defray the expense of bringing over from St. Catharines the office and books, in pursuance of the order of the House, ..... | 10    | 0  | 0 |
|  | <hr/> |    |   |
|  | £ 339 | 10 | 0 |

Mr. Small, seconded by Mr. Parke, moves that the last report of the Select Committee on the affairs of the Welland Canal be referred to a Select Committee of the whole House forthwith. Report referred to committee of whole.

Which was carried, and the House was put into a Committee of the whole on the same.

Mr. Buell in the Chair.

The House resumed to receive a Message from the Legislative Council.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House again resumed to receive a Message from the Legislative Council.

The Speaker left the chair.

The Chairman resumed the chair of Committee.

The House resumed.

Chairman reports resolution.

The Chairman reported that the Committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The Resolution was read and adopted, and is as follows :

Resolution.

*Resolved*, That the following sums be paid by the Speaker out of the contingent fund in his hands. viz :

|   |   |    |       |   |   |
|---|---|----|-------|---|---|
| To Francis Hinks, Esquire, .....  | £ | 39 | 15    | 0 |   |
| “ James Young, Esquire, .....   |   | 39 | 15    | 0 |   |
| (for their attendance on the Committee in investigating the books and accounts of the Company under the order of the House.)  |   |    |       |   |   |
| Also to the Secretary of the Welland Canal Company to defray the expense of bringing over from St. Catharines the office and books, in pursuance of the order of the House..... |   |    | 10    | 0 | 0 |
|   |   |    | <hr/> |   |   |
|   | £ | 89 | 10    | 0 |   |

Bills sent down from Legislative Council amended.

Dredging Machine bill.

Niagara District Bank bill.

Agricultural Society bill.

Mr. Speaker reported that the Clerk to the Honorable the Legislative Council had brought down several messages, and the bill entitled “ *An Act granting a further sum of money for the purchase of a Steam Dredging Machine,*”—the bill entitled “ *An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the Niagara District,*”—and the bill entitled “ *An Act to establish township Agricultural Societies, and to grant a sum of money in aid of the same,*” to all of which the Honorable the Legislative Council had made some amendments and requested the concurrence of this House thereto.

Messages from Legislative Council.

The Messages were then read as follows :

Mr. SPEAKER,

Home District Roads bill passed.

The Legislative Council has passed the bill entitled “ *An Act to continue the improvement of certain roads in the Home District,*” without any amendment.

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
Eighteenth day of April, 1836. }

MR. SPEAKER,

Amendment to amendments of Legislative Council to Township Officers amendment bill passed.

The Legislative Council has acceded to the amendments made by the Commons House of Assembly in and to the amendments of the Legislative Council made in and to the bill sent up from the Assembly entitled “ *An Act to amend and extend the provisions of an Act passed during the last Session of the Provincial Legislature entitled ‘ An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this*

*Province, except an Act passed in the fourth year of the Reign of William the Fourth, chap. 12, entitled 'An Act to regulate line fences and water-courses,' and to repeal so much of an Act passed in the thirty-third year of the Reign of His late Majesty King George the Third, entitled 'An Act to provide for the nomination and appoinment of Parish and Town Officers within this Province as relates to the office of Fence Viewers being discharged by Overseers of High-ways and Roads.'*

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
19th April, 1836. }

MR. SPEAKER :

The Legislative Council has passed the bill sent up from the Commons House of Assembly entitled "*An Act to prevent bodies Corporate within this Province from entering upon and taking possession of the lands of the Crown, without permission of His Majesty,*"—and also the bill entitled "*An Act for the relief of Andrew Deacon*" without any amendment. Crown Lands protection bill passed.

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
Nineteenth day of April, 1836. }

The amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act granting a further sum of money for the purchase of a Steam Dredging Machine*" were read a first time as follows : Amendments to steam dredging machine bill read first time.

Amendments made by the Legislative Council in and to the bill sent up from the Assembly entitled "*An Act granting a further sum of money for the purchase of a Steam Dredging Machine.*" Amendments.

Press 3, line 4, After "him" insert "and the Inspector General."  
Add to the bill "*And be it further enacted by the authority aforesaid, That no part of the said sum of Fourteen Hundred Pounds shall be paid to the Commissioners aforesaid unless satisfactory proof is furnished to the Receiver and Inspector Generals that that amount will cover the whole cost of the Dredging Machine and all the necessary vessels connected therewith.*"

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
Nineteenth day of April, 1836. }

The amendments made by the Honorable the Legislative Council in and to the bill entitled "*An Act to incorporate sundry persons under the style and title of the President Directors and Company of the Bank of the Niagara District*" were read the first time as follows : Amendments to Niagara District Bank bill read first time.

Amendments made by the Legislative Council in and to the bill sent up from the Commons House of Assembly entitled "*An Act to incorporate sundry persons under the style and title of the President Directors and Company of the Bank of the Niagara District.*"

Pres. 3, line 14, After "newspaper in" expunge to "to" in line 16, and insert "each and every District of this Province where a newspaper is published." Amendments.

Amendments.

- Press 4, line 22, After "named" expunge to "for" and insert "in the said District."
- " 5, line 9, After "in" expunge to "at" in line 11, and insert "each and every District in this Province where a newspaper is published."
- " 5, line 18, After "the" expunge to "as" and insert "said District."
- " 6, line 3, After "person" add to the clause "and provided also that no Stockholder shall vote at any election by proxy who is not an inhabitant of this Province."
- " 6, line 16, After "as" expunge to "shall" in line 17, and insert "a majority of the Stockholders at a meeting to be held for that purpose."
- " 7, line 9, Expunge "one" and insert "three."
- " 10, line 18, After "assignee" insert "or assignees."
- " " line 19, After "his" insert "her or their"—After "name" insert "or names."
- " 11, line 12, After "transacted" expunge to "and" in line 13, and insert "at such place within the District of Niagara as a majority of the Stockholders shall appoint."
- " 12, line 4, After "account of the" expunge the remainder of the clause and insert "Capital Stock paid in—Bills in circulation of five dollars and upwards not bearing interest—Bills in circulation under five dollars not bearing interest—Bills and notes in circulation bearing interest—Balance due to other Banks—Cash deposited, including all sums whatsoever due from the Bank not bearing interest (its bills in circulation and balances due to other Banks excepted)—Cash deposited bearing interest—Total amount due from the Bank—Of the resources of the Bank—The Gold, Silver and other coined metals in the Banking House—Real Estate—Bills of other Banks—Balances due from other Banks—Amount of all debts due, including notes, bills of exchange, and all Stock and funded debts of every description, excepting the balances due from other Banks—Total amount of the resources of the Bank; rate and amount of last dividend—Amount of reserved profits at the time of declaring the last dividend—Amount of debts due to the Bank and not paid, and considered doubtful."
- " 12, line 15, After the word "the" expunge the remainder of the clause and insert "Directors of the said Bank shall not, upon pain of forfeiture of their charter, loan or advance any money or bills of the said Bank to any Stockholder upon the credit of the Stock which such Stockholder or Stockholders may hold in the said Bank, but shall require from the Stockholder or Stockholders endorsers in all respects as safe and substantial as would be required from any applicants for discounts not being Stockholders."
- " And whereas it is expedient to afford additional security to the public against the failure of Banks in this Province by rendering the holders of Stock in such Banks personally liable to a certain extent beyond the amount

of Stock subscribed: *Be it therefore enacted by the authority aforesaid,* That the Shareholders of the said Bank shall be respectively liable for the engagements of of the Company to the extent of twice the amount of their subscribed shares, including the amount of Stock so held as aforesaid.

*“ And be it further enacted by the authority aforesaid,* That the sum for which such Stockholder or Stockholders shall be so liable beyond the amount of the original or first value of the Stock by them respectively held shall be called in by instalments in the same manner as such Bank may have been authorised to call in Stock originally subscribed; and in case any Stockholder or Stockholders shall neglect or refuse to pay the amount which may be so called in, the Directors of any such Bank shall be and they are hereby authorised to sue or prosecute in its corporate name in any of its Courts of Law in this Province for such Instalment: Provided always, that such sum or sums of money which may be so called in shall only be applied towards the payment of such debts or claims as may be outstanding against such Bank: And provided also, that nothing herein contained shall extend or be construed to extend to authorise such Directors to call in or demand any sum from the Stockholders over and above a sum sufficient to discharge such debts and claims as may be outstanding as aforesaid.

*“ And be it further enacted by the authority aforesaid,* That in case of the failure or insolvency of any such Bank, or in case the Stockholders shall neglect or refuse to appoint Directors within three months after the time when by Law the same should be appointed, or if such Directors shall neglect or refuse to call in the several sums for which the Stockholders are so liable as aforesaid in the manner aforesaid, it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province, to name and appoint five Commissioners to manage the affairs of the said Bank, who shall have and exercise all the powers of Directors in the settlement of the affairs of the said Bank, but they shall not be authorised to carry on any other business of Banking except the calling in of so much of the several sums for which the respective Stockholders may be liable as shall be sufficient to discharge the sum or sums which may be due by such Bank, together with the necessary expenses attending such management.

*“ And be it further enacted by the authority aforesaid,* That it shall be the duty of the President, Directors, or Cashier of the said Bank to allow, during the hours of business, the names of the Stockholders in the said Bank with the amount of Stock respectively owned by them, to be taken by any Stockholder who may require the same.

*“ And be it further enacted by the authority aforesaid,* That nothing herein contained shall be taken or be construed to extend to prevent the Legislature of this Pro-

vince at any time hereafter from making such provisions as to the amount and description of notes which may be issued by the said Bank as may be deemed necessary, nor shall any thing herein contained be construed to prevent the Legislature from applying to the said Bank, any provisions or restrictions which by an Act of the Parliament of this Province may be applied or enforced with respect to any of the Banks of this Province.

“ And whereas it appears by the returns laid before the Legislature that the number of insane persons in this Province is considerable, for whose relief and safe keeping it is necessary to provide an asylum: *Be it therefore enacted by the authority aforesaid,* That if at any time hereafter the Legislature should deem it proper to create a fund for erecting said asylum by a tax upon the Capital Stock of any Bank or Banks which may be by Law chartered therein, or upon the additional Capital Stock granted to any Bank or Banks already chartered in this Province, not exceeding in the whole five per centum upon the Capital Stock of such Bank or Banks or additional Capital Stock as aforesaid, and payable only out of the surplus profits after they shall have divided six per centum per annum upon the Capital Stock paid in; then and in such case it shall and may be lawful for the Legislature by any Act to be passed for that purpose to extend the provisions thereof to the Bank hereby incorporated.”

JOHN B. ROBINSON,  
SPEAKER.

*Legislative Council Chamber,* }  
Nineteenth day of April, 1836. }

On the question for the second reading of the amendments to-morrow,

Motion for second reading to-day.

In amendment, Mr. Richardson, seconded by Mr. Thorburn, moves that the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House to establish a Bank in the Niagara District be not read a second time to-morrow, but that they be read a second time this day, and that the 40th rule of this House be dispensed with so far as relates to this motion.

Division.

On which the yeas and nays being taken were as follows :

YEAS—MESSIEURS,

|          |   |   |  |                                   |
|----------|---|---|--|-----------------------------------|
| Yeas 15. | Boulton,<br>Brown,<br>Caldwell,<br>Lewis, | McKay,<br>McLean,<br>Malloch,<br>Merritt, | Norton,<br>Richardson,<br>Robinson,<br>Roblin, | Rykert,<br>Small,<br>Strange,—15. |
|----------|---|---|--|-----------------------------------|

NAYS—MESSIEURS,

|          |  |   |  |   |
|----------|--|---|--|---|
| Nays 19. | Alway,<br>Bruce,<br>Buell,<br>Cook,<br>Durand, | Gibson,<br>Gilchrist,<br>Howard,<br>Lount,<br>McIntosh, | Mackenzie,<br>Macnab,<br>Moore,<br>Morrison,<br>Rymal, | Shaver,<br>Waters,<br>Wells,<br>Wilson,—19. |
|----------|--|---|--|---|

The question was decided in the negative by a majority of four.

2nd reading to-morrow.

*Ordered,*—That the amendments be read a second time to-morrow.



Mr. Wilson, from the Select Committee to which was referred the petition of Edward Kennedy, and others, presented a report and the draft of an Address to His Excellency.

Select Committee on petition of Edward Kennedy present report and address to His Excellency.

On the question for receiving the report,

On receiving report.

In amendment, Mr. Robinson, seconded by Mr. McLean, moves that the report be not now received, but that it be an instruction to the Select Committee to afford an opportunity to the persons charged in the petition of Edward Kennedy with misconduct to defend themselves by the production of testimony before the said Committee.

Amendment moved.

Which was lost.

Lost.

The report was received and read.

Report received.

Report—(See Appendix.)

The Address was read twice and concurred in.

Address read twice and concurred in.

On the question for the third reading of the Address the yeas and nays being taken were as follows :

On 3rd reading today.

YEAS—MESSIEURS,

|                                     |   |  |   |          |
|-------------------------------------|---|--|---|----------|
| Alway,<br>Bruce,<br>Buell,<br>Cook, | Durand,<br>Gibson,<br>Gilchrist,<br>Howard, | Lount,<br>Mackenzie,<br>McMicking,<br>Moore, | Rymal,<br>Shaver,<br>Waters,<br>Wilson,—16: | Yeas 36. |
|-------------------------------------|---|--|---|----------|

NAYS—MESSIEURS,

|                      |                      |                      |           |         |
|----------------------|----------------------|----------------------|-----------|---------|
| Dunlop,<br>McIntosh, | Macnab,<br>Morrison, | Robinson,<br>Roblin, | Yager,—7. | Nays 7. |
|----------------------|----------------------|----------------------|-----------|---------|

The question was carried in the affirmative by a majority of nine, and the Address was ordered to be engrossed and read a third time this day.

Carried, majority 9.  
3rd reading to-day.

Mr. Speaker reported that he had received a letter from the Speaker of the House of Assembly of Lower Canada with certain resolutions accompanying the same, as follows :

Speaker reports letter from Speaker of Assembly of Lower Canada, with resolutions.

*House of Assembly,  
Quebec, 15th March, 1836. }*

SIR :

In the exposition of the extent and nature of the reforms demanded by the people of this Province, and in the resolutions of their Representatives which I transmit to you by order of the House of Assembly, we hope a proof will be found of the earnestness with which we are endeavoring to secure the establishment and recognition of the political rights of our Colonial fellow subjects as well as of our own.

Letter.

To whatever extent the blessings of a just, cheap, and responsible system of Government are obtained by us, to that extent and amount will the people of the other British North American Colonies also participate in the same blessings.

They cannot but readily understand how various and how grinding are the abuses which distract this Province when they are told that for many long and painful years the people have directly by petitions or through their Representatives, in terms of no common emphasis, and by majorities so overwhelming that one might say without impropriety, unanimously impugned the administration of affairs in every Department of the public service. They have demanded the adoption of measures alone adequate to the cure of the various abuses which have sprung from imperfect Institutions, ack-

nowledged by a Committee of the House of Commons, so far back as 1828, to have been vitiously administered. So late as the year 1835, it was admitted, both in the House of Commons and in the House of Lords, on the Ministerial as well as on the opposition Benches, by men the most opposite in their opinions on every question of domestic or European policy, with a concert which could arise from no other cause than the clearest evidence of fact, that nothing efficient had as yet been done in Canada to remedy acknowledged abuses—abuses denounced by this House, denounced by His Majesty's Government, repeatedly denounced by Committees of the House of Commons which enjoined responsible Ministers to see that they should cease.

These Ministers we impeach as being unwilling to effect the good work of peace and conciliation when charged so to do. We impeach them for their instructions of the 17th July 1835, devised with a view to impose a Government upon us which will be more irresponsible than it has ever been in time past; more prodigal of our lands and taxes, which constitute the common fund, more oppressive by the number of its agents and their excessive emoluments, out of all just proportion to the value of the services rendered, and more servile on account of its more direct dependence on Downing Street, where they never understood, where they are unwilling to understand that the state of society all over continental America requires that the forms of its Governments should approximate nearer to that selected under propitious circumstances and after mature consideration by the wise Statesmen of the neighbouring Union, than to those into which chance and past ages have moulded European societies.

We crave your attention to the contradictions manifested in these Instructions of the Colonial Minister above alluded to. They first theoretically acknowledge a few protecting axioms of public Colonial Law. The salutary operations of which they practically obstruct, and then fritter them down to insignificance by niceties and hypothetical extreme cases which the Minister creates to justify the exceptions he chooses to make to their application.

Thus the Minister of the day admits that Parliamentary Legislation on the part of Great Britain on any exclusively internal subject in any British Colony possessing a Representative Assembly is, as a general rule, unconstitutional. Yet by Canada Trade Acts—Tenures Acts—smuggled American Land Company Acts, this general rule has been repeatedly grossly violated. By the first of these acts temporary taxes imposed during the late war, for the duration of that war and no longer, as a means of aiding Great Britain to preserve a resting place on this Continent, have been ungratefully and oppressively revived and made permanent by the Imperial Parliament.—It is true that the Government of Upper Canada induced a bribed or unwary Parliament to petition for the revival and continuation of those taxes, but a treacherous Governor of this Province withheld from this Assembly the information of this fact transmitted to him to be communicated to the Representatives of the people of this Colony. For years the Assemblies of both the Canadas have been endeavouring to settle this important question, but the useful bills to provide for the appointments of Commissioners have until now been rejected by the Legislative Councils of the one or the other of these Provinces in turn.

By the other Imperial Acts property affected in its incidents and conditions of possession and transmission has been rendered insecure. An odious monopoly, which retards the settlement of the country, has been created; the administration of Justice has been impeded by an

attempt to introduce a second system of laws in a country where Courts are constituted and Judges commissioned and sworn to administer a different system of law.

Of this unconstitutional Parliamentary Legislation on the part of Great Britain, on subjects of an exclusively internal nature, in a British Colony possessing a Representative Assembly, this House has repeatedly, but hitherto ineffectually, complained.

Were we to resign ourselves to a degrading system of servitude, do you hope, do you believe, that the Ministerial policy which would degrade us would consent to concede to you an ennobling system of freedom to that extent you deserve, under which the rapid and easy expansion of the moral, intellectual and industrial capacities of the robust and rapidly accumulating population in the several provinces, would soon reveal how vast are their combined strength and resources, when no sinister and baneful influence is busy sowing dissensions or exciting by misrepresentations hurtful prejudices, amongst those who have so many great and common interests. If misrule went on unchecked in any of these neighboring Colonies, without exciting our sympathy, your ills would soon become our ills, and ours would reach you in turn. If, however, you are free from improper and unconstitutional Parliamentary Legislation, we rejoice that such is your happier lot. If you have to complain of evils similar to ours, or of any other evils, all constitutional means in the power of the people of this Province would readily be resorted to to aid you in their removal. Such good offices it is the duty of every Colony to tender and to accept in turn.

The present Colonial Minister who is forced to acknowledge the correct axiom that British Colonies possessing a Representative Assembly, are of right freed from the Legislation of Imperial Parliament, is so attached to the privileges enjoyed by his predecessors in office of misgoverning these distant possessions, that he hesitates not to lay bare (in his instructions to Sir Francis Head) in all its naked deformity, the Colonial System, as it is understood and expounded in Downing Street. The inferences which are manifestly to be deduced from these encroaching instructions, are that in the most minute details every thing though of an exclusively internal nature, in British Colonies having Representative Assemblies, must be carefully kept under the patronage, direction, and official legislation of the Colonial Office. The remonstrances of near a million of people in the Canadas, Constitutionally expressed by their Representatives, disturb too much the set doctrines and practices traditionally transmitted from Tories to Whigs, from Lord North to Lord Glenelg, to expect the concession of any remedial measures which the sufferers claim.

The people of the Canadas, laboring under the accumulating wrongs proceeding from an Act of Parliament, unite as one man in demanding that that Act be amended in such of its provisions as relates to their Legislative Council, which they denounce as the cause and mainspring of all the heart burnings, distractions and sufferings in these Provinces. The Colonial Minister, four thousand miles distant from the scene of our sufferings, and naturally unable, from the multiplicity of his avocations, to become acquainted with the extent of our wrongs, arrogantly tells the Assemblies that have declared that all remedial measures short of rendering the seats of the Legislative Councils dependant on popular elections, will be futile and unsatisfactory—that “the King is most unwilling to admit as open to “debate the question whether one of the vital principles of the Provin-

“cial Government shall undergo alteration.” His deceitful agents, the Royal Commissioners, to whom those instructions were addressed, told this Assembly, on the other hand, that they are not precluded from entering on an inquiry on this grave subject. Instead of freely communicating these instructions to the Legislature of this Province, on its being convened, on whose determinations they would not but have had great influence, the Royal Commissioners carefully withheld those instructions; and it was not until after nearly four months Session, that the Representatives of this Province, by chance, learned the suppressed truths from the newspapers of the day. And thus for months have we been unfairly deprived of all means of protesting and remonstrating at an early season against the tyrannical tendencies of these Downing Street Despatches; against the gross errors of fact which they contain against the untenable assumption that the Councils created by the Act of 1791 have any analogies either with the aristocratical Institutions of Great Britain and Ireland or with the Councils of other British Colonies—and against the heinousness of the conduct of this pretended liberal Minister, who casts off and derides the prophetic warnings of Charles James Fox of the miseries that Mr. Pitt’s psuedo-aristocratic Councils were to entail on these Colonies, and were it not that this base dissembling had thus called us into false security, our complaints would, ere now, have been before the Imperial Parliament.

The Act of 1791 was part and parcel of the now repudiated policy of Mr. Pitt, to build up an aristocracy in this Hemisphere, and to strengthen its power. The population of these Northern Colonies has quintupled since the passing of that Act; the soil of America repudiates a privileged aristocracy; yet the sages who have our destinies entrusted to their care tell us “that they will not close the avenue to an inquiry respecting which for the present they perceive “no reasonable ground of doubt;” but they may possibly take into their consideration at some future time the best means to discard the views of a million of people who ask for *Elective Councils*, who desire to see nothing rationally to envy in the Institutions of their neighbors, and who have a right to claim, if they see fit, and who would beneficially enjoy, as much of political freedom as was the lot of the most favored of the British subjects *within the limits of Colonies founded by Charters of Incorporation*.

These sages tell us, moreover, that if contrary to their forebodings, they are driven by our importunities to propose amendments to the Statute of 31st George 3, chap. 31, it would not be in accordance with the views and wishes of the *living* generations, oppressed by its enactments, but in accordance with the views of its bribed, and pensioned, and long since buried framers. To menaces such as these we can only reply that we value too highly a Representative form of Government, to sanction any attempt to infringe our Constitutional rights; and such violent attacks on those rights could not but excite feelings ruinous to the interests of the Parent State on this continent.

For a long number of years, the Government of this Province and its officers have been in continued minorities in the House of Assembly. Their blind obstinacy to the same oppressive and illiberal policy brought at last the administration into such thorough contempt, and so disgusted the mass of the people and their Representatives, that these the 21st February, 1834, *Resolved*, “That the “Public Functionaries of the Colony are combined as a faction, and “induced by interest alone to contend for the support of a corrupt “government, inimical to the rights and opposed to the wishes of the

“people,” and had recourse further to the extreme though Constitutional remedy of withholding the supplies until the numerous grievances detailed in the 92 resolutions then adopted, should be redressed, and the remedies demanded to prevent their recurrence, be granted.”

The then Governor-in-Chief, in an angry and unparliamentary speech, with which he closed the Session of 1834, endeavored, but in vain, to throw a censure and create odium on these deliberate opinions of the House of Assembly of this Province, asserting, groundlessly, that the sentiments of the constituency did not respond to the solemn declarations of their Representatives, and that the people were attached to the Government as it was constituted and administered. General elections soon followed, and the result was that not a single candidate connected by office to the Provincial Government could secure a seat, whilst those who were returned have repeatedly declared their adherence to the principles avowed in those resolutions. In a proportion of eighty out of eighty-eight members, the full number of the Representatives.

Instead of grappling with evils of such a magnitude and old standing as those against which we complain, Lord Glenelg has thrown together raw and indigested ideas as to the means of checking some of the minor abuses. Policy such as this might be considered a disingenuous effort to uphold by mild palliatives the system which generates these and greater abuses. But on the other hand open and violent attacks are directed in those menacing instructions against the most necessary and just rules by which free born British Colonists have striven to protect themselves against improper interference on the part of meddling Colonial Ministers.

With this view, importunate solicitations are renewed to obtain appropriations for ten years under the plea that Lower Canada would thus be more connected with the other members of the British Empire.

We on the contrary consider that were we to succumb in this assault against the policy that generally prevails in the Colonies, which was wisely adopted to protect Colonists against the natural and habitual partiality of Downing Street, in favor of its nominees, the calamitous concession would separate us from, and exhibit us in a most unenviable comparison with most of our sister Colonies. That the precedent which we would establish would expose many Colonies hitherto in a great measure free from the evil working system, to be assailed by the same demands, sophistries, or menaces to which we have been unfairly exposed for the last fifteen years, during the protracted controversies and discussions on the financial question arising out of the pretensions of the Colonial Minister.

The attempt to create classes and distinctions among public officers (some of whom would be absolutely uncontrolled in whatever excesses they might run for their salaries, and others submitted to annual discussions) is so shallow and preposterous a scheme to consolidate the present vicious system, that it scarcely requires refutation.

Lord Glenelg seems not to understand that however great is the rank, station and importance of a Colonial Minister, and of all the other Ministers of His Majesty, His Crown Officers and Legal advisers, they hold their large emoluments of office by a more precarious tenure than Colonial Officers subject to the annual vote of the Assemblies. In order that responsibility should attach to the acts of the highest officers of State, the British Constitution in principle and practice has wisely entrusted to the Representative Branch of the Legislature the power of the purse, to use it as they think right and

proper. The Commons have established their right to interfere as well in matters of State as Legislation, by reserving to themselves sufficient large annual appropriations to enforce on the most unwilling Government obedience to its recommendations. They moreover have secured the responsibility of the highest functionaries by the establishment of a proper tribunal to bring to the most condign punishment, yea, even to the forfeiture of life, any of those who in the discharge of their official duties had become the oppressors of the people.

Although the Civil List be granted for the life of the King, all the officers connected, with the exception of a few of the officers of House-hold attached to the Royal Person, are, to use the improper expressions of Lord Glenelg, daily beggars, not on the King's good will, but on the Commons whose wishes call them to office, or turn them out of office in some cases after a few days, in others, after years of service, but in every instance on a lease revocable at will. In giving despatches for the direction of a Government of Upper Canada, when a permanent appropriation was procured by misrepresentation and surprise, and when the utmost discontent and indignation have existed as well against the Government and that Assembly which had surrendered its power and just influence and thus betrayed the rights of its constituents, how can Lord Glenelg pretend that an appropriation for so long a period would produce contentment in Lower Canada, where the demand has for fifteen years been invariably resisted.

In many other respects might these Instructions be commented to prove a deep laid plot and a wicked determination among those who penned them, not to consent to any rational reforms in the Colonies in opposition to the blind prejudices and routine business of Downing Street. But this hurried commentary in the midst of the fatigues attendant on a lengthened Session, will, I hope, suffice.

Elected and solemnly pledged to procure a redress of the grievances under which the people of this Province suffer, and to carry out the principles laid down in the resolutions transmitted herewith the practical operations of which can alone prevent a recurrence of these evils. we have been assailed and denounced by the enemies of a responsible form of Government. Those interested in the continuance of the present system of misrule have been actively engaged in misrepresenting our views, in the hope of sowing division and animosity among the people of these Colonies, and by those means crushing therein the cause of Reform.

In defence of principles which are dear to the mass of the inhabitants of British North America, we hesitate not to publish them to the world, satisfied that our views need only to be known to be respected.

In the position which this Province has long ago taken in defence of Colonial rights, she has acted from no factious opposition nor from any local prejudices; all she requires is direct responsibility to her people in the several Departments of the State, and economy in her Government. Should she succeed in obtaining these, there cannot be a doubt but the people of the other British Provinces must obtain the same extent of political power and liberty.

In the hope, Sir, that the Assembly of which you are the organ will co-operate with the Representatives of this Province in procuring a better Colonial system of Government for all, I beg to assure you of the readiness with which the Assembly of Lower Canada will use

all constitutional means in its power to advance the mutual interests of the British North American Colonies.

I have the honor to be,  
Your ob't and humble servant,

L. J. PAPINEAU,  
S. H. A.

THE HONORABLE THE SPEAKER OF  
*The House of Assembly of Upper Canada.*

*House of Assembly,*  
Monday, 15th February, 1836.

*Resolved,* That this House, in its exertions to procure a redress of the various grievances under which the people of this Province labor, and to introduce a good and responsible system of local Government, have, in addition to the other weighty and substantial reasons by which it has been guided, been greatly encouraged by the hope and expectation that any amelioration in the Political Institutions of the Colony would be followed, of right, by similar advantages to our Brethren inhabiting the Sister Provinces of British North America.

Resolutions passed by the Assembly of Lower Canada, and accompanying Mr. Papineau's letter.

*Resolved,* That the Political Reforms which this House and the good People of this Province have been for a great many years endeavoring to obtain, have at various epochs been explained by the votes, Resolutions, and Addresses of this House, and by the petitions of the People themselves: that the principal object of those reforms is:—

To render the Executive Council of this Province directly responsible to the Representatives of the People, in conformity with the principles and practice of the British Constitution as they obtain in the United Kingdom.

To extend the principle of election to the Legislative Council, which Branch of the Provincial Legislature has hitherto proved, by reason of its independence of the people, and of its imperfect and vicious constitution, insufficient to perform the functions for which it was originally designed:

To place under the Constitutional and salutary control of this House the whole of the Revenues levied in this Province, from whatever source arising:

To abolish pluralities or the cumulation in one person of several or incompatible offices:

To procure the repeal of certain Statutes passed by the Imperial Parliament in which the People of this Province are not and cannot be represented, which Acts are an infringement of the rights and privileges of the Legislature of this Colony, and are injurious to the interests of the People thereof:

To obtain over the internal affairs of this Province, and over the management and settlement of the wild lands thereof (for the advantage and benefit of all classes of His Majesty's subjects therein without distinction) that wholesome and necessary control which springs from the principles of the Constitution itself, and of right belongs to the Legislature, and more particularly to this House as the Representatives of the People.

Which reforms are specially calculated to promote the happiness of His Majesty's subjects in this Province—to draw more close the ties which attach the Colony to the British Empire, and can in no way prejudice or injure the interests of any of the sister Provinces.

Resolutions passed  
by Assembly of  
Lower Canada, and  
communicated to this  
House.

*Resolved*, That it has long been the aim of the enemies of these Colonies, by deliberate and unfounded misrepresentations, to engender dissensions and bad feelings between the people thereof, in the hope of preventing all union of purpose among the said People, and of thereby preventing the reform of those abuses and evils of which the People have so frequently complained, and which are connived at or upheld for the advantage of a minority hitherto unjustly possessing and still endeavoring to maintain a political ascendancy in this province contrary to the principles of all good government.

*Resolved*, That this House has seen with extreme concern a Speech delivered at the opening of the present Session of the Legislature of Upper Canada by His Excellency Sir John Colborne, Late Lieutenant Governor of that Province, at a moment when his sudden recal reflected particularly on the merits of his Administration, in which it is stated that the affairs of this Province had exercised an injurious influence on the interests of Upper Canada—had tended apparently to discourage Emigration and the transfer of capital to that country, and had acted disadvantageously in respect to the terms on which the large Loan authorised by the Legislature of that province was recently negotiated in England; that such a statement is calculated to misrepresent the views of this House, to prejudice the People of these Provinces against each other, to disturb that good understanding which ought to prevail, and which has hitherto prevailed between the said People; and in place thereof to sow discord and animosity among the several classes of His Majesty's Subjects in these Provinces.

*Resolved*, That strong in the rectitude of their intentions and principles, and moved alone by a desire to introduce order and responsibility into their political Institutions in the place of the disorder and abuses which now unhappily prevail, this House and the People whom it represents, indignantly repudiate all design to injure the interests or embarrass the exertions of the People of Upper Canada, in whose welfare the People of this Province feel a lively interest, and for whose patriotic exertions to improve their political and social conditions, this House entertains a sincere respect, and this House is gratified to perceive that the Representatives of the Sister Province have done this House the justice to acquit it of being the cause of any dissensions or embarrassments existing in the Country; and this House firmly repeats that those dissensions and embarrassments proceed from the defective Constitution of the Legislative Council of these Colonies, and from the continued unconstitutional exercise by the same persons of Executive, Legislative, and Judicial Functions, from which causes have resulted the abuses of which the People have so long and so justly complained.

*Resolved*, That the Speaker of this House be authorised to transmit copies of the foregoing Resolutions to the Speakers of the several Assemblies of Upper Canada and of the other Sister Provinces, and to express the desire of this House cordially to co-operate with the said Assemblies in all Constitutional measures calculated to promote the mutual interests of these Colonies.

Attest.

WILLIAM B. LINDSAY

CLERK ASSEMBLY.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message, which was read as follows:



Mr. SPEAKER :

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled "*An Act to Incorporate certain persons under the style and title of the Hamilton Water Works Company,*" also the bill entitled "*An Act for the relief of John McMillan,*" and also the bill entitled "*An Act for erecting a Suspension Bridge over the Niagara River at or near Queenston, in Upper Canada,*" without any amendment.

Hamilton Water Works bill passed.  
McMillan Relief bill passed.  
Suspension Bridge bill passed.

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber,  
Nineteenth day of April, 1836. }

Mr. Speaker also reported that he had received a letter, and two documents, from Charles Duncombe, Esq. acting Commissioner for obtaining certain information, as follows :—

Speaker reports letter from C. Duncombe, Esq. acting Commissioner for obtaining certain information.

Finance Committee Room,  
1st April 1836.

Sir,

I have the honor herewith to inclose to you the despatch of Lord Glenelg in reply to my letter of October last, transmitted to the Colonial Office by His Excellency the late Lieutenant Governor, upon the subject of Education and other matters; as also the accompanying communication from the private Secretary of His Excellency the present Lieutenant Governor, relating thereto.

The documents referred to, (Lord Brougham's Report, &c.) remain in the Finance Committee Room, and at the disposal of your Honorable House.

I have the honor to be,

Sir,

Your most obedient humble Servant,

CHARLES DUNCOMBE,

Acting Commissioner

for obtaining certain information.

The Honorable,

MARSHALL S. BIDWELL,

Speaker, Commons House of Assembly,

&c. &c. &c.

—000—

Government House,

Toronto, 19th March, 1836.

SIR :

I am commanded by the Lieutenant Governor to forward to you the accompanying copy of a despatch recently received by him from the Secretary of State for the Colonies, together with the documents\* referred to in it, as requested in your communication of the 25th October last, addressed to the late Lieutenant Governor.

I have the honor to be,

Sir,

Your most obedient humble Servant,

J. JOSEPH.

CHARLES DUNCOMBE, Esq. M. P. P.

Acting Commissioner for obtaining information upon various subjects.

\* Reports.—Superior Courts of Common Law.—Practice of Chancery.—Lunatic Asylums.—Education.

COPY.

No. 11.

DOWNING STREET,  
7th January, 1836.

SIR :

I have had the honor to receive Sir John Colborne's despatch of the 4th November, No. 61, enclosing the copy of a letter from Mr. Duncombe, one of the Commissioners appointed by the House of Assembly of Upper Canada to obtain information respecting certain questions of public interest to the Province, and in reply I take the earliest opportunity of transmitting, for that Gentleman's assistance, copies of the Parliamentary reports for which he has applied.

I have, &c.

(Signed) GLENELG.

Lieut. Governor,  
SIR F. B. HEAD, K. C. H.

Adjourned.

WEDNESDAY, 20th April 1836.

The House met.

The Minutes of yesterday were read.

Dredging Machine bill brought in, read twice, and committed.

Mr. Merritt, seconded by Mr. Rykert, moves for leave to bring in a bill for the purpose of granting a sum of money to build a dredging Machine, and that the 31st and 40th rules of this House be dispensed with so far as regards the same.

Which was carried, and the bill was read twice.

The House was put into Committee of the whole on the bill.

Mr. Rykert in the chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the bill, and agreed to the same without amendment. The report was received.

On third reading to-day.

On the question for the third reading of the bill this day the Yeas and Nays were taken as follows :—

YEAS—MESSIEURS,

|          |                            |                             |           |            |
|----------|----------------------------|-----------------------------|-----------|------------|
| Yeas 15. | Alway,                     | Dunlop,                     | Merritt,  | Rymal,     |
|          | Bruce,                     | Gilchrist,                  | Moore,    | Thom,      |
|          | Duncombe, <i>Norfolk</i> , | McDonell, <i>Stormont</i> , | Robinson, | Wells,—15. |
|          | Durand,                    | Mackenzie,                  | Roblin,   |            |

NAYS—MESSIEURS,

|         |          |         |             |            |
|---------|----------|---------|-------------|------------|
| Nays 7. | Boulton, | Cook,   | McIntosh,   | Rykert,—7. |
|         | Buell,   | Howard, | Richardson, |            |

Carried—majority 8. Bill read third time, and passed.

The question was carried in the affirmative by a majority of eight, and the bill was read the third time and passed.

Title.

Mr. Merritt, seconded by Mr. Durand, moves that the bill be entitled *An Act to raise a sum of money for the purpose of completing a steam dredge for deepening the several harbours in this province.*

Which was carried, and Messrs. Merritt and Durand were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Select Committee on petition of Michael Showers present report.

Mr. Durand from the Committee to which was referred the petition of Michael Showers and others presented a report; which was received and read and is as follows.

*To the Honorable the Commons House of Assembly.*

The select Committee to whom was referred the petition of Michael Showers and sixty eight others of the village of Paris and its vicinity, complaining of the unworkmanlike manner in which the bridge is built at said village;

Report.

Beg leave to report,

That they endeavored to examine into the state of the work, and from the little information they have been able to collect, find that the said bridge is in an unfinished state, inasmuch as no breakwaters have been erected for its security, neither is it covered or inclosed as contracted for and agreed to be done during the year 1834, and if allowed to remain in its present state will soon dilapidate and fall into decay, but as it regards the execution of the work in the erection of the bridge, your committee are unable to decide in the absence of evidence, none of the petitioners having appeared before them to sustain the allegations set forth in the petition, altho' by letter called upon so to do.

Your Committee would observe however that the bridge has been passable by the Public since November 1834, and tolls collected since January last.

All which is respectfully submitted.

JAMES DURAND,  
Chairman.

Committee Room House of Assembly, }  
20th of April 1836. }

Mr. Morrison from the select committee to which was referred the subject of the library presented a report which was received and read.

Select Committee on Library report.

Report (*See Appendix.*)

Mr. Richardson from the Select Committee on claims reported two bills—one to remunerate Gilbert McMicking for losses sustained by his father the late Peter McMicking during the late war with the United States—and one granting pensions to certain persons.

Select Committee on claims report McMicking remuneration bill and pension bill.

The report was received.

The bill to remunerate Gilbert McMicking for losses sustained by the late Peter McMicking during the late war with the United States of America, was read the first time.

McMicking's remuneration bill read first time.

On the question for the second reading of the bill to-morrow, Mr. Richardson, seconded by Mr. Thorburn, moves that the bill be read a second time this day, and that the 40th rule of this House be dispensed with so far as relates to the said bill.

Which was carried, and the bill was read a second time.

Read 2nd time and committed.

The House was put into committee of the whole on the bill.

Mr. Robinson in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House,

Reported amended.

The report was received, and the bill was ordered to be engrossed and read a third time this day.

3rd reading to-day.

The bill for granting pensions to certain persons was read the first time.

Pension bill read 1st time.

On the question for the second reading of the bill to-morrow, Mr. Roblin, seconded by Mr. Richardson, moves that the Pension bill be read a second time this day, and that the 40th rule be dispensed with so far as relates to the said bill.

Read 2nd time and committed.

Which was carried, and the bill was read the second time. The House was put into a committee of the whole on the bill. Mr. Rykert in the chair. The House resumed.

The chairman reported that the committee had gone through the provisions of the bill and agreed to the same without amendment. The report was received.

3rd reading to-day.

*Ordered* That the bill be engrossed and read a third time this day.

Select Committee on petition of Dr. Latham report.

Mr. McIntosh, from the select committee to which was referred the petition of Dr. Latham, presented a report which was received and read.

Report (*See Appendix.*)

Select Committee on Contingencies report.

Mr. Thorburn from the select committee on contingencies, presented a report which was received and read as follows:—

*To the Honorable the House of Assembly.*

Report.

The Committee appointed by Your Honorable House to examine and report upon the contingent expenses of the present Session, and of the recess; and to report to the House what practical reductions can be made in the expenses of this House, that the committee have power to summon witnesses, and leave to report by address or otherwise.—Submit the following accounts to the consideration of Your Honorable House.

**CLERK'S OFFICE,**

*For the Recess—1st. Session, 12th Parliament.*

For recess.

|  | £   | s. | d. | £   | s. | d. |
|--|-----|----|----|-----|----|----|
| William P. Patrick, 1st Copying Clerk, .....                   | 171 | 0  | 0  |     |    |    |
| David Jardine, Copying Clerk, .....                            | 21  | 3  | 4  |     |    |    |
| William Coates, do. ....                                       | 116 | 10 | 0  |     |    |    |
| Nicholas Crawford, do. ....                                    | 105 | 15 | 0  |     |    |    |
| Alfred Patrick, do. ....                                       | 112 | 1  | 8  |     |    |    |
| Thomas Vaux, do. ....  | 115 | 0  | 0  |     |    |    |
| Sam'l. McMurray, do. ....                                      | 64  | 10 | 0  |     |    |    |
| Alfred Todd, Extra, do. ....                                   | 70  | 18 | 4  |     |    |    |
| Thaddeus Patrick do do. ....                                   | 68  | 1  | 8  |     |    |    |
| <i>Aeneas Bell, Messenger, 272 days, a 3s. 9d. per day, ..</i> |     |    |    | 845 | 0  | 0  |
|  |     |    |    | 51  | 0  | 0  |
| Amount placed in hands of Clerk last Session, .....            |     |    |    | 896 | 0  | 0  |
|  |     |    |    | 700 | 0  | 0  |
| Balance due to complete last recess, .....                     |     |    |    | 196 | 0  | 0  |

**FOR THE PRESENT SESSION.**

For Session.

|  |     |    |   |  |  |  |
|--|-----|----|---|--|--|--|
| William P. Patrick, 1st Copying Clerk, ..... | 147 | 2  | 6 |  |  |  |
| David Jardine, Copying Clerk, .....          | 79  | 1  | 8 |  |  |  |
| William Coates, do. ....                     | 82  | 10 | 0 |  |  |  |
| Nicholas Crawford, do. ....                  | 86  | 0  | 0 |  |  |  |
| Alfred Patrick, do. ....                     | 95  | 13 | 4 |  |  |  |
| Thomas Vaux, do. ....                        | 97  | 8  | 4 |  |  |  |
| Samuel McMurray, do. ....                    | 88  | 6  | 8 |  |  |  |
| Alfred Todd, Extra, do. ....                 | 94  | 10 | 0 |  |  |  |
| Thaddeus Patrick, do do. ....                | 88  | 18 | 4 |  |  |  |
| Nelson Cozens, do do. ....                   | 53  | 18 | 4 |  |  |  |
| Alex'r, J. Williamson, do. ....              | 27  | 15 | 0 |  |  |  |
| Alex'r. Miller, do do. ....                  | 5   | 0  | 0 |  |  |  |
|  | 946 | 4  | 2 |  |  |  |

|   |     |    |     |     |    |     |
|---|-----|----|-----|-----|----|-----|
| Less allowed by Statute, 41 Geo. 3 ch. 15 £ 25 0 0                |     |    |     |     |    |     |
| Less in hands of Speaker subject to the order of the House, ..... | 450 | 17 | 10½ | 475 | 17 | 10½ |
|   |     |    |     | 470 | 6  | 3½  |
| Amount carried forward, .....                                     | £   |    |     | 666 | 6  | 3½  |

|  | £   | s. | d. | £    | s. | d. |
|--|-----|----|----|------|----|----|
| Amount brought forward,.....£  |     |    |    | 666  | 6  | 3½ |
| <b>POSTAGE,</b>  |     |    |    |      |    |    |
| As per Account, .....  |     |    |    | 1385 | 1  | 6  |
| <b>CLERK'S EXTRA SERVICES.</b>   |     |    |    |      |    |    |
| Distributing Statutes, .....   | 40  | 0  | 0  |      |    |    |
| Superintending Printing .....  | 50  | 0  | 0  |      |    |    |
| Indexing Journals, .....   | 10  | 0  | 0  |      |    |    |
| Vote of last Session, .....  | 100 | 0  | 0  | 200  | 0  | 0  |
| <b>HOUSE AND OFFICE MESSENGERS.</b>  |     |    |    |      |    |    |
| John Kyte, House Messenger, .....  | 25  | 0  | 0  |      |    |    |
| King Barton, Office do. ....   | 20  | 0  | 0  |      |    |    |
| Alpheus Todd, do. do. ....   | 10  | 0  | 0  | 55   | 0  | 0  |
| <b>LIBRARIAN.</b>  |     |    |    |      |    |    |
| Salary to the 4th April, .....   |     |    |    | 42   | 0  | 0  |
| <b>ACCOUNTS.</b>   |     |    |    |      |    |    |
| W. J. O'Grady, balance of account, .....   | 136 | 3  | 6  |      |    |    |
| Saxon & McNight, do. do. ....  | 175 | 4  | 8  |      |    |    |
| Robert Marchant, do. do. ....  | 109 | 8  | 3  |      |    |    |
| Joseph Chilver, .....  | 3   | 8  | 3  |      |    |    |
| S. Burnham, .....  | 7   | 18 | 9  |      |    |    |
| Eastwood & Co. ....  | 136 | 3  | 9  |      |    |    |
| J. Richards, .....   | 8   | 8  | 6  |      |    |    |
| J. Iredale, .....  | 1   | 16 | 0  |      |    |    |
| P. Paterson, .....   | 1   | 7  | 6  |      |    |    |
| E. Lesslie, .....  | 9   | 11 | 3  |      |    |    |
| Eneas Bell, .....  | 25  | 0  | 0  |      |    |    |
| H. Rowsell, .....  | 1   | 1  | 0  |      |    |    |
| Ridout & Co. ....  | 1   | 5  | 3  |      |    |    |
| Lesslie & Sons, .....  | 83  | 16 | 3  | 700  | 12 | 11 |
| <b>PRINTING AND BINDING.</b>   |     |    |    |      |    |    |
| Guardian Office, .....   | 36  | 4  | 6  |      |    |    |
| R. Brewer, .....   | 51  | 11 | 3  |      |    |    |
| W. J. Coates, .....  | 79  | 16 | 1  |      |    |    |
| R. Stanton, .....  | 145 | 11 | 8  | 313  | 3  | 6  |
| <i>(Dr. O'Grady see 1st item of Accounts.)</i>   |     |    |    |      |    |    |
| <i>Estimate required to finish present Session.</i>  |     |    |    |      |    |    |
| For printing Journals, .....   | 800 | 0  | 0  |      |    |    |
| For binding, .....   | 300 | 0  | 0  |      |    |    |
| For stationary, .....  | 800 | 0  | 0  |      |    |    |
| To complete services of present Session, .....   | 800 | 0  | 0  | 2700 | 0  | 0  |
| Mr. Howard, for furnishing design for contemplated improvement of Parliament building, ..... |     |    |    | 5    | 0  | 0  |
| <b>SERGEANT AT ARMS.</b>   |     |    |    |      |    |    |
| To the Sergeant at Arms, .....   | 100 | 0  | 0  |      |    |    |
| Door-keeper, .....   | 40  | 0  | 0  |      |    |    |
| Eneas Bell, Messenger, .....   | 40  | 0  | 0  |      |    |    |
| Robert Defries, Extra do. 101 days at 5s. per day, ...                                       | 25  | 5  | 0  |      |    |    |
| John Fenwick, do. do. do. ...  | 25  | 5  | 0  |      |    |    |
| Thomas Hill, do. do. do. ...   | 25  | 5  | 0  |      |    |    |
| James Vollar, do. do. do. ...  | 25  | 5  | 0  |      |    |    |
| John Black, do. do. do. ...  | 25  | 5  | 0  |      |    |    |
| Amount carried forward,.....£  | 306 | 5  | 0  | 6067 | 4  | 2½ |

Postage £1386 1 6.

Clerk extra services, £200

House Office Messenger, £56.

Librarian, £42.

Accounts £700 12 11.

Printing and binding, £313 3 6.

Required to complete present Session, £2700.

Plan Parliament building, £5.

Sergeant-at-Arms, £661 14 11.

|   | £    | s. | d. | £    | s. | d. |
|---|------|----|----|------|----|----|
| Amount brought forward, . . . . .                               | 306  | 5  | 0  | 6067 | 4  | 2½ |
| Ridout, Brothers Co. as per account rendered, No. 1             | 10   | 15 | 9  |      |    |    |
| Michael Connell, do. do. No. 2                                  | 1    | 5  | 0  |      |    |    |
| J. Carswell, do. do. No. 3                                      | 1    | 2  | 6  |      |    |    |
| William Musson, do. do. No. 4                                   | 1    | 1  | 1½ |      |    |    |
| Silas Burnham, do. do. No. 5                                    | 107  | 16 | 8  |      |    |    |
| John Esmonde, do. do. No. 6                                     | 8    | 13 | 6  |      |    |    |
| H. Piper, do. do. No. 7   | 19   | 15 | 6  |      |    |    |
| John Struthers, do. do. No. 8                                   | 4    | 7  | 6  |      |    |    |
| George Denison, do. do. No. 9                                   | 82   | 4  | 4½ |      |    |    |
| S. Burnham, do. do. No. 10                                      | 8    | 8  | 0  |      |    |    |
| Messengers extra work, £5 6.                                    |      |    |    | 551  | 14 | 11 |
| Services for Messengers at the close of last session, . . . . . |      |    |    | 6    | 5  | 0  |
| £   | 6625 | 4  | 1½ |      |    |    |

All which is respectfully submitted.

DAVID THORBURN,  
CHAIRMAN.

Committee Room, }  
20th April, 1836. }

Mr. Thorburn, seconded by Mr. McMicking, moves that the House resolve itself into Committee of the whole upon the Report of the Committee on Contingencies.

Which was carried, and the House was put into a committee of the whole.

Mr. Richardson in the chair.

The House resumed.

The chairman reported that the Committee had agreed to a series of resolutions which he was directed to submit for the adoption of the House, and asked leave to sit again this day.

The report was received and leave was granted accordingly.

The first resolution was then put and carried as follows:—

*Resolved* That the sum of £196—be paid to the Clerk of this House to enable him to pay the balance due of the contingent expenses of his office during the late recess.

The second resolution was put,

On which the yeas and nays being taken were as follows:—

YEAS—MESSIEURS,

|                            |                             |             |                 |
|----------------------------|-----------------------------|-------------|-----------------|
| Alway,                     | Hopkins,                    | Moore,      | Shaver,         |
| Cook,                      | Howard,                     | Parke,      | Small,          |
| Duncombe, <i>Oxford</i> ,  | Lount,                      | Perry,      | Thorburn        |
| Duncombe, <i>Norfolk</i> , | McDonell, <i>Stormont</i> , | Richardson, | Waters,         |
| Gibson,                    | McIntosh,                   | Roblin,     | Wilson,         |
| Gilchrist,                 | McMicking,                  | Rymal,      | Woolverton,—24. |

NAYS—MESSIEURS,

|           |                             |           |                    |
|-----------|-----------------------------|-----------|--------------------|
| Boulton,  | McDonell, <i>Gleng'y</i> ,  | Merritt,  | Solicitor General, |
| Brown,    | McDonell, <i>Northumb</i> , | Robinson, | Thom,              |
| Caldwell, | McKay,                      | Rykert,   | Walsh,—14.         |
| Lewis,    | McNab,                      |           |                    |

The question was carried in the affirmative by a majority of ten, and it was

*Resolved* That out of the moneys in the hands of the Speaker the balance of £136 3 6, included in the report of the contingent committee, be paid to the proprietor of the Correspondent and Advocate.

Messengers extra work, £5 6.

Committee of whole on Contingencies.

Chairman reports sundry resolutions, and asks leave to sit again to-day.

First Resolution.

£196 to Clerk for expenses of his Office during late recess.

2nd Resolution put.

Division.

Yeas 24-

Nays 14-

£136 3 6 to proprietor of Correspondent & Advocate.

The following resolutions were severally put and carried.

*Resolved* That the sum of £921 4 2 be paid to the Clerk of this House to enable him to pay the contingent expenses of his office during the present session, deducting the sum of £450 17 10<sup>1</sup>/<sub>2</sub> now in the Speaker's hands, subject to the order of the House, leaving a balance of £470 6 3<sup>1</sup>/<sub>2</sub>—less £136 3 6.

*Resolved* That the sum of £2507 2 11 be paid to the Clerk of this House for the undermentioned items.

|  |       |    |    |   |
|--|-------|----|----|---|
| House messenger.....   | £25   | 0  | 0  | £2507 2 11 to Clerk for certain expenses. |
| Office messengers.....   | 30    | 0  | 0  |   |
| Sundry accounts.....   | 700   | 12 | 11 |   |
| Librarian.....   | 42    | 0  | 0  |   |
| Postage.....   | 1385  | 1  | 6  |   |
| Printing and binding.....  | 313   | 3  | 6  |   |
| For design of contemplated improvement of Parliament building..... | 5     | 0  | 0  |   |
| Services of messengers at the close of last session.....           | 6     | 5  | 0  |   |
|  | <hr/> |    |    |   |
|  | 2507  | 2  | 11 |   |

*Resolved*, That the sum of £551 14 11 be paid to the Sergeant at Arms to enable him to pay sundry expenses of this House as per report on contingencies.

*Resolved*, That the sum of £2700 be placed in the hands of the Clerk of this House to defray the undermentioned expenses:—

|  |       |   |   |                                      |
|--|-------|---|---|--------------------------------------|
| For printing and binding.....                                      | £1100 | 0 | 0 | £2700 to Clerk for certain expenses. |
| For Stationary.....  | 800   | 0 | 0 |                                      |
| Amount calculated to complete services of the present session..... | 800   | 0 | 0 |                                      |
|  | <hr/> |   |   |                                      |
|  | 2700  | 0 | 0 |                                      |

*Resolved*, That the sum of two shillings and six pence per day be allowed as additional wages to the following messengers:

|                |                                       |  |
|----------------|---------------------------------------|--|
| Robert Defries | } 2s. 6d. per day being £12 5 0 each. |  |
| John Fenwick   |                                       |  |
| Thomas Hill    |                                       |  |
| James Voller   |                                       |  |

And the sum of one shilling and three pence per day to James Black as an extra messenger, being £6 2 6.

*Resolved*, That the sum of £25 be paid to Encas Bell, to cover extra services required of him, and already performed.

*Resolved*, That the sum of £10 be placed in the hands of the Sergeant at Arms for the purchase of a Tank for the Fire Engine.

On motion of Mr. Thorburn, seconded by Mr. Richardson,

*Ordered* That Messrs. Roblin and Norton be a committee to draft an address to His Excellency on the Resolutions of this House on contingencies, and to present the same.

Pursuant to the order of the day the bill for the relief of the heirs of Peter McMicking was read the third time and passed.

Mr. Richardson, seconded by Mr. Thorburn, moves that the bill be entitled "*An Act granting to His Majesty a sum of money to remunerate Gilbert McMicking for certain purposes therein mentioned.*"

Which was carried, and Messrs. Thorburn and Richardson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pension bill passed.

Pursuant to the order of the day the pension bill was read the third time and passed.

Title.

Mr. Richardson, seconded by Mr. Thorburn, moves that the bill be entitled "*An Act granting Militia Pensions.*"

Which was carried, and Messrs. Thorburn and Richardson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Committee on finance present two reports.

Mr. Charles Duncombe, from the Committee on Finance presented two reports which were received and read as follows:—

*To the Honorable the Commons House of Assembly &c. &c.*

The committee of Finance beg leave to report,

Report on payment of Francis Hall, Esquire, for services on Welland Canal.

That they have examined the accounts of Francis Hall Esq. Civil Engineer, and find that he was employed by the Government Directors of the Welland Canal Company by Special agreement at one pound per day, to enable them to make a special report upon the actual state and condition of said work to Your Honorable House; and that the said Francis Hall has been since continued in the employment of the Welland Canal Company by order of Your Honorable House, in superintending the work during the expenditure of the Two Thousand Pounds which by the first day of June next will be 334 days, during which time his services will be required for the completion of the works now in progress.

They therefore recommend to Your Honorable House to grant to the said Francis Hall the sum of Three Hundred and thirty-four Pounds to remunerate him for the said services.

All of which is respectfully submitted.

CHARLES DUNCOMBE,  
CHAIRMAN.

*Finance Committee Room,*

House of Assembly, 16th April, 1836.

Report on Burlington Bay Canal—(*See Appendix.*)

On Burlington Canal.

Mr. Charles Duncombe, seconded by Mr. Durand, moves that it be *Resolved*, That this House do go into Committee of the whole upon the two last read reports.

House goes into Committee on above reports.

Which was carried, and the House was put into a Committee of the whole.

Mr. McMicking in the Chair.

The House resumed.

Chairman reports two resolutions.

The Chairman reported that the Committee had agreed to two resolutions, which he was directed to submit for the adoption of the House.

The report was received.

First resolution put.

The first resolution was then put, on which the yeas and nays were taken as follows:

YEAS—MESSIEURS,

Yeas 27.

|                          |                           |            |             |
|--------------------------|---------------------------|------------|-------------|
| Alway,                   | Gibson,                   | Mackenzie, | Roblin,     |
| Brown,                   | Gilchrist,                | McMicking, | Rykert,     |
| Bruce,                   | Lount,                    | Merritt,   | Rymal,      |
| Caldwell,                | McCrea,                   | Moore,     | Walsh,      |
| Chisholm,                | McDonell, <i>Gleng'y.</i> | Norton,    | Waters,     |
| Cornwall,                | McIntosh,                 | Perry,     | Wilson,—27. |
| Duncombe, <i>Oxford,</i> | McKay,                    | Robinson,  |             |

NAYS—MESSIEURS,

Nays 13.

|          |                            |           |                    |
|----------|----------------------------|-----------|--------------------|
| Boulton, | McDonell, <i>Stormont,</i> | Morrison, | Solicitor General, |
| Buell,   | McLean,                    | Shaver,   | Strange,           |
| Cook,    | Malloch,                   | Small,    | Thom,—13.          |
| Howard,  |                            |           |                    |



The question was carried in the affirmative by a majority of Carried—majority 14. fourteen, and it was,

*Resolved*, That there be granted the sum of £334 to defray the expense of Francis Hall, Esquire, Civil Engineer, for services on the Welland Canal. £334 to Francis Hall, Esquire, for services on Welland Canal.

The second resolution was then read as follows: Second resolution.

*Resolved*, That there be granted to His Majesty the sum of £3000 to defray the expense of repairing the Burlington Bay Canal. £3000 to repair Burlington Bay Canal.

In amendment, Mr. Mackenzie, seconded by Mr. Wilson, moves that the following be added to the resolution—"And that the same be paid from the Casual and Territorial Revenue." Amendment.

On which the yeas and nays were taken as follows: Division.

YEAS—MESSIEURS,

|           |                             |            |             |          |
|-----------|-----------------------------|------------|-------------|----------|
| Alway,    | Gilchrist,                  | McMicking, | Shaver,     |          |
| Bruce,    | Howard,                     | Malloch,   | Thorburn,   |          |
| Buell,    | Lount,                      | Moore,     | Thom,       | Yeas 29. |
| Chisholm, | McDonell, <i>Stormont</i> , | Morrison,  | Waters,     |          |
| Cook,     | McIntosh,                   | Roblin,    | Wilson,—22: |          |
| Gibson,   | Mackenzie,                  |            |             |          |

NAYS—MESSIEURS,

|                           |                            |           |                    |          |
|---------------------------|----------------------------|-----------|--------------------|----------|
| Boulton,                  | Hopkins,                   | Merritt,  | Rymal,             | Nays 22. |
| Brown,                    | McCrae,                    | Norton,   | Small,             |          |
| Caldwell,                 | McDonell, <i>Gleng'y</i> , | Perry,    | Solicitor General, |          |
| Cornwall,                 | McKay,                     | Robinson, | Strange,           |          |
| Duncombe, <i>Oxford</i> , | McLean,                    | Rykert,   | Walsh,—22.         |          |
| Durand,                   | Macnab,                    |           |                    |          |

The question of amendment was decided in the negative by the casting voice of the Speaker. Lost by casting vote of Speaker.

In amendment, Mr. Gibson, seconded by Mr. McIntosh, moves that the resolution be amended by striking out the words "Three Thousand Pounds," and inserting "One Thousand." Another amendment.

On which the yeas and nays being taken were as follows: Division.

YEAS—MESSIEURS,

|           |                             |             |           |          |
|-----------|-----------------------------|-------------|-----------|----------|
| Alway,    | Gilchrist,                  | Malloch,    | Small,    |          |
| Boulton,  | Howard,                     | Moore,      | Thom,     | Yeas 30. |
| Brown,    | Lewis,                      | Morrison,   | Thorburn, |          |
| Bruce,    | Lount,                      | Norton,     | Waters,   |          |
| Buell,    | McDonell, <i>Stormont</i> , | Parke,      | Wells,    |          |
| Chisholm, | McIntosh,                   | Richardson, | Wilson,   |          |
| Cook,     | Mackenzie,                  | Shaver,     | Yager—30. |          |
| Gibson,   | McMicking,                  |             |           |          |

NAYS—MESSIEURS,

|                           |                            |           |                    |          |
|---------------------------|----------------------------|-----------|--------------------|----------|
| Caldwell,                 | Hopkins,                   | Macnab,   | Rykert,            |          |
| Cornwall,                 | McCrea,                    | Merritt,  | Rymal,             | Nays 17. |
| Duncombe, <i>Oxford</i> , | McDonell, <i>Gleng'y</i> , | Perry,    | Solicitor General, |          |
| Durand,                   | McDonell, <i>Northumb.</i> | Robinson, | Wilkinson,—19.     |          |
| Dunlop,                   | McKay,                     | Roblin,   |                    |          |

The question was carried in the affirmative by a majority of Carried—majority 11. eleven.

The original question as amended was then put and carried as follows: Original question as amended carried.

*Resolved*, That there be granted to His Majesty the sum of One Thousand Pounds to defray the expense of repairing the Burlington Bay Canal. £1000 to repair Burlington Bay Canal.

Committee to draft bills pursuant to foregoing resolution.

Mr. Charles Duncombe, seconded by Mr. Shaver, moves that Messrs. Durand and Hopkins be a Committee to draft and report bills in accordance with the foregoing resolutions. Which was carried.

Committee report Burlington Canal repair bill and Hall's remuneration bill.

Mr. Durand, from the Select Committee to draft bills founded on the foregoing resolutions, reported the drafts of two bills, which were received.

Burlington Canal repair bill read first time.

The Burlington Canal repair bill was read the first time.

On the question for the second reading of the bill to-morrow,

Read second time and committed.

Mr. Charles Duncombe, seconded by Mr. Wilson, moves that the bill be read a second time forthwith, and that the 40th rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time.

The House was put into a Committee of the whole on the bill.

Mr. Boulton in the Chair.

The House resumed.

Report amended.

The Chairman reported that the Committee had gone through the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

Third reading to-day.

Ordered—That the bill be engrossed and read a third time this day.

Hall's remuneration bill read first time.

The bill reported by the Select Committee for defraying the expense of Francis Hall, Civil Engineer, on the Welland Canal, was read the first time.

On the question for the second reading of the bill to-morrow, Mr. Charles Duncombe, seconded by Mr. Thorburn, moves that the bill be read a second time forthwith, and that the 40th rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time.

Read second time, and committed.

The House was put into Committee of the whole on the bill.

Mr. Norton in the Chair.

The House resumed.

The Chairman reported that the Committee had adopted the bill without amendment.

The report was received.

Third reading to-day.

Ordered—That the bill be engrossed and read a third time this day.

House goes into Committee on contingencies.

Pursuant to the order of the day, the House went again into Committee of the whole on contingencies.

Mr. Gibson in the Chair.

The House resumed.

Chairman reports two resolutions.

The Chairman reported that the Committee had adopted two resolutions which he was directed to submit for the adoption of the House.

The report was received.

First resolution put.

The first resolution was then put as follows:

£1741 to Grant Powell, Esquire, for expenses of his office during the present session. Division.

Resolved, That the sum of £1741 be paid to Grant Powell, Esq. Clerk of the Honorable the Legislative Council, to enable him to pay the contingent expenses of his office for the present Session.

On which the yeas and nays were taken as follows:

YEAS—MESSIEURS,

|                           |                           |                    |            |          |
|---------------------------|---------------------------|--------------------|------------|----------|
| Boulton,                  | Durand,                   | Perry,             | Thorburn,  |          |
| Brown,                    | Hopkins,                  | Robinson,          | Thom,      | Yeas 23. |
| Caldwell,                 | McDonell, <i>Gleng'y.</i> | Roblin,            | Walsh,     |          |
| Corwall,                  | McMicking,                | Rykert,            | Wilkinson, |          |
| Duncombe, <i>Oxford,</i>  | Macnab,                   | Rymal,             | Yager,—23. |          |
| Duncombe, <i>Norfolk,</i> | Merritt,                  | Solicitor General, |            |          |

NAYS—MESSIEURS,

|         |                            |           |                 |          |
|---------|----------------------------|-----------|-----------------|----------|
| Bruce,  | McDonell, <i>Stormont,</i> | Morrison, | Wells,          |          |
| Gibson, | Mackenzie,                 | Shaver,   | Woolverton,—10. | Nays 10. |
| Howard, | Moore,                     |           |                 |          |

The question was carried in the affirmative by a majority of thirteen, and the resolution was adopted. Carried—majority 13.

The second resolution was then put as follows : Second resolution.

*Resolved,* That the sum of £329 5 be paid to Stephen Jarvis, Esquire, Gentleman Usher of the Black Rod, to defray the contingent expenses of his office. £329 5s. to S. Jarvis, Esquire, for expenses of his office.

On which the yeas and nays were taken as follows : Division.

|                           |                           |           |                    |          |
|---------------------------|---------------------------|-----------|--------------------|----------|
| Boulton,                  | Durand,                   | Merritt,  | Solicitor General, |          |
| Brown,                    | Hopkins,                  | Perry,    | Thom,              | Yeas 26. |
| Buell,                    | Lewis,                    | Robinson, | Thorburn,          |          |
| Caldwell,                 | McDonell, <i>Gleng'y.</i> | Roblin,   | Walsh,             |          |
| Cornwall,                 | McLean,                   | Rykert,   | Wilkinson,         |          |
| Duncombe, <i>Oxford,</i>  | McMicking,                | Rymal,    | Yager,—26.         |          |
| Duncombe, <i>Norfolk,</i> | Macnab,                   |           |                    |          |

NAYS—MESSIEURS,

|         |                            |           |                 |          |
|---------|----------------------------|-----------|-----------------|----------|
| Bruce,  | McDonell, <i>Stormont,</i> | Morrison, | Wells,          |          |
| Gibson, | Mackenzie,                 | Shaver,   | Woolverton,—10. | Nays 10. |
| Howard, | Moore,                     |           |                 |          |

The question was carried in the affirmative by a majority of sixteen, and the resolution was adopted. Carried—majority 16.

Pursuant to the order of the day, the bill granting a sum of money for the repair of the Burlington Bay Canal was read the third time and passed. Burlington Canal repair bill passed.

Mr. Durand, seconded by Mr. Charles Duncombe, moves that the bill be entitled "*An Act granting further aid to the Burlington Bay Canal.*" Title.

Which was carried, and Messrs. Durand and Charles Duncombe were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Roblin, from the Select Committee to draft and report an Address to His Excellency on the contingencies of the present Session, reported a draft which was received and read twice. Select Committee to draft address on contingencies report draft. Address read twice.

On the question for concurrence being put, the yeas and nays were taken as follows : On question for concurrence.

YEAS—MESSIEURS,

|                           |                           |           |                    |          |
|---------------------------|---------------------------|-----------|--------------------|----------|
| Boulton,                  | Dunlop,                   | Macnab,   | Shaver,            |          |
| Brown,                    | Gibson,                   | Merritt,  | Solicitor General, | Yeas 27. |
| Buell,                    | Hopkins,                  | Perry,    | Thom,              |          |
| Caldwell,                 | Lewis,                    | Robinson, | Walsh,             |          |
| Duncombe, <i>Oxford,</i>  | McDonell, <i>Gleng'y.</i> | Roblin,   | Wilkinson,         |          |
| Duncombe, <i>Norfolk,</i> | McLean,                   | Rykert,   | Woolverton,—27.    |          |
| Durand,                   | McMicking,                | Rymal,    |                    |          |

NAYS—MESSIEURS,

Nays 6. Bruce, Mackenzie, Morrison, Wells,—6.  
Howard, Moore,

Carried—majority 21.  
Address concurred in,  
read third time and  
passed.

The question was carried in the affirmative by a majority of twenty-one; and the address was concurred in, read a third time and passed, and is as follows:

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

MAY IT PLEASE YOUR EXCELLENCY:

Address.

We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request Your Excellency to issue your warrants to the Receiver General of this Province in favour of Grant Powell, Esquire, Clerk of the Hon. the Legislative Council, for the sum of £1,741.

Of Stephen Jarvis, Esquire, Gentleman Usher of the Black Rod, for certain contingent expenses of the Honorable the Legislative Council during the present Session, for the sum of £329 5s.

Of James FitzGibbon, Esquire, Clerk of the House of Assembly, for the sum of £5,864 1 8½—to pay the contingent expenses of his office, for the present session and the late recess.

Of David A. Macnab, Esquire, Sergeant-at-Arms, for the sum of £561 14 11—to enable him to pay certain contingent expenses of the House of Assembly for the present Session.—Which sums His Majesty's faithful Commons will make good during the next session of Parliament.

MARSHALL S. BIDWELL,  
SPEAKER.

*Commons House of Assembly, }  
20th April, 1836. }*

Committee to wait on  
His Excellency with  
address

Mr. Thorborn, seconded by Mr. Charles Duncombe, moves that Messrs. Rymal and Roblin be a Committee to wait upon His Excellency, to know when he will be pleased to receive the address, and to present the same.

Ordered.

Hall's remuneration  
bill passed.

Pursuant to the order of the day, the bill for the payment of Francis Hall, was read the third time and passed.

Title.

Mr. Thorburn, seconded by Mr. Durand, moves that the bill be entitled "*An Act to remunerate Francis Hall, Esquire, Civil Engineer, for services done on the Welland Canal.*"

Which was carried, and Messrs. Thorburn and Durand were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Message from Legis-  
lative Council.

The Clerk of the Honorable the Legislative Council brought down from that Honorable House a message, which he delivered at the Clerk's Table, and retired.

The message was then read as follows:—

MR. SPEAKER:

The following bills  
passed:

Gull Island Light-  
House bill.

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled, "*An Act to amend an Act passed in the first session of the present Parliament entitled, 'An Act granting a sum of money for the erection of a Light-house on Gull*"

Island, or such other place as the Commissioners may select ;"—also the bill entitled, "An Act to raise a sum of money for the purpose of completing a steam Dredge for deepening the several harbours in this Province;"—and also the bill entitled, "An Act to make good certain monies advanced for the Contingent expenses of the last Session of the Legislature of this Province, and also to make good certain monies advanced in compliance with two addresses of the House of Assembly during the present session," without any amendment.

Steam Dredge completion bill.  
Covering bill.

JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber,  
twentieth day of April, 1836. }

Mr. Norton, from the Select Committee to present to the Lieutenant Governor the Address of this House, on the complaint of Wm. R. Hopkins, reported having delivered the same, and that His Excellency had been pleased to make thereto the following answer :

Committee to wait on His Excellency with address concerning W. R. Hopkins report answer.

GENTLEMEN,

The subject of this Address shall receive my attentive consideration.

Answer.

On motion of Mr. Roblin, seconded by Mr. Shaver,

*Ordered*—That all documents ordered to be printed for the use of members during the present Session be forwarded by the Clerk, with as little delay as will be convenient, to the different members, and that the Clerk be careful to direct them in such a manner that they may reach the different members with as little delay as possible, and that the different members leave their address with the Clerk.

Order for all printed documents to be forwarded by the Clerk to Members as soon as convenient.

Mr. Rykert, seconded by Mr. Norton, moves that David Thorburn, Samuel Street, and Richard Woodruff, Esquires, be appointed Directors to represent the interest of this Province in the Welland Canal Company for the present year.

Motion to appoint Welland Canal Commissioners.

In amendment, M. Mackenzie, seconded by Mr. Wells, moves that after the word "moves" in the original motion, the whole be expunged and the following inserted : that it be,

Amendment.

"Resolved, That David Thorburn of Queenston, William Woodruff of St. David's, and Samuel Wood, J. P. of Grantham, shall be "and they are hereby appointed Directors for the management of "the affairs of the Welland Canal Company for the ensuing year, "agreeable to the provision of the Statute of 4th William 4th chap. "39, section 8th, passed on the 6th of March, 1834."

On which the yeas and nays were taken as follows :

Division.

YEAS—MESSIEURS,

|           |                     |            |             |          |
|-----------|---------------------|------------|-------------|----------|
| Buell,    | Gilchrist,          | Mackenzie, | Perry,      |          |
| Chisholm, | Howard,             | McMicking, | Shaver,     | Yeas 19. |
| Cook,     | Lonnt,              | Moore,     | Wells,      |          |
| Durand,   | McDonell, Stormont, | Morrison,  | Wilson,—19. |          |
| Gibson,   | McIntosh,           | Parke,     |             |          |

NAYS—MESSIEURS,

|                     |          |             |                    |          |
|---------------------|----------|-------------|--------------------|----------|
| Cornwall,           | McKay,   | Norton,     | Solicitor General, | Nays 17. |
| Dunlop,             | McLean,  | Richardson, | Thom,              |          |
| Lewis,              | McNab,   | Robinson,   | Walsh,             |          |
| McDonell, Gleng'y.  | Merritt, | Rykert,     | Wilkinson,—17.     |          |
| McDonell, Northumb. |          |             |                    |          |

Carried—majority 2.

The question of amendment was carried in the affirmative by a majority of two.

The original question as amended was then put and carried as follows :

Original question as amended carried.

*Resolved*, That David Thorburn of Queenston, William Woodruff of St. David's, and Samuel Wood, J. P. of Grantham, shall be and they are hereby appointed Directors for the management of the affairs of the Welland Canal Company for the ensuing year, agreeable to the provision of the Statute of 4th William 4th, chap. 39, section 8th, passed on the 6th of March, 1834.

Select Committee on petition of J. Mosier, report

Mr. McLean, from the Select Committee to which was referred the petition of John Mosier, presented a report, which was received and read.

Report (*See Appendix.*)

Select Committee on petition of L. Wilcox, report.

Mr. Morrison, from the Select Committee to which was referred the petition of Leonard Wilcox, presented a report which was received and read.

Report—(*See Appendix.*)

Select Committee on petition of H. Val-leau, report

Mr. McDonell of Stormont, from the Select Committee to which was referred the petition of Hildebrand Valleau, presented a report which was received and read as follows :

*To the Honorable the House of Assembly.*

Report.

The Select Committee to whom was referred the petition of Hildebrand Valleau, and one hundred and eighty-five others of the District of Prince Edwards, on the subject of taxation, in collecting from the people of that District more money by assessment than was allowed by law, have examined the allegations contained in the petition, and arrived at the conclusion that such unjust taxation did take place. But as the Magistrates and the Clerk of the Peace of the District have admitted that they were wrong, and pleaded that the erroneous taxation was not improperly intended, and stated that they are prepared to compensate the parties thus unjustly assessed, your Committee have not judged it necessary to recommend the adoption of any further proceedings during the present Session.

DONALD Æ. McDONELL, *Chairman*,  
 JAMES WILSON,  
 CHARLES WATERS,  
 W. L. MCKENZIE,  
 A. CHISHOLM.

*Committee Room House of Assembly, }  
 20th of April, 1836. }*

Motion that Mr. Papineau's letter be not entered on the journals, but returned to him.

Mr. Robinson, seconded by Mr. Macnab, moves that it be *Resolved*, That the letter from L. J. Papineau, Esquire, the Honorable the Speaker of the House of Assembly of Lower Canada, dated 15th March, and also certain resolutions adopted by that body on 15th February last on the political state of the British American Colonies, both of which were directed to the Honorable the Speaker of this House as its "organ" and by him laid on the table, on the evening of yesterday, contain sentiments and opinions subversive of the true principles of the British Constitution, which this House, representing the loyal inhabitants of Upper Canada, do not respond to, but most distinctly and decidedly dissent from,—be not entered on the Journals of this House, but returned to the Honorable the Speaker of the House of Assembly of Lower Canada.

On which debates ensued.

At half past three o'clock P. M. the House went up to His Excellency the Lieutenant Governor with the several Addresses to the King, passed this Session, and its Address to His Excellency praying him to transmit the same to His Majesty, and, being returned, Mr. Speaker reported that His Excellency had received the Addresses and returned thereto the following answer:

House waits on his Excellency with addresses to King.

Speaker reports His Excellency's answer.

GENTLEMEN,

The Addresses to His Majesty which have been passed by the House of Assembly, and which are mentioned in this Address, shall be transmitted to His Majesty's Secretary of State for the Colonies, in order that the same may be laid at the foot of the Throne.

Answer.

Mr. Roblin, from the Committee to wait on His Excellency with the Address of the House on contingencies, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Select Committee to wait on His Excellency with address on contingencies report answer.

GENTLEMEN,

I regret that the course taken by the House of Assembly in refusing to entrust me with the money of the Province for the purpose of carrying on the ordinary affairs of Government for the current year, forbids such a confidence, on my part, as your request involves.

Answer.

At four o'clock P. M. Mr. Jarvis, Gentleman Usher of the Black Rod, came to the Bar and delivered His Excellency's commands for the immediate attendance of the House at the Bar of the Legislative Council Chamber, and having retired, the Speaker, officers and members present forthwith attended at the Bar of the Legislative Council Chamber, when His Excellency was pleased, in His Majesty's name, to assent to the following bills, viz:

Black Rod summons House to Bar of Legislative Council by His Excellency's commands.

His Excellency assents to the following bills.

"An Act to incorporate the City of Toronto and Lake Huron Rail Road Company."

To incorporate Company for rail road from Toronto to Lake Huron

"An Act to amend the charter of the Port Hope Harbor and Wharf Company."

To amend charter of Port Hope Harbor Company.

"An Act to repeal an Act passed in the fourth year of His present Majesty's Reign, entitled 'An Act to establish a Board of Police in the Town of Belleville, and to make further provisions for the establishment of a Police in said Town.'"

To amend Belleville police laws.

"An Act to authorise the establishment of Mutual Insurance Companies in the several Districts of this Province."

To establish Mutual Insurance Companies.

"An Act to incorporate certain persons therein mentioned under the name and style of the Niagara and Detroit Rivers Rail Road Company."

To incorporate Niagara and Detroit River Rail Road Company.

"An Act to incorporate certain persons under the style and title of 'The Cayuga Bridge Company.'"

To incorporate Cayuga Bridge Company.

"An Act to extend the time of commencing the Cobourg Rail Road."

To extend time for commencing Cobourg Rail Road.

"An Act to provide for making and keeping in repair the West Gwillimbury Road and Bridge, and to authorise the erection of a Toll Gate thereon."

To make and repair West Gwillimbury road and bridge.

"An Act to incorporate sundry persons under the style and title of 'The Gananoque and Wiltzie Navigation Company.'"

To incorporate Gananoque and Wiltzie Navigation Company.

"An Act to repeal an Act passed in the forty-ninth year of the Reign of His late Majesty King George the third, entitled 'An Act

Wolf destruction bill.

- to encourage the destroying of Wolves in this Province, and to make further provision for exterminating those destructive animals.’”
- To incorporate Burlington Bay and Lake Huron rail road Company. “An Act to incorporate a Company to construct a Rail Road from Burlington Bay to Lake Huron.”
- Fire and Life Assurance amendment bill. “An Act to repeal and amend certain parts of an Act passed in the third year of His Majesty’s Reign, entitled “An Act to incorporate a Company under the style and title of the British America Fire and Life Assurance Company.”
- Burlington fishing bill. “An Act for the preservation of the Fishery within Burlington Bay.”
- Currency bill. “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 certain Gold and Silver Coins shall pass current in this Province.”
- Road Act continuation bill. “An Act continuing the Road Acts of 1833 and 1834, and rendering the Commissioners accountable for the expenditure of the road monies granted by the same.”
- To establish market in Brockville. “An Act to establish a Market in the West Ward of the Town of Brockville.”
- To establish Toronto Gas Company. “An Act to Incorporate a Company under the style and title of the City of Toronto Gas Light Company.”
- Public House license amendment bill. “An Act to repeal and amend certain parts of an Act passed in the thirty-sixth year of the reign of King George the Third, entitled ‘An Act to amend an Act for regulating the manner of Licensing Public Houses, and for the more easy conviction of persons selling Spirituous Liquors without License, and for other purposes therein mentioned.’”
- To authorise late Kingston Bank Commissioners to dispose of real estate. “An Act to authorise the Commissioners of the late pretended Bank of Kingston to dispose of certain real estate, and for other purposes therein mentioned.”
- To erect a suspension bridge over the Niagara River. “An Act for erecting a Suspension Bridge over the Niagara River, at or near Queenston in Upper Canada.”
- To relieve Andrew Deacon. “An Act for the relief of Andrew Deacon.”
- To incorporate Hamilton water works Company. “An Act to Incorporate sundry persons under the style and title of the Hamilton Water Works Company.”
- To amend township officers act. “An Act to amend and extend the provisions of an Act passed during the last Session of the Provincial Legislature, entitled ‘An Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province, except an Act passed in the fourth year of the reign of William the Fourth, Chap. 12, entitled ‘An Act to regulate line fences and water courses, and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty King George the Third, entitled ‘An Act to provide for the nomination and appointment of Parish and Town Officers within this Province as relates to the office of Fence Viewers being discharged by Overseers of High Ways and Roads.’”
- To improve Home District roads. “An Act to continue the improvement of certain Roads in the Home District.”
- To make good contingencies of last and part of present session. “An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province and also to make good certain monies advanced in compliance with two Addresses of the House of Assembly during the present Session.”



- “ An Act to prevent bodies corporate within this Province from entering upon and taking possession of the lands of the Crown without permission of His Majesty.” To prevent bodies corporate from entering upon lands of the Crown.
- “ An Act to alter and amend an Act passed in the eighth year of His late Majesty’s Reign, entitled ‘ An Act to confer upon His Majesty certain powers and authorities necessary to the making, maintaining and using the Canal intended to be completed under His Majesty’s direction, for connecting the waters of Lake Ontario with the River Ottawa, and for other purposes therein mentioned.’” To amend the law granting powers to His Majesty for making and using canal from River Ottawa to Lake Ontario.
- “ An Act for the relief of William Conway Keele.” To relieve W. K. Keele.
- And was pleased to reserve for the signification of His Majesty’s pleasure the bills entitled His Excellency reserves the following bills.
- “ An Act to loan two thousand Pounds to the Welland Canal Company.” To loan £2000 to Welland Canal Company.
- “ An Act to improve the navigation of the Inland Waters of the District of Newcastle.” To improve Newcastle District navigation.
- “ An Act to authorise the payment to the Treasurer of the District of Ottawa of the appropriation towards the support of common Schools in said District for the years 1835 and 1836.” To authorise payment of school moneys to Treasurer of Ottawa District.
- “ An Act for the relief of John Pearse, William Dumble, and William Hoar.” To relieve Pearse Dumble and Hoar.
- “ An Act to provide additional aid in support of common Schools in the several Districts in this Province.” To provide additional aid for common schools.
- “ An Act granting to His Majesty a sum of money for the improvement of Roads and Bridges in the several Districts of this Province.” To grant money to improve roads and bridges.
- “ An Act to amend an Act passed in the first Session of the present Parliament, entitled ‘ An Act granting a sum of money for the erection of a Light House on Gull Island, or such other place as the Commissioners may select.’” To amend Gull Island Light House bill.
- “ An Act granting a sum of money for improving the hill at the River Rouge, and other purposes therein mentioned.” To improve Hill at River Rouge
- “ An Act for the relief of John McMillan.” To relieve J. McMillan.
- “ An Act granting a sum of money to complete the payment of the War Losses.” To complete payment of War Losses.
- “ An Act granting a sum of money in support of the Provincial Penitentiary, and for other purposes therein mentioned.” To support Provincial Penitentiary.
- “ An Act granting £300 towards the completion of a Light House on Bois Blanc Island in the Western District.” To complete Bois Blanc Light House.
- “ An Act granting to His Majesty the sum of £100 for the purpose of repairing the dwelling house of the Light House Keeper on Gibraltar Point in the Home District.” To repair Light House Keeper’s dwelling Gibraltar Point.
- “ An Act granting to His Majesty a sum of money for the support of Light Houses in this Province.” To grant a sum of money for the support of Light Houses.
- “ An Act to raise a sum of money for the purpose of completing a Steam Dredge for deepening the several Harbors in this Province.” To complete steam dredging machine.

His Excellency addresses the two Houses.

HIS EXCELLENCY was then pleased to address the two Houses with the following most gracious

S P E E C H.

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

Speech at close of  
Session.

Before I release you from the Legislative duties in which you have been respectively engaged, I consider it necessary to recapitulate the principal events of this Session.

You are perfectly aware that for many years the House of Assembly of Upper Canada have loudly complained of what they term their "Grievances," and that at the end of your last Session these complaints having been referred to a "Committee of Grievances" were, by the Assembly, "ordered to be printed in pamphlet form." In pursuance of this order, a volume containing 570 pages, was forwarded to, and received by, His Majesty's Government, as containing the sum total of the complaints of the people of this Province.

Whether the mere order for printing this Report of the Committee, could be legally considered as sanctioning it with their opinions, I have no desire to discuss ; because no sooner did the said Report reach His Majesty's Government, than it was determined that the Grievances it detailed should immediately be effectually corrected ; and, accordingly, Instructions were drawn out by His Majesty's Secretary of State for the Colonies, in which each subject of complaint was separately considered, and a remedy ordered for its correction ; and I have only to refer to those Instructions, to prove the generosity with which His Majesty overlooked certain language contained in the Report, and the liberality with which He was graciously pleased to direct, that impartial justice should be administered to His Subjects in this Province.

His Majesty's Government having determined that I should be selected to carry these remedial measures into effect, I waited upon the Colonial Secretary of State (to whom as well as to almost every other Member of the Government I was a total stranger) and respectfully begged leave to decline the duty ; truly urging as my reason, that having dedicated my whole mind to a humble, but important service, in which, I was intently engaged, it was more congenial to my disposition to remain among the yeomanry and laboring classes of my own Country, than to be appointed to the station of Lieutenant Governor of Upper Canada.

His Majesty's Government having been pleased to repeat their request, I felt it impossible not to accede to it ; and I accordingly received the Instructions which had been framed ; and having had the honor of an interview with His Majesty during which, in an impressive manner which I never can forget, He imposed upon me His Royal Commands to do strict justice to His Subjects in this Province, I left England with a firm determination to carry the remedial measures, with which I was entrusted, into full effect.

I arrived at this Capital on the 23rd of January last, and on the 27th I delivered a Speech in which I informed you, I would submit in a Message the answer which His Majesty had been pleased to give to the several Addresses and Representations, which proceeded from the two Branches of the Legislature during the last Session. I added, that as regarded myself, I had nothing either to promise or profess, but that I trusted I should not call in vain upon *you*, for that assistance which your King expected, and which the rising interests of your Country required.

In thus officially coming before the Legislature of this Country from our gracious Sovereign, with a full measure of Reform, I had expected, that my appearance would have been hailed and welcomed by both Houses of the Legislature;—more especially by that from which had proceeded the Grievance Report, and I must own, I never anticipated it could seriously be argued for a moment, that I was intruding upon the Privileges of either House.

Speech at close of session.

Having made myself acquainted with the outline of Public Feeling in this Province, by conversing calmly with the men of most ability of all Parties, I communicated the result to Lord Glenelg in Despatches dated 5th of February, of which the following are extracts.

“Under these circumstances, I consider that the great danger I have to avoid, is, the slightest attempt to conciliate any party;—that the only course for me to adopt is, to act fearlessly, undisguisedly, and straight forwardly for the interests of the Country;—to throw myself on the good sense and good feeling of the people, and abide a result, which I firmly believe will eventually be triumphant.”

“Whatever may be the result, I shall steadily and straightly proceed in the course of policy I have adopted—I shall neither avoid, nor rest upon, any party; but, after attentively listening to all opinions, I will, to the best of my judgment, do what I think honest and right; firmly believing that the stability of the Throne, the interests of this Province, and the confidence of the People, can now only be secured by such a course.”

To the Speakers of both Houses, as well as to many intelligent individuals, with whom I conversed, I declared my sincere determination, to do justice to the People of this Province.

It was however with deep regret I observed, that from the House of Assembly I did not immediately obtain the assistance I expected, in carrying the Instructions of His Majesty's Government into effect; for I received various addresses, requesting papers and information, which I feared might excite troublesome and by-gone discussion.

On the 5th of February I received an address of this nature, to which, in as conciliatory a tone as possible, I replied at considerable length; and being now determined to urge, and, if possible, to lead the House of Assembly on towards reform, I concluded my reply in the following words:

“The Lieutenant Governor takes this opportunity of appealing to the liberality and good sense of the House of Assembly, for consideration, that as a stranger to this Province, totally unconnected with the political differences which have existed in the Mother Country, he has lately arrived here, entrusted by our most gracious Sovereign with Instructions, the undisguised object of which is, firmly to maintain the happy Constitution of this Country inviolate, but to correct cautiously, yet effectually, all real grievances.”

“The House of Assembly is deeply interested in the importance and magnitude of the task he has to perform, and he is confident it will, on reflection, be of opinion, that the Lieutenant Governor of this Province had better look steadily forward to its future prosperity and improvement,—that he had better attract into Upper Canada the superabundant Capital and Population of the Mother Country, by encouraging internal peace and tranquillity, than be observed occupying himself solely, in reconsidering the occurrences of the past.”

“The Lieutenant Governor does not assert, that the latter occupation is totally useless, but he maintains that the former is by far the more useful,—and that to attend to both is impossible.”

Speech at close of session.

This appeal did not produce the effect I had anticipated, but I received another Address from the House of Assembly in behalf of eight Indians of the Wyandot Tribe; and I had scarcely entered this new and questionable ground when a counter-petition was forwarded by eleven members of the same Tribe, in which they spontaneously declared—“we have the fullest confidence in the justice and fatherly protection of our beloved Sovereign and his Representative the Lieutenant Governor.”

Another new set of Grievances was now brought forward by the House of Assembly, in the form of an Address to the King on Trade and Commerce, which I immediately forwarded to His Majesty's Government, although the principal complaints in the Grievance Report still remained unnoticed and unredressed.

During these discussions I purposely refrained from having much communication with the old supporters of the Government; because I was desirous to show those who termed themselves Reformers, that I continued, as I had arrived, unbiassed and unprejudiced; and desiring to give them a still further proof, that I would go any reasonable length to give fair power to their party, I added three Gentlemen to the Executive Council, all of whom were avowed Reformers.

With the assistance of these Gentlemen, with His Majesty's Instructions before us, and with my own determination to do justice to the Inhabitants of this Country, I certainly considered that the triumph of the Reform which had been solicited, was now about to be established; and that the grievances under which the people of this Province were said to labor, would consecutively be considered and redressed. But to my utter astonishment, these Gentlemen, instead of assisting me in Reform, before they were a fortnight in my service, officially combined together in an unprecedented endeavor to assume the responsibility I owed to the People of Upper Canada, as well as to our Sovereign; and they concluded a formal document which they addressed to me on this subject, by a request that if I deemed such a course not wise or admissible, they, who had been sworn before me to secrecy, might be allowed to address the people! and I must own, that the instant this demand reached me, I was startled, and felt it quite impossible to assent to the introduction of new principles, which to my judgment appeared calculated to shake the fabric of the Constitution, and to lead to Revolution instead of Reform.

Without discussing the arguments of the Council, I will simply observe, that had I felt ever so much disposed to surrender to them my station of Lieutenant Governor and to act subserviently to their advice—had I felt ever so willing, obediently to dismiss from office whomsoever they should condemn, and to heap patronage and preferment upon whomsoever they might recommend—had I felt it advisable to place the Crown Lands at their disposal, and to refer the petitions and personal applications of the Inhabitants of the remote Counties to their decision; I possessed neither power nor authority to do so;—In fact I was no more able to divest myself of responsibility, than a criminal has power, to divert from himself upon another, the sentence of the Law;—and though under the pretence of adhering to what is called “the image and transcript” of the Bri-

tish Constitution in this Province, it was declared that the Executive Council must be regarded as a *Cabinet*, I had no more power to invest that Body with the attributes of a Cabinet than I had power to create myself King of the Province—than I had power to convert the Legislative Council into an Hereditary Nobility—or than I had power to decree that this *Colony* of the British Empire should henceforward be a KINGDOM.

Speech at close of session.

From total inability, therefore, as well as from other reasons, I explained to my Council in courteous language, that I could not accede to their views; and it being evidently necessary for the Public Service, that we should separate, I felt it was for them, rather than for me, to retire. I received their resignations with regret; and that I entertained no vindictive feelings, will be proved by the fact, that I immediately wrote to Lord Glenelg, begging His Lordship most earnestly, not to dismiss from their offices any of these individuals, on account of the embarrassment they had caused to me.

On the day the Council left me, I appointed in their stead, four Gentlemen of high character, entitled by their integrity and abilities to my implicit confidence; and with their assistance I once again determined to carry promptly into effect those remedial measures of His Majesty's Government which had been solicited by the Grievance Report.

However, a new and unexpected embarrassment was now offered to me, by the House of Assembly, who, to my astonishment, not only requested to be informed of the reasons why my Executive Council had resigned, but who I have learned actually suspended all business, until my reply was received!

As the Lieutenant Governor of this Province is authorised by His Majesty, in case of death or resignation, to name, pro tempore, the individuals he may think most proper to appoint to his Council, I might constitutionally and perhaps ought to have declined to submit to either Branch of the Legislature, my reasons for exercising this prerogative;—but actuated by the earnest desire which I had uniformly evinced, to comply with the wishes of the House of Assembly, I transmitted to them the correspondence they desired, with a conciliatory Message, which ended as follows:

“With these sentiments, I transmit to the House of Assembly the documents they have requested, feeling confident, that I can give them no surer proof of my desire to preserve *their* privileges inviolate, than by proving to them, that I am equally determined to maintain the rights and prerogatives of *the Crown*, one of the most prominent of which is, that which I have just assumed—of naming those Councillors in whom I conscientiously believe I can confide.

“For their acts I deliberately declare myself to be responsible, but they are not responsible for mine, and cannot be, because being sworn to silence, they are deprived by this fact, as well as by the Constitution of all power to defend themselves.”

The House of Assembly referred the whole subject to a Committee, which, contrary to customary form, made its existence known to me, by applying directly to *me*, instead of through *the House*, for other documents and information, which I immediately forwarded, without objecting to the irregularity of the application; and the House, to my great surprise prematurely passed its sentence upon the subject, in an Address, in which it declared to me, its “deep regret that I had consented to accept the tender of resignation of the late Council.”

The following extract from my reply to this unexpected decision, will sufficiently explain the amicable desire I still entertained, to afford all reasonable satisfaction.

“The whole correspondence I forward to the House of Assembly, with an earnest desire, that, regardless of my opinion, the question may be fairly discussed.”

“In the station I hold, I form one branch, out of three, of the Legislature; and I claim for myself freedom of thought, as firmly as I wish that the other two branches should retain the same privilege.”

“If I should see myself in the wrong, I will at once acknowledge my error; but, if I should feel it my duty to maintain my opinion, the House must know that there exists a constitutional tribunal, competent to award its decision; and to that tribunal I am ever ready most respectfully to bow.”

“To appeal to the people is unconstitutional as well as unwise—to appeal to their passions is wrong; but on the good sense of the House of Assembly I have ever shown a disposition to rely, and to their good sense I still confidently appeal.”

Having thus thrown myself upon the integrity of the House of Assembly, I might reasonably have expected that a favorable construction would have been placed upon my words and acts, and that the disposition which I had evinced to afford the most ample information, and to meet as far as my duty would admit, the expectations and desires of the Assembly, would have been duly appreciated; the events, however, which soon after transpired, and the addresses which were presented to me in this City, and from other places in the vicinity, conveyed to me the unwelcome information that efforts were being made, under the pretence of “the Constitution being in danger,” to mislead the public mind, and to induce a belief that I, as Lieutenant Governor, had declared an opinion in favor of an arbitrary and irresponsible Government—that I had shown an entire disregard of the sentiments and feelings of the people whom I had been sent to govern—and that, therefore, the inhabitants of this country could never be contented or prosperous under my Administration. Several petitions, purporting to be addressed to the House of Assembly, and apparently forwarded by Members of that House to individuals in the country, with a view to obtain signatures, having been returned to the Government Office, I had ample opportunities of becoming acquainted with the fact that there existed an intention to embarrass the Government, by withholding the Supplies, and that even the terms had been prescribed to the People of the Province in which they were expected to address their Representatives for that object.

Now, it will scarcely be credited, that while I was thus assailed—while placards declared that *the Constitution was in danger*, merely because I had maintained, that the Lieutenant Governor, and not his Executive Council, was responsible for his conduct,—there existed in the Grievance Report the following explanation of the relative duties of the Lieutenant Governor and of his Executive Council:

“It appears,” says the Grievance Committee, “that it is the duty of the Lieutenant Governor to take the opinion of the Executive Council only in such cases, as he shall be required to do so by his instructions from the Imperial Government, and in such other cases as he may think fit. It appears by the following transactions that the Lieutenant Governors only communicate to the Council so

“much of the private despatches they receive from the Colonial Office as they may think fit, unless in cases where they are otherwise specially instructed.”

*Gentlemen of the House of Assembly:*

Speech at close of session.

Having at your request transmitted to you the correspondence which passed between my late Executive Council and myself, and having reminded you that there existed “a Constitutional Tribunal competent to award its decision, and that to that tribunal I was ever ready most respectfully to bow,” it is with surprise I learn that you have deemed it necessary to stop the Supplies.

In the history of Upper Canada this measure has, I believe, never before been resorted to; and as I was the bearer of His Majesty’s especial Instructions to examine, and wherever necessary, to correct the “Grievances” detailed in your Report of last Session, I own I did not expect to receive this embarrassment from your House.

The effect of your deliberate decision will be severely felt by all people in the Public Offices—by the cessation of improvement in your Roads—by the delay of compensation to Sufferers in the late War—and by the check of emigration.

In the complaints you have made to His Majesty against me, (in which you declare that my “ear is credulous”—my “mind poisoned”—my “feelings bitter”—that I am “despotic,” “tyranical,” “unjust,” “deceitful”—that my conduct has been “derogatory to the honor of the King,” and “demoralizing to the Community,” and that I have treated the people of this Province as being “little better than a Country of Rogues and Fools”) you have availed yourselves of a high Legislative Privilege, entrusted to you by your Constituents, to the exercise of which I have consequently no Constitutional objection to urge: but for the honor of this Province in which I, though unconnected with the Country, am as deeply interested as its inhabitants, I cannot but regret, that, while I was receiving from all directions the most loyal Addresses, you, in your Legislative capacity, should have characterised His Majesty’s Government which has lately acted towards Upper Canada so nobly and disinterestedly, by the expression of “Downing Street Law.”

*Honorable Gentlemen: and, Gentlemen:*

Having now concluded an outline of the principal events which have occurred during the present Session, I confess that I feel disappointed in having totally failed in the beneficent object of my mission.

I had made up my mind to stand against the enemies of Reform, but I have unexpectedly been disconcerted by its professed friends. No liberal mind can deny, that I have been unnecessarily embarrassed,—no one can deny that I have been unjustly accused,—no one can deny that I have evinced an anxiety to remedy all real grievances—that I have protected the Constitution of the Province—and that by refusing to surrender at discretion the patronage of the Crown to irresponsible individuals I have conferred a service on the backwoodsman, and on every noble-minded Englishman, Irishman, Scotchman, and U. E. Loyalist, who, I well know, prefer British freedom, and the British Sovereign, to the family domination of an irresponsible Cabinet.

It now only remains for me frankly and explicitly to declare the course of policy I shall continue to adopt, as long as I may remain the Lieutenant Governor of this Province, which is as follows :

Speech at close of session.

I will continue to hold in my own hands for the benefit of the people, the power and patronage of the Crown, as imparted to the Lieutenant Governor of this Province by the King's Instructions—I will continue to consult my Executive Council upon all subjects, on which, either by the Constitutional Act, or by the King's Instructions I am ordered so to do as well as upon all other matters in which I require their assistance—I will continue to hold myself responsible to all authorities in this country, as well as to all private individuals, for whatever acts I commit, either by advice of my Council or otherwise, and will continue calmly and readily to afford to all people every reasonable satisfaction in my power;—I will use my utmost endeavors to explain to the people of this Province that they want only wealth and population, to become one of the finest and noblest people on the globe—that union is strength, and that party spirit produces weakness—that they should consequently forgive and forget political as well as religious animosity, and consider as their enemies only those who insiduously promote either;—that widely scattered as they are over the surface of this extensive country, they should recollect with pride, the brilliant history of “the old country,” from which they sprung, and, like their ancestors, they should firmly support the British Standard, which will ever afford them freedom and disinterested protection;—that by thus tranquilizing the Province, the redundant wealth of the Mother Country will irrigate their land, and that her population will convert the wilderness which surrounds them, into green fields;—that an infusion of wealth would establish markets in all directions, as well as good roads—the arteries of agriculture and commerce;—and that plain practical education should be provided for the rising generation, as also the blessings of the christian religion, which inculcates “*Glory to God in the highest, and on earth Peace, Good-will towards men.*”

Taking every opportunity of offering these recommendations to the inhabitants of this Province, I shall in no way attempt to enforce them; on the contrary, I shall plainly promulgate, that if the Yeomanry and Farmers of Upper Canada are not yet sufficiently tired of agitation—if they do not yet clearly see what a curse it has been to them, it will be out of my power to assist them;—that if they insist on turning away the redundant wealth, as well as the laborers of the Mother Country to the United States, I shall be unable to prevent them;—in short, that if they actually would rather remain as they are, than become wealthy, as they might be, my anxiety to enrich them must prove fruitless.

On the other side, whenever they shall be disposed to join heart and hand with me in loyally promoting the peace and prosperity of the Province, they shall find me faithfully devoted to their service; In the mean-while I will carefully guard the Constitution of the country, and they may firmly rely that I will put down promptly, as I have already done, the slightest attempt to invade it.

With inward pleasure I have received evidence of the invincible re-action that is hourly taking place in the public mind; and for the sake of the Province, rather than for my own, I hail the manly British feeling which in every direction I see, as it were, rising out of the



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ground determined to shield me from insult, and to cheer and accompany me in my progress towards Reform.

I have detained you longer than is customary, but the unprecedented events of this Session, have made it necessary, to do so.

After which the Honorable Speaker of the Legislative Council declared that it was His Excellency's pleasure that this Parliament be prorogued to Monday, the thirtieth day of May next, to be then and here holden.

Parliament prorogued  
until 30th May next.

**JAMES FITZGIBBON,**  
CLERK OF ASSEMBLY.



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|   | Notice. | Read.      | Read second time. | Committed. | Read third time. | Passed by Assembly. | Passed by Legislative Council. | Royal Assent. |
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|  | Notice. | Read. | Read second time. | Committed. | Read third time. | Passed by Assembly. | Passed by Legislative Council. | Royal Assent. |
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- With Returns from Treasurer of Eastern District, 353.
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|  |             |       |           | REP'T.         | BILL. |
| <b>A</b>   |             |       |           |                |       |
| Adams, George, and 36 others, of the Niagara District.....                       | 120         | 132   | 133       |                |       |
| Agnew, William, and 78 others, of Tecumseth...                                   | 217         | 226   | 233       |                |       |
| Allison, H., J. P. and 34 others, of the Western District.....                   | 130         | 146   | 149       |                | 166   |
| Allan, Hon. William, and 69 others, Members of the Board of Trade.....           | 47          | 58    | 60        | 135            |       |
| Allan, Hon. William, and 42 others, of the Life and Fire Assurance Company ..... | 120         | 132   | 133       |                |       |
| Allan, John, and 253 others, of the District of Newcastle.....                   | 185         | 197   |           |                | *211  |
| Allen, Hugh, and 87 others, of the Home District.                                | 16          | 29    | 30        |                |       |
| Alley, Gerard, and 2 others, Commissioners, of Orilla .....                      | 176         | 186   | 209       |                |       |
| Alton, George, and 20 others, of Trafalgar.....                                  | 369         | 378   | 380       |                |       |
| Alvord, Justin, of the City of Toronto.....                                      | 247         | 254   |           |                |       |
| Alworth, John, and 17 others, of the District of London.....                     | 131         | 146   |           |                |       |
| Ambridge, William, and 40 others, of the Western District.....                   | 54          | 67    | 142       |                | 166   |
| Amey, Nicholas, and 15 others, of Loughborough, M.D.....                         | 307         | 313   | 322       | 337            |       |
| Anderson, Patrick, and 58 others, of Leeds.....                                  | 254         | 270   | 286       |                | 312   |
| Anderson, T. W. and 24 others, of the City of Toronto .....                      | 360         | 371   | 382       |                |       |
| Appleton, Thomas, of the City of Toronto.....                                    | 19          | 53    | 54        |                |       |
| Archer, T. and 59 others, of Sophiasburg, P.E.D.                                 | 21          | 44    | 53        |                | 93    |
| Armstrong, James, and 35 others, of Chinguacousy, H. D.....                      | 281         | 311   | 333       |                |       |
| Armstrong, J. and 34 others, of Caledon.....                                     | 126         | 141   | 148       |                |       |
| Armstrong, Robert, and 47 others, of Markham, H.D.....                           | 151         | 165   |           |                |       |
| Arnold, Frederick, and 114 others, of Kent.....                                  | 224         | 234   | 244       |                |       |
| Arnold, L. L. and 40 others, of Chatham and Camden, W. D.....                    | 16          | 29    | 31        |                | 87    |
| Askin, J. B. of London.....  | 126         | 141   |           |                |       |
| Ault, John N. and 48 others, of the Eastern District.....                        | 421         | 440   |           |                |       |
| Aylen, Peter, and 610 others, of the Ottawa District.....                        | 54          | 67    |           |                |       |
| <b>B</b>   |             |       |           |                |       |
| Baby, J. B. and 54 others, of the London and Western Districts.....              | 130         | 146   | 148       |                | 166   |
| Baker, C. and 87 others, of the City of Toronto..                                | 27          | 49    | 52        |                |       |
| Bagwell, John B. and 19 others, of Chinguacousy, H. D.....                       | 91          | 109   | 122       |                |       |
| Baldwin, C. J. and 2430 others, of the Province of Upper Canada .....            | 207         | 218   | 219       |                | 429   |
| Baldwin, D. T. and 76 others, of the Western District.....                       | 130         | 146   | 149       |                | 166   |
| Baldwin, W. Warren.....  |             | 179   | 179       |                | 219   |
| Ballantine, David.....   |             | 180   | 180       |                | 247   |
| Bank of Upper Canada, President & Directors of.                                  | 138         | 152   | 153       |                |       |
| Barker, Archibald, and 105 others, of Markham, H.D.....                          | 151         | 165   |           |                |       |
| Barnhart, Charles, Jailor, Home District.....                                    | 218         | 226   | 269       | 330            |       |
| Barron, Antoine.....   |             | 180   | 180       |                |       |
| Bates, A. and 245 others, of Huron and Halton..                                  | 21          | 43    |           |                |       |
| Bates, Theodore, of Nelson .....   | 230         | 241   | 243       |                |       |
| Beach, Talman, of New Haven, Huron County, Ohio, U. S.....                       | 55          | 68    | 94        |                | 102   |
| Becket, Samuel, and 130 others, of Pelham, N.D.                                  | 405         | 421   |           |                |       |
| Bell, Æneas, and 64 others, formerly Chelsea Pensioners.....                     | 65          | 82    | 87        | 282            |       |

| PETITIONS of   | BROUGHT UP. | READ. | REFERRED.  | REPORTED ON BY |       |
|--|-------------|-------|------------|----------------|-------|
|  |             |       |            | REP'T.         | BILL. |
| B  |             |       |            |                |       |
| Bell, C. J. of Castleford, B.D.....  | 90          | 108   |            |                |       |
| Bell, James, and 38 others, of Zone, W. D.....                                     | 114         | 126   | 133        |                |       |
| Benson, W. and 34 others, of the London District.                                  | 217         | 226   | 232        |                |       |
| Bethune, A. N. and 24 others, of Cobourg.....                                      | 211         | 226   |            |                |       |
| Bigelow, Lucius, and 256 others, of St. Thomas, L. D.....                          | 426         | 451   |            |                |       |
| Blackburn, William, and 41 others, of Durham and Clark, N. D. ....                 | 413         | 429   |            |                |       |
| Blackwood, James, and 85 others, of the London District.....                       | 131         | 146   |            |                |       |
| Blair, Marcus, and 30 others, of Cayuga.....                                       | 6           | 11    | 253        |                | 253   |
| Blair, Marcus, and 17 others, of Cayuga.....                                       | 6           | 11    | 253        |                |       |
| Blair, Marcus, and 18 others, of Cayuga.....                                       | 6           | 11    | 188        |                |       |
| Bogart, J. senior, and 62 others, of Whitchurch..                                  | 486         |       |            |                |       |
| Booty, M. and 51 others, of Gosford, W.D. ....                                     | 486         |       |            |                |       |
| Bostwick, John, and 275 others, of Middlesex....                                   | 131         | 147   | 153        |                |       |
| Bottom, William N., J.P. and 46 others, of Oxford, Grenville .....                 | 108         | 121   | 122        |                | 379   |
| Bouchier, J. O. and 62 others, of Georgina, H.D.....                               | 108         | 121   | 122        |                |       |
| Boulton, John, and 32 others, of the Western District.....                         | 114         | 126   | 133        |                |       |
| Bower, J. P. and 5 others, Tanners, &c. of the Midland District.....               | 90          | 108   |            |                |       |
| Bowman, Robert, and 48 others, of the Gore of Toronto .....                        | 120         | 132   | 148        |                |       |
| Brady, John, Esquire, and 231 others, of the District of Ottawa.....               | 207         | 218   | 219        |                |       |
| Brant, H. and 15 others, Indian Chiefs, residing on Grand River.....               | 54          | 66    | 122        |                |       |
| Bray, Freeman.....   | 104         | 126   | 122        | 416            |       |
| Brega, A. and 93 others, of Hamilton, G. D. ....                                   | 486         |       |            |                |       |
| Brent, J.W. and 71 others, of the City of Toronto.                                 | 177         | 187   | 193        |                |       |
| Brickman, William, and 43 others, of Amherstburgh, W. D. ....                      | 62          | 77    | 87         |                |       |
| Brisco, Robert, and 270 others, of the County of Oxford .....                      | 197         | 208   |            |                |       |
| Brown, J. H. and 118 others, of Albion, York... ..                                 | 405         | 422   |            |                |       |
| Brown, James, Dutton, and 15 others, of the City of Toronto.....                   | 61          | 77    | 83         |                | 93    |
| Brown, John, Esquire, of Port Hope, Contractor for Gull Island Light-house.....    | 42          | 55    | 60         | 212            |       |
| Bruner, Adam, and 19 others, of the Western District.....                          | 130         | 146   | 149        |                | 166   |
| Bryant, John, late Corporal in the Incorporated Militia.....                       | 270         | 281   | 383        |                |       |
| Buchanan, Gordon, and 25 others, of the Western District.....                      | 130         | 146   | 149        |                | 166   |
| Buell, J. P. and 81 others, of Elizabethtown.....                                  | 246         | 254   |            |                |       |
| Buell, William, Agent for Petitioners against the Return of Ogle R. Gowan, &c..... | 15          | 30    | 53         |                |       |
| Bullock, Richard .....   |             | 188   | 188        |                |       |
| Builock, Richard, and 15 others, of Upper Canada.                                  | 513         | 350   |            |                |       |
| Bunnel, Enos, of Brantford, G. D.....  | 197         | 208   | 209        |                |       |
| Burford, W. Fitzwilliam, of Perth, B. D.....                                       | 9           | 24    | 24         |                |       |
| Burger, George, in the Gaol of Niagara.....  | 254         | 247   | 269<br>382 |                |       |
| Burns, Robert, and 138 others, of Pickering.....                                   | 387         | 406   | *408       |                |       |
| Burrell, Thomas, and 112 others, of the Township of Toronto.....                   | 145         | 155   | 333        |                |       |
| Burritt, Henry, and 615 others, of the Johnstown District.....                     | 15          | 28    | 53         |                |       |
| Burwell, John, Esquire, of Port Burwell.....                                       | 81          | 91    | 94         |                |       |
| Burwell, Lewis, and 195 others, of Brantford....                                   | 120         | 132   | 133        |                |       |
| Byrnes, James, of the City of Toronto.....   | 247         | 254   |            |                |       |



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|---|-------------|-------|-----------|----------------|-------------|
|   |             |       |           | REP'T.         | BILL.       |
| <b>C</b>  |             |       |           |                |             |
| Cahoon, B. P. of the City of Toronto.....   | 145         | 155   | 157       |                |             |
| Caldwell, James, and 46 others, of the Western District.....                            | 130         | 146   | 149       |                | 166         |
| Cameron, Allan, and 92 others, of Lochiel and Kenyon, E. D.....                         | 177         | 187   | 192       |                |             |
| Cameron, Donald, of Thorah.....   | 154         | 177   | 178       | 430            |             |
| Campbell, Alexander, and 148 others, of the Midland District.....                       | 186         | 198   |           |                |             |
| Campbell, M. and 40 others, of Roxboro', E. D....                                       | 16          | 28    | 59        |                |             |
| Campbell, M. and 49 others, of Roxboro', E. D....                                       | 16          | 28    |           |                |             |
| Campbell, M. and 31 others, of Aldborough, L. D....                                     | 486         |       |           |                |             |
| Campion, J. W. of Prescott.....   | 43          | 56    | 53        |                |             |
| Capreol, F. C. of the City of Toronto.....  | 254         | 270   |           |                |             |
| Carey, John, formerly of the Town of York, Printer.....                                 | 394         | 413   | *436      |                | with drawn. |
| Carey, Elijah, and 9 others, of Sophiasburgh, P.E.                                      | 154         | 177   |           |                |             |
| Carnachan, S. and 2 others, Commissioners, &c. of Tucker Smith.....                     | 81          | 91    |           |                |             |
| Carr, Thomas, and 213 others, of the District of Newcastle.....                         | 90          | 108   | 142       |                |             |
| Cartwright, John S. and 16 others, of the Midland District.....                         | 108         | 121   |           |                |             |
| Cartwright, John S. and 105 others, of the Midland District.....                        | 186         | 189   | 199       |                |             |
| Chalmers, George, and 419 others, of Trafalgar..  | 247         | 254   | 269       |                |             |
| Chandler, Edmonds, and 151 others, of Belleville, Hastings.....                         | 71          | 18    | 20        |                | 102         |
| Chewit, Alexander, and 73 others, of the Western District.....                          | 217         | 226   | 232       |                |             |
| Chisholm, John, of East Flamboro'.....  | 131         | 147   | 248       |                |             |
| Chisholm, William, Esquire, of Oakville.....  | 239         | 251   | 213       |                |             |
| Christie, J. R. and 56 others, of the Johnstown District.....                           | 472         |       |           |                |             |
| Christison, William H. and 6 others, of the Royal College of Surgeons of Edinburgh..... | 177         | 187   | 198       |                |             |
| Clark, John, J. P. and 1587 others, of the Counties of Lincoln and Haldimand.....       | 181         | 192   | 198       | 388            |             |
| Clark, John, and 90 others, of Pickering, H. D.,..                                      | 280         | 311   |           |                |             |
| Clark, W. Eddy, and 9 others, of Hamilton, D. G.....                                    | 55          | 68    | 94        |                | 102         |
| Clench, F.S. and 68 others, of Cobourg Mechanics' Institute.....                        | 11          | 19    | 20        |                |             |
| Coates, John, and 84 others, of Albion, H. D....  | 213         | 330   | 322       |                |             |
| Coates, John, and 80 others, of Albion.....   | 421         | 444   |           |                |             |
| Cockburn, Adam, and 51 others, of Finch, E. D..   | 114         | 126   | 127       |                |             |
| Cockson, Thomas, and 241 others, of the County of Simcoe.....                           | 207         | 218   |           |                |             |
| Collins, Charles L. of Howard, W. D.....  | 308         | 314   | 322       |                |             |
| Collins, John, of Sandwich, W. D.....   | 54          | 67    | 69        |                |             |
| Coll, William, of Howard, in the Western District                                       | 308         | 314   | 316       |                |             |
| Commercial Bank, President of.....  | 208         | 218   | 233       |                |             |
| Commercial Bank, President, Directors, &c.....  | 224         | 234   | 237       |                |             |
| Conger, Wilson S. of Cobourg.....   | 42          | 56    | 59        |                |             |
| Connor, Aaron, Thomas Love, and B. Hancock.   | 375         | 388   | 407       |                |             |
| Coons, James, and 8 others, inhabitants of the Province.....                            | 217         | 226   |           |                |             |
| Cook, Caleb, and 53 others, of the District of London.....                              | 130         | 146   | 149       |                | 166         |
| Cook, Jacob, and 519 others, of Upper Canada..  | 211         | 226   | 322       |                |             |
| Cook, Matthew, and 61 others, of Winchester, E. D.....                                  | 447         | 472   |           |                |             |
| Cope, Thomas E. and 31 others, of the Ward of St. Patrick, City of Toronto.....         | 307         | 314   | 315       |                |             |
| Cornish, W. K. and 305 others, of the District of Lendor.....                           | 336         | 350   | 351       |                |             |

| PETITIONS of  | BROUGHT UP. | READ. | REFERRED. | REPORTED ON BY |       |
|---|-------------|-------|-----------|----------------|-------|
|   |             |       |           | REP'T.         | BILL. |
| C   |             |       |           |                |       |
| Cornish, W. K. and 35 others, of the District of London.....                | 130         | 146   |           |                |       |
| Cosgrave, William, and 68 others, of Kent.....                              | 224         | 234   | 244       |                |       |
| Cosson, John, and 21 others, of the London District.....                    | 131         | 146   |           |                |       |
| Cowan, Henry, and 7 others, of Pickering, H. D.                             | 15          | 28    | 68        |                |       |
| Cozens, Johua Y. of Cornwall.....   | 197         | 208   | 210       |                |       |
| Cozens, Nelson, of Cornwall, E. D. ....                                     | 47          | 57    | 110       | 458            |       |
| Creen, Thomas, and 289 others, of the District of Niagara.....              | 55          | 67    | 68        |                |       |
| Creighton, Ogden, and 2 others, Directors of the Welland Canal Company..... | 321         | 337   | 338       |                |       |
| Cressman, Abraham, and 83 others, of the District of Gore.....              | 202         | 211   | 213       |                |       |
| Crew, W. B. and 108 others, of the Home District.....                       | 43          | 56    | 62        | 231            |       |
| Crofton, W. C. and 40 others, of the Newcastle District.....                | 91          | 109   | 122       |                |       |
| Crooks, James, and 4 others, of the Gore District Agricultural Society..... | 130         | 145   | 149       |                |       |
| Crosthwaite, Daniel, of Barton, (Road Commissioner).....                    | 81          | 92    | 166       |                |       |
| Crumbey, John, M. D. of the Township of Toronto.....                        | 307         | 313   |           |                |       |
| Cubit, W. R. and 101 others, of Darlington, N. D. ....                      | 210         | 225   | 232       |                |       |
| Cull, James, Civil Engineer.....  | 181         | 191   | 193       |                |       |
| Cull, James, of the City of Toronto.....                                    | 383         | 397   |           |                |       |
| Cunningham, William, and 80 others, of the County of Norfolk.....           | 181         | 192   | 198       |                |       |
| Curry, John, and 17 others, of Dalhousie and North Sherbrooke.....          | 276         | 285   |           |                |       |
| D   |             |       |           |                |       |
| Dalley, Henry, and 24 others, of the London District.....                   | 130         | 146   | 149       |                | 166   |
| Dalley, H. and 62 others, of Middlesex.....                                 | 486         |       |           |                |       |
| Davenport, Horace, of the Town of Sandwich...                               | 145         | 155   | 157       |                |       |
| Davenport, Lewis, of the Town of Sandwich....                               | 145         | 155   | 157       |                |       |
| Deacon, Andrew, Esquire, Collector of Customs, Hallowell.....               | 81          | 91    | 150       | 414            |       |
| Decker, Richard, of Beverly, County of Halton..                             | 138         | 151   | 153       |                |       |
| Decow, John, and 123 others, of Thorold, Niagara District.....              | 405         | 421   |           |                |       |
| De Lisle, J. B.....   | 280         | 311   | 313       |                |       |
| Denham, C. R. of the City of Toronto.....                                   | 247         | 254   | 315       |                |       |
| Devenish, William, and 35 others, of Scarborough                            | 91          | 109   | 192       |                |       |
| Devenish, William, and 169 others, of Scarborough, (Dundas Street).....     | 144         | 155   | 192       | 231            |       |
| Devenish, William, and 128 others, inhabitants of the Home District.....    | 144         | 155   | 192       | 231            |       |
| Dickenson, Edward, and 102 others, of Walsingham, L. D.....                 | 90          | 109   | 116       |                |       |
| Di Grassi, Philip.....  | 58          | 83    | 83        |                |       |
| Dormer, J. of Kingston.....   | 217         | 226   | 232       | 403            |       |
| Draper, W. H., Esquire, of the City of Toronto..                            | 208         | 218   |           |                |       |
| Drew, Captain Andrew, Royal Navy.....                                       | 387         | 406   |           |                |       |
| Drury, Thomas, and 89 others, of West Gwillimbury, H. D.....                | 16          | 29    | 30        |                |       |
| Duff, William, and 37 others, of the Western District.....                  | 130         | 146   | 149       |                | 166   |
| Duncan, William, and 42 others, of York, Markham, &c.....                   | 72          | 87    |           |                |       |
| Durnan, James, Light-keeper, Gibraltar Point...                             | 165         | 182   | 192       | 403            | 425   |
| Dwyer, Robert, and 917 others.....  | 126         | 141   | 153       | 356            | 356   |

| PETITIONS of   | BROUGHT UP. | READ. | REFERRED. | REPORTED ON BY |       |
|--|-------------|-------|-----------|----------------|-------|
|  |             |       |           | REP'T.         | BILL. |
| <b>E</b>   |             |       |           |                |       |
| Eastman, Simon S. and 2 others, of West Hawkesbury .....                     | 129         | 145   |           |                |       |
| Eckardt, Frederick, and 21 others, of Markham..                              | 394         | 413   |           |                |       |
| Edgar, R. H. and 92 others, of Dundas, (Gore)..                              | 101         | 115   | 116       |                |       |
| Edwards, Oliver, and 128 others, of the London District.....                 | 461         |       |           |                |       |
| Effner, Catharine, of the Township of York, widow                            | 54          | 66    | 69        | 432            |       |
| Elliott, F. H. and 26 others, of Bayham, London District.....                | 486         |       |           |                |       |
| Elliott, Thomas, and 86 others, Innkeepers, &c. of Toronto City.....         | 91          | 109   | 116       |                | 383   |
| Empey, Michael, and 81 others, of the Province of Upper Canada.....          | 217         | 226   | 232       |                |       |
| Erwin, John, and 89 others, of Halton.....                                   | 461         |       |           |                |       |
| Evans, Reverend E. of Toronto .....  | 478         | *492  |           |                |       |
| Everitt, John, and 94 others, of the Niagara District.....                   | 42          | 55    |           |                |       |
| <b>F</b>   |             |       |           |                |       |
| Fairbairn, R. and 41 others, of Darlington, H. D.                            | 138         | 152   |           |                |       |
| Fairwell, A. M. of Whitby, H. D.....   | 91          | 109   | 122       |                |       |
| Farley, James, and 591 others, of the Province of Upper Canada .....         | 217         | 226   | 232       |                |       |
| Farrell, John, of Brockville, (Grocer).....                                  | 343         | 351   | 357       | 400            |       |
| Farrin, Samuel, and 152 others, of the District of London.....               | 131         | 146   |           |                |       |
| Fell, Isaac, and 528 others, of the Home District.                           | 383         | 397   | 404       |                |       |
| Fell, William, of Haldimand County.....                                      | 22          | 134   | 134       |                |       |
| Ferguson, Daniel, and 95 others, of Osgoode, in the District of Ottawa.....  | 239         | 251   | 271       |                |       |
| Finch, J. and 32 others, of the Home District....                            | 43          | 56    | 62        | 231            |       |
| Fisher, John, and 121 others, County of Huron..                              | 218         | 226   | 271       |                |       |
| Fleming, Thomas, and 260 others, of the Newcastle and Midland Districts..... | 202         | 211   |           |                |       |
| Fletcher, Alexander, and 31 others, of Darlington, N. D.....                 | 86          | 92    | 94        |                | 185   |
| Fletcher, John, and 464 others, of Gwillimbury, &c. ....                     | 387         | 406   | 407       |                |       |
| Fletcher, Silas, and 68 others, of the Home District.....                    | 421         | 440   |           |                |       |
| Flint, Billa, Junr. and 746 others, of Upper Canada .....                    | 307         | 314   | 365       |                |       |
| Flint, Billa, Junr. and 492 others, of Madoc, &c. (Hastings).....            | 164         | 182   | 188       |                |       |
| Fortier, James .....   | 69          | 70    | 70        | 236            |       |
| Foster, E. and 625 others, of Norfolk.....                                   | 21          | 43    | 59        |                |       |
| Fowler, Levi, and 45 others, of the District of London.....                  | 131         | 146   |           |                |       |
| Fraser, A. S. and 35 others, of Fenelon and Verulam, (Newcastle).....        | 176         | 186   | 200       |                |       |
| <b>G</b>   |             |       |           |                |       |
| Gage, Nathan, of Brantford .....   | 120         | 132   | 200       |                |       |
| Galbraith, John, and 71 others, of Toronto and Etobicoke.....                | 472         |       |           |                |       |
| Gallego, Peter, of the City of Toronto.....                                  | 307         | 314   | 315       |                |       |
| Gamble, John, and 300 others, of the District of Gore.....                   | 131         | 147   | 153       |                |       |
| Gardner, James, and 16 others, of the Western District.....                  | 130         | 146   | 149       |                | 166   |
| Gardner, William and James, of Mosa, L. D.....                               | 15          | 27    | 44        |                | 82    |
| Garner, Philip, and 107 others, of Stamford, N. D.                           | 447         | 472   |           |                |       |
| Gaulin, R., Bishop of Trabacca, and 201 others, of Glengarry.....            | 239         | 251   |           |                |       |
| Geddes, Andrew, and 65 others, of Woolwich....                               | 81          | 92    | 102       |                |       |

| PETITIONS of   | BROUGHT UP. | READ. | REFERRED. | REPORTED ON BY |       |
|--|-------------|-------|-----------|----------------|-------|
|  |             |       |           | REP'T.         | BILL. |
| G  |             |       |           |                |       |
| Geddes, Andrew, and 2 others, of Woolwich, (Halton).....                           | 223         | 234   |           |                |       |
| Gibb, George, and 8 others, of Mosa, (Middlesex)                                   | 197         | 208   | 210       |                |       |
| Gibson, Patrick, and 27 others, of Ameliasburgh, P. E. D.....                      | 275         | 285   | 286       |                |       |
| Gilbert, Daniel, and 409 others, of Sophiasburgh.                                  | 250         | 266   |           |                |       |
| Gilbert, Erastus, and 170 others, of the London District.....                      | 114         | 126   | 127       |                | 187   |
| Gilbert, Erastus, and 25 others, of Bayham, L. D.                                  | 270         | 281   | 282       |                |       |
| Gilmore, John, and 110 others, of Caledon and Mono, H. D.....                      | 145         | 155   | 333       |                |       |
| Girty, Prideaux, and 42 others, of the Western District.....                       | 130         | 146   | 149       |                | 166   |
| Glasford, Paul, and 49 others, of Brockville.....                                  | 342         | 351   | 357       |                | 397   |
| Goodwillie, George, and 78 others, of Esquesing, (Halton).....                     | 164         | 182   | 188       |                |       |
| Gourlay, Robert F. of Willoughby, State of Ohio, United States .....               | 383         | 397   | 406       |                |       |
| Grayham, Richard, and 63 others, of Bertie, N. D.                                  | 81          | 92    | 94        |                | 230   |
| Grand Jury of the London District .....  | 15          | 27    | 63        |                |       |
| Grand Jury of the London District .....  | 15          | 27    | 63        |                |       |
| Grant, Alexander, a Constable in the Eastern District.....                         | 308         | 314   |           |                |       |
| Grant, Honorable W. C. and 37 others, of Kingston.....                             | 101         | 115   |           |                |       |
| Grant, Robert, and 105 others, of Queenston....                                    | 336         | 337   |           |                |       |
| Grantham Academy, Trustees of.....   | 125         | 141   | 148       |                |       |
| Grass, John, and 180 others, of the Township of Kingston.....                      | 383         | 397   | 435       |                |       |
| Gray, James, of Brockville.....  | 476         |       |           |                |       |
| Gray, W. M. and 14 others, of Niagara Town... ..                                   | 177         | 187   | 188       |                |       |
| Gray, W. M. and 15 others, of Niagara Town... ..                                   | 177         | 187   | 188       |                |       |
| Green, Charles, of Harvey, N. D.....   | 251         | 266   |           |                |       |
| Greer, J. H. and 117 others, of the Province of Upper Canada.....                  | 138         | 152   | 166       |                |       |
| Gregory, Barnabas, and 111 others, of Louth, N. D.....                             | 224         | 234   | 237       |                |       |
| Griffin, Joseph, junior, and 101 others, of the Ottawa District.....               | 129         | 145   | 178       |                | 192   |
| Gurnett, George, and Thomas Dalton, of Toronto                                     | 472         |       |           |                |       |
| Gurney, Chester, of Furnace Falls.....   | 72          | 86    | 210       |                |       |
| H  |             |       |           |                |       |
| Hairsine, Charles, and 68 others, of Mersea, &c. W. D.....                         | 91          | 109   | 122       |                |       |
| Hale, William, and 11 others, of Upper Canada..                                    | 230         | 242   |           |                |       |
| Hall, F., Esquire, Civil Engineer.....   | 151         | 165   | 178       | 415            |       |
| Hall, John, and 50 others, of Otanabee and Monaghan, N. D. ....                    | 217         | 226   | 243       |                |       |
| Ham, George, and 188 others, of Cobourg.....                                       | 103         | 121   | 122       |                |       |
| Hammill, John, of Dunnville .....  | 138         | 151   | 153       |                |       |
| Hammill, John, Contractor for Paris Bridge....                                     | 329         | 343   |           | 430            | 445   |
| Hamilton, A. and thirty others, of Middlesex....                                   | 486         |       |           |                |       |
| Hamilton, George, Esquire, J. P. and 40 others, of the Ottawa District.....        | 81          | 91    | 87        | 315            | 315   |
| Hamilton, George, Esquire, Chairman of the Quarter Sessions, District of Gore..... | 130         | 146   | *149      |                |       |
| Hamilton, John, and 242 others, of the Home District.....                          | 186         | 198   | 207       |                |       |
| Hare, Richard, of Grafton Harbour Company ...                                      |             | 180   | 180       |                | 193   |
| Hartman, Lewis, Contractor for Bridge over the Thames .....                        | 217         | 226   | 232       |                |       |
| Hartwell, Jacob, and 110 others.....   | 426         | 451   |           |                |       |
| Harvey, R. W. and 37 others, Contractors for St. Lawrence Canal .....              | 191         | 202   | 207       |                |       |

PETITIONS of

H

|   | BROUGHT UP. | READ. | REFERRED. | REPORTED ON BY |       |
|---|-------------|-------|-----------|----------------|-------|
|   |             |       |           | REP'T.         | BILL. |
| Hatt, J. O. and 235 others, of the District of Gore                                 | 101         | 115   | 116       |                |       |
| Hayden, Anson, and 167 others, of Sidney, Thurlow, &c. (Hastings).....              | 145         | 155   | 188       |                |       |
| Henderson, John, of the County of Leeds.....  | 11          | 19    | 62        |                |       |
| Henry, James, and 156 others, of Blanford.....                                      | 308         | 314   | 322       |                |       |
| Henry, Robert, and 5 others, of the Cobourg Rail Road Company.....                  | 91          | 109   | 116       |                |       |
| Hewson, Francis, J. P. and 810 others, of the County of Simcoe.....                 | 131         | 147   |           |                |       |
| Hickley, Isabella, of the City of Toronto, widow                                    | 265         | 277   |           |                |       |
| Hill, Charles, and 33 others, of Bertie, N. D.....                                  | 108         | 121   | 142       |                | 230   |
| Hillard, L. and 42 others, Masters of Vessels on Lake Ontario.....                  | 91          | 110   | 253       |                |       |
| Hogg, James, and 105 others, of the Home District.....                              | 47          | 57    | 62        | 231            |       |
| Honeywell, Rice, and 87 others.....   | 438         | 465   |           |                |       |
| Hood, James, and 11 others, of the Townships of Essa and Tosoronto.....             | 185         | 197   | 213       |                |       |
| Hooker, A. and 348 others, of the Johnstown District.....                           | 90          | 108   | 116       |                |       |
| Hopkins, Daniel, and 92 others, of Caledon and Mono.....                            | 145         | 155   | 333       |                |       |
| Horning, Lewis, and 150 others, of the Townships of Mono, Amaranth, Mulmer, &c..... | 191         | 202   |           |                |       |
| Howard, Dean S. Contractor for Trent Bridge....                                     | 197         | 208   | 219       |                |       |
| Howell, John, and 26 others, of Sophiasburgh, P. E. D.....                          | 210         | 225   |           |                |       |
| Huff, Elisha, and 17 others, of Sophiasburgh, P. E. D.....                          | 43          | 57    | 62        |                |       |
| Hughes, Shepherd, and Johnston, Trustees to the Farmers' Store-House, Toronto.....  | 21          | 43    |           |                | 142   |
| Hugill, John, of Toronto.....   | 60          | 60    | 60        |                | 147   |
| Hurd, Thomas, J. P. and 33 others.....  | 276         | 285   |           |                |       |
| Huston, Joseph, and 95 others, of Cavan and Manvers.....                            | 387         | 406   |           |                |       |
| Huttner, Jacob, Township of Vaughan, H. D.....                                      | 218         | 226   |           |                |       |

J

|  |     |     |     |     |  |
|--|-----|-----|-----|-----|--|
| Jackson, Ardiel, and Lewis, of the London District.....          | 19  | 54  | 54  | 473 |  |
| Jarvis, W. B. Esquire, and 5 others, of the City of Toronto..... | 284 | 311 | 313 |     |  |
| Johns, Solomon, and 46 others, of the District of Newcastle..... | 131 | 146 | 150 |     |  |
| Johnson, J. H. and 187 others, of Bertie, Lincoln.....           | 250 | 266 | 269 |     |  |
| Johnson, William, and 35 others, of Georgina....                 | 42  | 56  | 59  |     |  |
| Johnson, William, and 47 others, of Georgina....                 | 151 | 165 |     |     |  |
| Johnson, William, and 33 others, of Georgina, H. D.....          | 421 | 440 |     |     |  |
| Jones, A. P. and 79 others, of the London District.....          | 130 | 146 |     |     |  |

K

|  |     |     |     |     |     |
|--|-----|-----|-----|-----|-----|
| Keagey, John, junior, and 8 others, of Gore District.....                | 101 | 115 | 122 |     |     |
| Keele, W. C. of Toronto City.....  | 43  | 56  | 59  |     | 129 |
| Kellogg, Simeon, and 62 others, of Brighton....                          | 461 |     |     |     |     |
| Keenan, J. senior, and 30 others, of Adjala.....                         | 275 | 285 | 322 |     |     |
| Kennedy, Edward.....   | 176 | 186 | 192 | 499 |     |
| Kerby, William, or Pattie David, and 90 others, of Hawkesbury, O. D..... | 26  | 48  | 59  |     |     |
| Ker, Adam, and 321 others, of the District of Gore                       | 247 | 254 | 268 |     |     |
| Ketcheson, B. of Belleville.....   | 108 | 121 |     |     |     |
| Ketchum, Jesse, and 31 others, Delegates for Temperance Societies.....   | 307 | 314 |     |     |     |

F

| PETITIONS of   | BROUGHT UP. | READ. | REFERRED.  | REPORTED ON BY    |       |
|--|-------------|-------|------------|-------------------|-------|
|  |             |       |            | REP'T.            | BILL. |
| <b>K</b>   |             |       |            |                   |       |
| Ketchum, Seneca, John Lindsey, and William Clark, H. D. ....                   | 65          | 82    | 94         |                   | 231   |
| King, James, Esquire .....   | 250         | 266   | 268        | 352               |       |
| Kirkpatrick, John, and 102 others, of Queens-<br>ton .....                     | 308         | 314   | 334        |                   |       |
| Kitchen, C. and 3 others, Commissioners of Bridge<br>over Grand River .....    | 81          | 92    | 102        |                   |       |
| Knowles, Daniel, and 114 others, of Scarborough,<br>H. D. ....                 | 197         | 208   |            |                   |       |
| <b>L</b>   |             |       |            |                   |       |
| Laing, Alexander, and 2 others, Commissioners,<br>Medonte, H. D. ....          | 176         | 186   | 209        |                   |       |
| Laing, Alexander, and 2 others, Commissioners,<br>Medonte, H. D. ....          | 191         | 202   |            |                   |       |
| Laing, J. and 103 others, of the Home District ..                              | 101         | 115   | 121        | 231               |       |
| Lanning, Richard, and 40 others, of Yarmouth and<br>Malahide .....             | 108         | 121   | 132        | 218               |       |
| Latham, George A., M. D. of Toronto .....                                      | 86          | 92    | 103        | 133<br>142<br>510 |       |
| Lawler, A. and 101 others, of Nottawasanga....                                 | 329         | 343   | 345        |                   |       |
| Lawless, L. and 38 others of the District of Lon-<br>don .....                 | 131         | 146   |            |                   |       |
| Lawrie, John, and 250 others .....   | 247         | 254   |            |                   |       |
| Law, Abraham, and 55 others, of York .....                                     | 426         | 451   |            |                   |       |
| Lazier, Abraham, and 137 others, of Prince Ed-<br>ward .....                   | 90          | 109   | 117        |                   |       |
| Lee, Edward, and 21 others, of Howard, W.D....                                 | 165         | 182   | 333        |                   |       |
| Lee, Garret, and 37 others, of Howard and Har-<br>wich, W. D. ....             | 177         | 187   |            |                   |       |
| Lee, John, of the City of Toronto .....  | 26          | 48    | 59         | 236               |       |
| Lesslie, James, and 67 others, of the Home Dis-<br>trict .....                 | 16          | 29    | 50         |                   | 142   |
| Lesslie, James, and 11 others, Stockholders in the<br>People's Bank .....      | 185         | 197   | 199        |                   | 239   |
| Lesslie, John, and 442 others, of West Flambo-<br>rough, G. D. ....            | 447         | 472   |            |                   |       |
| Lewis, A. and 239 others, of the Township of To-<br>ronto .....                | 151         | 165   | 333        |                   |       |
| Lewis, C. and 32 others, of Middlesex .....                                    | 486         |       |            |                   |       |
| Lewis, John .....  | 130         | 146   | 149        |                   |       |
| Leys, Francis, and 103 others, of Pickering....                                | 61          | 77    | 78         |                   |       |
| Lister, Joseph, M. D. of the Town of Hamilton,<br>G. D. ....                   | 21          | 43    | 54         | 389               |       |
| Little, James W. and 149 others, of the Western<br>District .....              | 131         | 146   | 149        |                   | 166   |
| Lockhart, James, and 14 others, Masters of Ves-<br>sels .....                  | 247         | 254   | 268<br>333 |                   |       |
| Logie, John, and 62 others, of Ops, Newcastle<br>District .....                | 217         | 226   | 222        |                   |       |
| Logie, John, and 230 others, of Ops, &c. ....                                  | 387         | 406   |            |                   |       |
| Lotteridge, W. and others .....  |             | 179   | 179        |                   | 268   |
| Loucks, Richard, and 58 others, of Stormont....                                | 421         | 440   |            |                   |       |
| Lowe, Charles, Town Clerk, and 3 others, Com-<br>missioners, of Mariposa ..... | 211         | 226   |            |                   |       |
| Lymburner, William, and 22 others, of Burford,<br>L. D. ....                   | 131         | 146   | 149        |                   |       |
| Lyon, D. and 97 others, of Loughborough,<br>M. D. ....                         | 130         | 146   | 188        |                   |       |
| Lyon, George, and 172 others, of Carleton....                                  | 164         | 182   | 192        |                   |       |
| Lyons, Harker, and 31 others, of the Gore Dis-<br>trict .....                  | 186         | 198   | 323        |                   |       |
| Lyons, William, (or Manahan) and 5 others, of<br>Presque Isle .....            | 65          | 81    | 83         |                   | 357   |

| PETITIONS of  | BROUGHT UP. | READ. | REFERRED.  | REPORTED ON BY    |            |
|---|-------------|-------|------------|-------------------|------------|
|   |             |       |            | REP'T.            | BILL.      |
| M<br>Macaulay, J. and 10 others, Magistrates, of the<br>Midland District .....    | 101         | 115   | 127        |                   |            |
| Macaulay, Reverend D., Home District School-<br>master.....                       | 151         | 165   | 166        | 182<br>186<br>432 |            |
| McBride, Henry, and 22 others, of Carleton....                                    | 405         | 421   |            |                   |            |
| McCague, James, of York .....   | 251         | 266   | 268        |                   |            |
| McCall, S. and 202 others, of the County of Nor-<br>folk .....                    | 21          | 44    | 69         |                   |            |
| McCallum, James, and 25 others, of the County<br>of York.....                     | 207         | 218   |            |                   |            |
| McCollum, C. H. and 450 others, of Hastings...<br>472                             |             |       |            |                   |            |
| McCrae, Alexander, and 107 others, of the Dis-<br>trict of Johnstown .....        | 191         | 202   | 322        |                   |            |
| McDermid, Hugh, and 167 others, of Nissouri,<br>L. D. ....                        | 405         | 422   |            |                   |            |
| McDonald, Daniel, of Brockville.....  | 343         | 351   |            |                   |            |
| McDonnell, Allan, late a Private in the Stormont }<br>Militia.....                | 343         | 351   | 451<br>358 |                   |            |
| McDonell, Angus, and 145 others, of the District<br>of Niagara.....               | 284         | 311   |            |                   |            |
| McDonell, Archibald, and 108 others, of Osgoode,<br>O. D. ....                    | 307         | 313   |            |                   |            |
| McDonell, D. Æ. Esquire, H.P. 98th Regiment...<br>447                             |             | 451   | 451        | 453               |            |
| McDonough, Michael, of the Township of Mara,<br>(Simcoe).....                     | 230         | 242   | 252        |                   |            |
| McDougall, Angus, late Sergeant in the Incor-<br>porated Militia .....            | 114         | 126   | 127<br>451 |                   |            |
| McDougall, D. and 103 others, of the Town of<br>Niagara.....                      | 223         | 234   | 243        |                   | *388       |
| McDowell, Reverend Robert, and 39 others, of<br>the City of Toronto .....         | 177         | 187   | 192        |                   |            |
| McGill, Reverend Robert, and 30 others, of the<br>Town of Niagara .....           | 177         | 187   | 188        |                   |            |
| McGregor, Alexander, and 617 others, of the City<br>of Toronto .....              | 394         | 413   |            |                   |            |
| McGaire, Timothy, and 217 others, of Upper Ca-<br>nada .....                      | 321         | 337   | 337        |                   |            |
| McKay, Thomas, and 4 others, of the Bathurst<br>and Ottawa Districts.....         | 280         | 311   |            |                   |            |
| McKee, John, and 43 others, of Garafraxa.....<br>177                              |             | 187   | 188        |                   |            |
| McKellock, Archibald, and 70 others, of the Lon-<br>don District .....            | 131         | 146   |            |                   |            |
| McKenny, R. L. and 31 others, of the London<br>District.....                      | 131         | 146   |            |                   |            |
| McKenzie, W. L., Esquire, Executor of the Es-<br>tate of the late R. Randal.....  | 61          | 76    | 78         | 433               | 374        |
| McLaughlin, Michael, and 61 others, of Mara, &c.<br>108                           |             | 121   | 122        |                   |            |
| McLean, James, and 40 others, of the District of<br>Niagara.....                  | 27          | 48    | 53         |                   |            |
| Maclem, James, senior, and 91 others, of the Nia-<br>gara District.....           | 138         | 152   |            |                   |            |
| Maclem, John, and 46 others, of Bertie, Nia. D.<br>54                             |             | 66    | 78         |                   |            |
| McLeod, D. and 74 others, of the Home District.<br>101                            |             | 115   | 121        | 231               |            |
| McMicking, Gilbert, Esquire, of Lincoln.....<br>151                               |             | 165   | 178        | 404               |            |
| McMillan, Alexander, and 11 others, of Roxboro'<br>321                            |             | 336   | 346        |                   |            |
| McMillan, John, of Lochiel, (Glengarry).....<br>308                               |             | 314   | 316        | 357               | 425<br>429 |
| McMurdo, H. D. of the Township of Sherbrooke,<br>B. D.....                        | 48          | 58    |            |                   |            |
| McMurray, Hugh, and 42 others .....   | 461         |       |            |                   |            |
| Macnab, James, and 849 others, of Trafalgar,<br>Chinguacousey, Esquesing, &c..... | 131         | 147   | 157        |                   |            |
| McNair, John, and 27 others, of the District of<br>London.....                    | 130         | 146   | 149        |                   | 166        |

| PETITIONS of   | BROUGHT UP. | READ. | REFERRED. | REPORTED ON BY |       |
|--|-------------|-------|-----------|----------------|-------|
|  |             |       |           | REP'T.         | BILL. |
| M  |             |       |           |                |       |
| McNaughton, P. and 23 others, of Caledon, H. D. ....                               | 421         | 440   |           |                |       |
| McNeilledge, Colin, and 47 others, of Port Dover Harbour .....                     | 177         | 188   | 188       | 247            |       |
| McPhee, A. and 36 others, of Lochiel, (Glen-garry) .....                           | 364         | 377   | 380       |                |       |
| Madge, R. P., J. P. and 16 others, of Harvey, Newcastle District .....             | 81          | 92    |           |                |       |
| Magistrates of the Home District .....   | 351         | 365   | 365       |                |       |
| Malcolm, Eliakim, and 969 others, of the Niagara, Gore, and London Districts ..... | 120         | 132   | 200       |                |       |
| Malloch, George, Esquire, of Brockville .....                                      | 307         | 313   | 316       |                |       |
| Malloy, Edward H. of Port Stanley, (Middlesex) ..                                  | 181         | 192   | 322       |                |       |
| Marchant, Robert, and others, of the City of Toronto .....                         | 348         | 364   | 382       |                |       |
| Markland, Thomas, and 29 others, of the Midland District School Society .....      | 27          | 49    | 53        |                | 477   |
| Markland, Thomas, and 66 others, of the Midland and Newcastle Districts .....      | 101         | 115   |           |                |       |
| Markland, Thomas, and 209 others, of Kingston ..                                   | 101         | 115   |           |                |       |
| Markley, Christopher, and 68 others, of Williams-burgh, E. D. ....                 | 217         | 226   | 232       |                |       |
| Marsh, J. of Hope, Newcastle District .....  | 81          | 92    | 98        |                |       |
| Matchett, James, and 32 others, of Olanabee .....                                  | 223         | 234   | 237       |                |       |
| Mattison, Job, of Woford, J. D. ....   | 336         | 350   | 435       |                |       |
| Mayer, Adolphus, and another, Commissioners in McKillop .....                      | 86          | 92    |           |                |       |
| Mayor, Aldermen, &c. of the City of Toronto .....                                  | 321         | 337   | 337       |                |       |
| Merrick, Stephen H. and 179 others, of the Johnst-town District .....              | 250         | 266   | 268       |                |       |
| Merritt, W. H., President of the Welland Canal Company .....                       | 186         | 190   | 190       | *190           |       |
| Middagh, G. and 69 others, of Caledon, H. D. ....                                  | 126         | 141   | 148       |                |       |
| Miller, Andrew, and 335 others, of the London and Gore Rail Road Company .....     | 321         | 337   |           |                |       |
| Miller, Andrew, and 56 others, of Hamilton, in the Gore District .....             | 329         | 343   | 346       |                | 378   |
| Miller, George, and 16 others, of the London Dis-trict .....                       | 131         | 146   |           |                |       |
| Miller, John, and 75 others, of Hallowell and Pic-ton, P. E. D. ....               | 54          | 67    | 78        |                | 193   |
| Miller, John, and 96 others, of Dundas, (Gore) ..                                  | 101         | 115   | 116       |                |       |
| Milne, Alexander, and 16 others, of the Township of York .....                     | 394         | 413   |           |                |       |
| Milne, Peter, and 43 others, of the Township of York .....                         | 394         | 413   |           |                |       |
| Milne, William, and Alpheus S. St. John .....                                      | 54          | 66    | 123       |                |       |
| Milner, John and Thomas .....  | 329         | 343   |           |                |       |
| Misener, John, and 19 others, of the Niagara Dis-trict .....                       | 191         | 202   | 207       |                |       |
| Monro, Henry, and 31 others, of Brantford .....                                    | 321         | 336   |           |                |       |
| Montgomery, John, and 18 others, of the Home District .....                        | 72          | 86    | 87        | 231            |       |
| Montgomery, John, and 118 others, of the Town-ship of York .....                   | 486         |       |           |                |       |
| Moore, Andrew, and 80 others, of Bayham, (Mid-dlesex) .....                        | 154         | 177   | 316       |                |       |
| Moore, George, and 120 others, of London, West-minster, Nissouri, &c. ....         | 230         | 242   | 244       |                |       |
| Moore, Thomas, and 14 others, of Prince Ed-ward .....                              | 108         | 121   |           |                |       |
| Mosier, George, and 56 others .....  | 413         | 429   |           |                |       |
| Mosier, J. of Cookville, H. D. ....  | 218         | 226   | 232       | 520            |       |
| Murphy, John, and 116 others, of the Home Dis-trict .....                          | 43          | 56    | 62        | 231            |       |



| PETITIONS of   | BROUGHT UP. | READ. | REFERRED. | REPORTED ON BY |       |
|--|-------------|-------|-----------|----------------|-------|
|  |             |       |           | REP'T.         | BILL. |
| <b>M</b>   |             |       |           |                |       |
| Murphy, Richard, and 48 others, of the Mechanics' Institute, London.....           | 154         | 177   | 178       | 230            |       |
| Murphy, Richard, and 158 others, of Middlesex.....                                 | 230         | 242   | 244       |                |       |
| <b>N</b>   |             |       |           |                |       |
| Nash, Abner, and 496 others, of Whitby, H. D....                                   | 91          | 110   | 253       |                |       |
| Newlove, Love, of Albion, H. D. ....   | 280         | 311   | 322       |                |       |
| Niagara District School, Trustees of.....  | 145         | 155   | 180       |                |       |
| Nickalls, James, Junior, and 19 others, of the Kingston Mechanics' Institute ..... | 101         | 115   |           |                |       |
| Nichols, John, and 110 others, of Ekfrid and Caradoc.....                          | 240         | 252   | 252       |                |       |
| <b>O</b>   |             |       |           |                |       |
| O'Brian, G. and 14 others, of the County of Simcoe .....                           | 230         | 242   |           |                |       |
| Odell, Henry, and 55 others, of the Districts of London and Gore .....             | 151         | 165   | 178       |                |       |
| Odell, Russell H. and 125 others of the Districts of London and Gore.....          | 151         | 165   | 178       |                |       |
| Ogden, William, of Springfield.....  | 307         | 314   | 338       |                |       |
| Owston, William, J. P. and 54 others, of Hamilton, N. D. ....                      | 91          | 109   | 116       |                |       |
| <b>P</b>   |             |       |           |                |       |
| Page C. W. and 374 others, of the Home District.....                               | 202         | 211   |           |                |       |
| Parish, Thomas, of Sandwich .....  | 145         | 155   | 157       |                |       |
| Parker, J. and 164 others, of Hastings.....  | 307         | 314   |           |                |       |
| Parker, Robert, and 39 others, of King.....  | 191         | 202   | 207       |                |       |
| Parker, T. and 2165 others, of Hastings, M. D....                                  | 11          | 18    | *20       |                | 44    |
| Parker, T. and 80 others, of Hastings.....   | 131         | 146   |           |                |       |
| Parke, Thomas, and 53 others, of the Township of London.....                       | 217         | 226   | 271       |                |       |
| Parkinson, Reuben, of the City of Toronto.....                                     | 91          | 109   | 115       |                |       |
| Parliament, William, and 32 others, of Brock, H.D.....                             | 144         | 155   |           |                |       |
| Paterson, John, and 18 others, of the Desjardin's Canal Company.....               | 125         | 141   | 142       | 350            |       |
| Pattie, David, and 86 others, of Prescott.....                                     | 129         | 145   | 150       |                | 178   |
| Pearse, Dumble, and Hoar, of the Newcastle District.....                           | 27          | 48    | 45        | 166            |       |
| Pease, Elijah, and 41 others, of the Home District.....                            | 413         | 429   |           |                |       |
| Pell, Joseph, of Stamford, Niagara .....   | 11          | 18    | 20        |                |       |
| Perry, Daniel, and 175 others, of the Midland District.....                        | 90          | 108   | 142       |                |       |
| Perry, Ebenezer, and 40 others, of Cobourg....                                     | 91          | 109   | 116       |                | 206   |
| Peters, James, and 97 others, of Eramosa .....                                     | 270         | 281   | 282       |                |       |
| Peterson, Paul, and 108 others, of Kingston....                                    | 438         | 465   |           |                |       |
| Phelps, Francis, and 54 others, of the Home District.....                          | 138         | 152   |           |                |       |
| Phillips, Reverend Dr. D.D. and 18 others, of the City of Toronto.....             | 176         | 187   | 192       |                |       |
| Phillips, Ziba Marcus, of Augusta, J. D.....                                       | 164         | 182   | 187       |                |       |
| Platt, John, and 6 others, of Ameliasburgh.....                                    | 90          | 109   | 117       |                |       |
| Poore, John, and 241 others, of Guelph, G. D....                                   | 81          | 91    | 102       |                |       |
| Powell, William, and 42 others, of Bertie, Niagara District.....                   | 55          | 67    | 68        |                |       |
| Presbytery of Toronto, in connexion with the Church of Scotland.....               | 224         | 234   |           |                |       |
| President, &c. of the Bank of Upper Canada....                                     | 120         | 132   | 142       |                |       |
| President, &c. of the Louth Harbour .....  | 10          | 17    | 19        |                |       |
| President, &c. of the Port Hope Harbour Company .....                              | 27          | 49    | 88        |                | 133   |

| PETITIONS of   | P | BROUGHT UP. | READ. | REFERRED.      | REPORTED ON BY |       |
|--|---|-------------|-------|----------------|----------------|-------|
|  |   |             |       |                | REP'T.         | BILL. |
| Priestman, Matthew, of Etobicoke .....   |   | 72          | 87    | { 116<br>474 } | 475            |       |
| Proudfoot, William, and 174 others, of the City of Toronto .....                             |   | 251         | 266   | 278            |                | 379   |
| Putnam, William, and 85 others, of Dorchester, L. D. ....                                    |   | 447         | 472   |                |                |       |
| R  |   |             |       |                |                |       |
| Rankin, Charles, of the Township of Collingwood, Simcoe .....                                |   | 230         | 242   |                |                |       |
| Ransom, S. and 67 others, of the Township of Toronto .....                                   |   | 240         | 252   | 333            |                |       |
| Reed, Israel, and 79 others, of Zorra, Middlesex, .....                                      |   | 230         | 242   | 244            |                |       |
| Rees, William, of the City of Toronto, Surgeon ..  |   | 207         | 218   | 333            |                |       |
| Reid, Obadiah, and 39 others, of North Crosby, J. D. ....                                    |   | 130         | 146   | 149            |                |       |
| Reid, R. and 444 others, of the Newcastle District .....                                     |   | 81          | 92    | 93             |                |       |
| Reid, R. and 147 others, of Peterboro', &c. Newcastle District .....                         |   | 240         | 251   |                |                |       |
| Reid, William, and 44 others, of Crowland, Wainfleet, &c. N. D. ....                         |   | 55          | 68    | 78             |                |       |
| Reid, William, senior, and 85 others, of East Gwillimbury .....                              |   | 421         | 440   |                |                |       |
| Reilley, John, formerly Messenger to the Assembly  |   | 307         | 314   | 315            |                |       |
| Renwick, Thomas, and 13 others, of the Western District .....                                |   | 131         | 146   | 149            |                | 166   |
| Reynolds, Ebenezer, Sheriff, of the Western District .....                                   |   | 138         | 151   | 153            |                |       |
| Richards, Owen, Light-house Keeper, Point Peter, Lake Ontario .....                          |   | 15          | 27    |                |                |       |
| Richmond, John, and 38 others, of Walpole and Rainham .....                                  |   | 181         | 192   | 198            |                |       |
| Robertson, George, and 34 others, of Mille Roches  |   | 280         | 311   | 315            | 401            |       |
| Robinson, C. and 2 others, Commissioners, &c. of Thorah, H. D. ....                          |   | 108         | 121   | 133            |                |       |
| Robinson, James, and 49 others, of Toronto and vicinity, 6th Concession .....                |   | 145         | 155   | 333            |                |       |
| Rolph, George, and 7 others, of the Village of Dundas .....                                  |   | 121         | 132   | 133            |                |       |
| Rorke, William, and 35 others, of Upper Canada   |   | 313         | 330   |                |                |       |
| Rowe, George, and 184 others, of Stamford, N. D. ....  |   | 405         | 421   |                |                |       |
| S  |   |             |       |                |                |       |
| St. John, A. S. and 158 others, of Moulton .....   |   | 125         | 141   | 142            |                |       |
| Salmon, George S., Colonel, 2nd Norfolk Militia, and 6 others, (Officers) .....              |   | 177         | 187   | 199            | *242           |       |
| Scanlon, Hugh, and 57 others, of Sophiasburgh, P.E.D. ....                                   |   | 207         | 218   | 219            |                |       |
| Schofield, J. L., J.P. and 17 others, of the District of Johnstown .....                     |   | 138         | 152   |                |                |       |
| Schofield, J. L., J.P. and 98 others, of the District of Johnstown .....                     |   | 181         | 192   | 192            |                |       |
| Servos, T. of the Town of Niagara .....  |   | 27          | 49    | 44             | 285            |       |
| Sewell, Thomas, and 190 others, of Niagara .....   |   | 54          | 67    | 69             |                |       |
| Shade, Absalom, and 136 others, of Halton and Huron .....                                    |   | 90          | 109   | 150            |                |       |
| Shaw, B. and 106 others, of the London District.   |   | 130         | 146   | 149            |                | 166   |
| Shearer, Robert, and 67 others, of Northumberland  |   | 141         | 155   |                |                |       |
| Sherwood, W. M. and 956 others, of the Midland, Newcastle, and Prince Edward Districts ..... |   | 164         | 182   |                |                |       |
| Shipman, Caleb, of Whitby .....  |   | 307         | 314   |                |                |       |
| Shipman, John, and 19 others, of the Johnstown District .....                                |   | 15          | 30    | 59             |                |       |

| PETITIONS of   | BROUGHT UP. | READ. | REFERRED. | REPORTED ON BY |       |
|--|-------------|-------|-----------|----------------|-------|
|  |             |       |           | REP'T.         | BILL. |
| S  |             |       |           |                |       |
| Shower, Michael, of Burford .....  | 284         | 311   | 351       |                |       |
| Shower, Michael, senior, and 68 others, of Paris.                                  | 280         | 311   | 313       | 508            |       |
| Sills, John, (or Simpkins,) and 102 others, of Loughborough, M. D. ....            | 11          | 19    | 23        |                | 93    |
| Sinclair, Finlay, and 91 others, of Stormont.....                                  | 114         | 126   | 127       |                |       |
| Sinnott, Thomas, of Brockville .....   | 342         | 351   | 357       |                |       |
| Sleight, Hiram, and 22 others, of Humberstone, N. D.                               | 251         | 266   | 278       |                |       |
| Sleightham, James, and 58 others, of Toronto Gore.....                             | 247         | 254   | 333       |                |       |
| Smalley, Arad, and 38 others, of North Gwillimbury .....                           | 223         | 234   | 237       |                |       |
| Smart, David, and 25 others, of Port Hope.....                                     | 90          | 109   | 117       |                | 133   |
| Smith, H. Warden of the Provincial Penitentiary                                    | 26          | 48    | 59        |                |       |
| Smith, Hezekiah, and 40 others, of the London District.....                        | 130         | 146   |           |                |       |
| Smith, John, and 17 others, of Chatham and Camden, W. D. ....                      | 47          | 57    |           |                |       |
| Smith, John D., Esquire, of Port Hope.....   | 42          | 55    | 68        |                | 231   |
| Smith, Luther, of the Town of Hamilton, G. D. ...                                  | 240         | 243   | 243       |                |       |
| Smith, Samuel, and 24 others, of the District of London.....                       | 130         | 146   | 149       |                | 166   |
| Smith, Thomas, and 36 others, of the Western District.....                         | 130         | 146   | 149       |                | 166   |
| Smith, Thomas, of the Township of Toronto.....                                     | 145         | 155   | 157       |                | 414   |
| Snider, Martin, and 7 others, of the Township of York.....                         | 394         | 413   | 435       |                |       |
| Sparkes, Nicholas, of Bytown .....   | 360         | 371   | 383       |                |       |
| Spence, George, and 34 others, of Caledon, &c. ...                                 | 186         | 198   | 199       | 356            |       |
| Spencer, David, and 77 others, of Edwardsburgh, &c. J. D. ....                     | 177         | 187   |           |                |       |
| Splitlog, Thomas, and 7 others, Chiefs and Warriors of the Hurons and others ..... | 61          | 75    | 78        | 156            |       |
| Spragg, David, and 50 others, of North Gwillimbury .....                           | 421         | 440   |           |                |       |
| Spragg, Thomas, and 209 others, of Yarmouth, L. D.                                 | 425         | 451   |           |                |       |
| Stanton, Robert, Esquire .....   | 336         | 350   |           |                |       |
| Stearns, H. G. and 66 others, of the Province of Upper Canada .....                | 223         | 234   | 237       |                |       |
| Steele, John, Esquire, and 13 others, Magistrates of the Newcastle District.....   | 65          | 82    | 94        |                | 102   |
| Steele, John, and 113 others, of the Newcastle and Midland Districts.....          | 120         | 132   | 133       |                |       |
| Stevens, Webster, and 28 others, of Brock, H. D.                                   | 144         | 155   | 157       |                |       |
| Stevenson, James, and 44 others, of the District of London.....                    | 130         | 146   |           |                |       |
| Stewart, T. A. and 650 others, of Upper Canada.                                    | 81          | 92    | 94        |                |       |
| Story, James .....   | 144         | 155   |           |                |       |
| Street, Timothy, and 764 others, of Toronto, Caledon, &c. ....                     | 9           | 25    | 25        |                |       |
| Strobridge, Nancy, widow of the late J. G. Strobridge .....                        | 151         | 165   | 178       |                |       |
| Stuart, Reverend George O'Kill, and 42 others, of Kingston .....                   | 43          | 56    | 200       |                | 211   |
| Stuart, George O'Kill, of Kingston.....  | 335         | 350   |           |                |       |
| Sumner, William, and 14 others, of Westminster, L. D. ....                         | 21          | 43    | 199       |                |       |
| Swartz, Peter, and 59 others, of the District of London.....                       | 131         | 146   |           |                |       |
| Switzer, Martin, and 57 others, of the Township of Toronto .....                   | 438         | 465   |           |                |       |
| T  |             |       |           |                |       |
| Taylor, E. C. of Goderich.....   | 364         | 378   | 407       | 416            |       |
| Taylor, I. J. and 202 others, of the Township of Hope, N. D. ....                  | 90          | 109   | 116       | 430            |       |

| PETITIONS of  | BROUGHT UP. | READ. | REFERRED.  | REPORTED ON BY |       |
|---|-------------|-------|------------|----------------|-------|
|   |             |       |            | REP'T.         | BILL. |
| <b>T</b>  |             |       |            |                |       |
| Taylor, P. and 100 others, of the Home and Newcastle Districts .....                | 101         | 115   | 143        |                |       |
| Ten'Eyck, C. W. B. and 21 others, of Binbrook, G. D. ....                           | 230         | 242   | 269        |                |       |
| Thomas, Merrick, and 72 others, of Oakville ...                                     | 247         | 254   | 268<br>333 |                |       |
| Thompson, David, and 71 others, of the Province of Upper Canada .....               | 230         | 242   | 248        |                |       |
| Thompson, William, and 36 others, of Brock, H.D.                                    | 145         | 155   | 157        |                |       |
| Thomson, Mrs. E. widow of the late H.C. Thomson, Esquire.....                       | 16          | 30    | 31         | 206            |       |
| Thurston, Lyman, and 87 others, of Bayham, L.D.                                     | 426         | 451   |            |                |       |
| Tomlinson, Joseph, and 15 others, of Markham..                                      | 86          | 92    | 143        |                |       |
| Toronto City Council.....   | 82          | 94    | 94         |                |       |
| Townsend, B. D. of the City of Toronto.....   | 145         | 155   | 157        |                |       |
| Travers, Boyle, and 150 others, of the London District.....                         | 461         |       |            |                |       |
| Troyer, Michael, and 140 others, of the County of Norfolk.....                      | 154         | 177   | 316        |                |       |
| Turton, Joseph, of the City of Toronto .....  | 10          | 25    | 25         | 414            |       |
| <b>V</b>  |             |       |            |                |       |
| Valleau, Hildebrand, of the District of Prince Edward .....                         | 176         | 186   | 187        | 520            |       |
| Vance, Alexander, and 37 others, of Houghton, L. D.....                             | 90          | 109   | 116        |                |       |
| Van Cortlandt, Edward, and 669 others, of the Districts of Bathurst and Ottawa..... | 6           | 11    | 20         |                |       |
| Van Norman, Joseph, and 186 others, of the County of Norfolk.....                   | 54          | 67    | 69         |                |       |
| Van Ostrand, Cornelius, and 60 others, of the Home District .....                   | 47          | 57    | 62         | 231            |       |
| Van Volkenburgh, David, late a Private in the Glengarry Fencibles .....             | 176         | 186   | 200        |                |       |
| Verhoef, P. F. of Sandwich, W. D.....   | 10          | 18    | 23         |                |       |
| <b>W</b>  |             |       |            |                |       |
| Waddell, John, and 31 others, of the District of London.....                        | 131         | 146   |            |                |       |
| Wadsworth, James, and 3 others, of Bonchere...                                      | 336         | 350   |            |                |       |
| Wait, B. and 149 others, on Indian Lands in Hal- dimand .....                       | 21          | 43    |            |                |       |
| Wallace, William F. of Brantford .....  | 120         | 132   | 200        |                |       |
| Walsh, C. a Prisoner in Niagara Jail.....   | 154         | 177   | 178<br>232 |                |       |
| Warbrick, James, and 23 others, of York and Scar- borough .....                     | 284         | 311   |            |                |       |
| Warren, Duncan, and 68 others, of the Western District.....                         | 224         | 324   |            |                | 248   |
| Warrow, Joseph, and 10 others, Indians of the Wyandot Tribe .....                   | 154         | 177   | 188        | 194            |       |
| Watson, John, and 45 others, of King, H. D.....                                     | 151         | 165   |            |                |       |
| Watson, John, and 66 others, of Chinguacousey..                                     | 211         | 226   | 333        |                |       |
| Way, D. B. and 38 others, of Prince Edward....                                      | 108         | 121   |            |                |       |
| Weaver, G. and 153 others, of Bayham, L.D. ...                                      | 343         | 351   |            |                |       |
| Weir, John, and 7 others, of the District of London.....                            | 138         | 151   | 153<br>237 |                | 166   |
| Welford, J. A. and 8 others, of Thorold .....                                       | 151         | 165   | 268        |                |       |
| Weller, Gad, and 74 others, of the Home Dis- trict.....                             | 224         | 234   | 271        |                |       |
| Weller, Gad, and 21 others, of the Home Dis- trict.....                             | 224         | 234   | 271        |                |       |
| Weller, William, of Cobourg .....   | 369         | 378   | 380        |                |       |
| West, T. Junior, and 228 others, of West Gwil- imbury, (Simcoe) .....               | 138         | 154   | 323        |                |       |

| PETITIONS of   | BROUGHT UP. | READ. | REFERRED. | REPORTED ON BY |       |
|--|-------------|-------|-----------|----------------|-------|
|  |             |       |           | REP'T.         | BILL. |
| <b>W</b>   |             |       |           |                |       |
| White, Moses, and 13 others, of the Home District.....   | 43          | 56    | 62        | 231            |       |
| White, Reuben, and 223 others, of the Newcastle and other Districts.....                         | 61          | 77    | 166       |                |       |
| White, Samuel, and 55 others, of Zorra, (Middlesex).....   | 405         | 421   |           |                |       |
| Whitehead, G. W. Agent, &c. ....   | 270         | 282   | 282       |                | 337   |
| Whitesides, R. S. and 137 others, (Chrystians) ..  | 91          | 109   | 122       | 356            | 356   |
| Whyte, J. M. Esquire, President of the Gore Bank.....  | 239         | 243   | 244       |                |       |
| Whyte, J. M. and 32 others.....  | 336         | 337   |           |                |       |
| Wigle, Joseph, and 37 others, of Gosfield and Mersea, W. D.....                                  | 307         | 314   | 316       |                |       |
| Wilcox, Dyer, and 277 others, of Norwich .....   | 426         | 451   |           |                |       |
| Wilcox, Leonard, of the City of Toronto.....   | 15          | 28    | 53        | 520            |       |
| Wilkins, Richard, of the Town of Hamilton, G. D.....   | 240         | 243   | 243       |                |       |
| Wilkins, R. C. and 591 others, of the Midland and Newcastle Districts .....                      | 90          | 109   | 122       |                |       |
| Wilkins, R. C. and 452 others, of the Midland and Newcastle Districts .....                      | 307         | 313   |           |                |       |
| Williams, C. and 40 others, of York and Scarborough .....  | 108         | 121   | 122       |                |       |
| Williams Charles, and 27 others, of Hallowell....  | 202         | 211   | 213       |                |       |
| Williams, R. J. and 24 others, of the County of Simcoe.....                                      | 207         | 218   |           |                |       |
| Williamson, William, and 144 others, of the Home District.....                                   | 43          | 56    | 62        | 231            |       |
| Willson, Lewis, and 33 others, of Pelham, (Lincoln).....   | 239         | 251   |           |                |       |
| Wilson, Crowell, and 56 others, of Willoughby and Crowland .....                                 | 284         | 311   | 322       |                |       |
| Wilson, James .....  | 218         | 226   | 232       | 330            |       |
| Wilson, John, and 103 others of Howard, W. D....   | 126         | 141   |           |                |       |
| Wilson, John, and 54 others, Commissioners and others of the Townships of Howard and Oxford..... | 197         | 208   | 209       |                |       |
| Wiseman, William, and 141 others, of Finch, E. D.  | 114         | 126   | 127       |                |       |
| Wismer, Jacob, and 184 others, of the Home District.....   | 145         | 155   | 210       |                |       |
| Wismer, John, and 20 others, of Markham.....   | 394         | 413   |           |                |       |
| Woodruff, Richard, and 18 others, of the District of Niagara.....                                | 26          | 48    | 68        |                |       |
| Woodruff, William, and 122 others, of St. Davids   | 387         | 406   |           |                |       |
| Wright, Joshua, and 42 others, of the Township of York.....                                      | 394         | 413   |           |                |       |
| Wynn, Joseph, and 62 others, of Queenston ....   | 308         | 314   | 334       |                | 435   |
| <b>Y</b>   |             |       |           |                |       |
| Yale, Welcome, and 192 others, of the London and Gore Rail Road Company .....                    | 360         | 371   |           |                |       |
| York, Silas V. ....  | 11          | 18    | 20        | 183            |       |
| Young, John, and 110 others, of the Niagara District.....  | 16          | 28    | *30       |                | 44    |
| Young, William, Esquire, Chairman of the Quarter Sessions, London District.....                  | 270         | 281   | 278       |                |       |
| <b>Z</b>   |             |       |           |                |       |
| Zavitz, Jesse, and 285 others, of Middlesex.....   | 138         | 151   |           |                | 231   |



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