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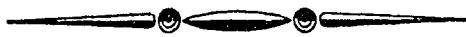
# Journal

OF THE

**HOUSE OF ASSEMBLY**

OF

**Upper Canada.**



*From 8th January to 20th March, 1829,*

BOTH DAYS INCLUSIVE.

IN THE NINTH AND TENTH YEARS OF THE REIGN OF

**KING GEORGE THE FOURTH.**

Being the First Session of the Tenth Provincial  
Parliament of Upper Canada.

Sess. 1829.



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

*LIEUTENANT GOVERNOR.*

YORK, U. C.

PRINTED BY FRANCIS COLLINS.

BY ORDER OF THE HOUSE OF ASSE

1829.

1st SESSION—10th PARLIAMENT.

9th GEORGE IV.—1829.

**PROCLAMATION.**

**UPPER CANADA.**

P. MAITLAND,  
*Lieutenant Governor.*

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

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens and Burgesses of our said Province, to our Provincial Parliament at our Town of York, on the second day of May instant, to be commenced, held, called, and elected, and to every of you—GREETING:

WHEREAS, on the 25th day of March last, WE thought fit to prorogue our Provincial Parliament to the second day of May instant at which time, at our Town of York, 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 Wednesday the eleventh day of June, next ensuing, you meet us in our Provincial Parliament, at our Town of York, 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 PEREGRINE MAITLAND, Knight Commander of the most Honourable Military Order of the Bath, Lieutenant Governor of our said Province, and Major General commanding our Forces therein at York, this first day of May, in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of our Reign.

P. M.

*By command of His Excellency,*

JOHN B. ROBINSON,  
*Attorney General,*

SAMUEL P. JARVIS,  
*Deputy Secretary.*

By a further Proclamation of His Excellency Sir Peregrine Maitland, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated this second day of June, in the year of our Lord one thousand eight hundred and twenty eight, the meeting of the Legislative Council and House of Assembly stands further prorogued to the nineteenth day of July next ensuing.

**PROCLAMATION.**

**UPPER CANADA.**

P. MAITLAND,  
*Lieutenant Governor.*

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

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens, and Burgesses of the House of Assembly, and of our said Province, called and chosen to our present Provincial Parliament of our said Province, and to all our loving subjects to whom these presents shall come.

GREETING:—

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

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

IN TESTIMONY WHEREOF, We have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed.

WITNESS our trusty and well beloved SIR PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of our said Province, and Major General commanding our Forces therein, at York, this twenty fourth day of June, in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of our reign.

P. M.

*By command of His Excellency,*

JOHN B. ROBINSON,  
*Attorney General,*

DUNCAN CAMERON,  
*Secretary.*

**PROCLAMATION.**

**UPPER CANADA.**

P. MAITLAND,  
*Lieutenant Governor.*

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

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens, and Burgesses, of our said Province, to the Assembly, at our Town of York, on the twelfth day of August instant, to be commenced, held, called, and elected, and to every of you.

GREETING:

WHEREAS, for certain arduous and urgent affairs, US, and the state of our said Province, concerning, at our said Assembly, at the day and place aforesaid, to be held; We have ordained you, by our separate Writs at the Town and day aforesaid, to be present for the purposes therein mentioned.

NEVERTHELESS, for certain causes and considerations, US thereto especially moving, our said Assembly, at and upon the twelfth day of August instant, We have thought fit to prorogue, so that you nor any of you on the said twelfth day of August instant, at our said Town, to appear, are to be held or constrained. For we do, will that you, and each of you, be, as to us, in this matter entirely exonerated, commanding, and by the tenor of these presents, firmly enjoining you and every of you, and all others in this behalf interested, that on Saturday the twentieth day of September, next ensuing, at our said Town of York, personally you and every of you, be and appear, to treat, do, act, and conclude upon those things, which in our said Assembly, by the Common Council, of our said Province, by the favour of God, may be ordained.

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 PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of our said Province, and Major General commanding our Forces therein at York, this first day of August, in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of our reign.

P. M.

*By command of His Excellency,*

JOHN B. ROBINSON,  
*Attorney General,*

DUNCAN CAMERON,  
*Secretary.*

**PROCLAMATION.**

**UPPER CANADA.**

P. MAITLAND,  
*Lieutenant Governor.*

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

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens, and Burgesses of our said Province, to our Provincial Parliament, at our Town of York, on the twentieth day of September, instant, to be commenced, held, called, and elected, and to every of you.

GREETING:

WHEREAS, on the first day of August last, we thought fit to prorogue our Provincial Parliament to the twentieth day of September, instant, at which time at our Town of York 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 Wednesday the twenty ninth day of October, next ensuing, you meet us in our Provincial Parliament, at our Town of York, 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 PEREGRINE MAITLAND, K. C. B. Lieutenant Governor of our said Province, and Major General commanding our Forces therein, at York, this tenth day of September, in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of our reign.

P. M.

By command of His Excellency,  
JOHN B. ROBINSON,  
Attorney General,

DUNCAN CAMERON,  
Secretary.

## PROCLAMTION.

### UPPER CANADA.

P. MAITLAND,

Lieutenant Governor.

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

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens, and Burgesses, of our said Province, to our Provincial Parliament, at our Town of York, on the twenty-ninth day of October instant, to be commenced, held, called, and elected, and to every of you—

#### GREETING :

WHEREAS, by our Proclamation bearing date the tenth day of September last, WE thought fit to prorogue our Provincial Parliament to the twenty ninth day of October instant, at which time, at our Town of York, 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 fourth day of December, next ensuing, you meet us in our Provincial Parliament, at our Town of York, 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 PEREGRINE MAITLAND, Knight Commander of the most Honourable Military order of the Bath, Lieutenant Governor of our said Province, and Major General commanding our Forces therein at York, this twenty first day of October, in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of our Reign.

P. M.

By command of His Excellency,  
JOHN B. ROBINSON,  
Attorney General,

DUNCAN CAMERON,  
Secretary.

## PROCLAMATION.

### UPPER CANADA.

J. COLBORNE,

Lieutenant Governor.

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

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens and Burgesses of our said Province, to our Provincial Parliament, at our Town of York, on the fourth day of December, next ensuing, to be commenced, held, called, and elected, and to every of you—GREETING :

WHEREAS, by our Proclamation bearing date the twenty-first day of October last, we thought fit to prorogue our Provincial Parliament, to the fourth day of December, next ensuing at which time at our Town of York, 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 eighth day of January, next ensuing, you meet us in our Provincial Parliament, at our Town of York, FOR THE AUCTIONAL 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 York, this twenty sixth day of November, in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of our reign.

J. C.

By command of His Excellency,  
JOHN B. ROBINSON,  
Attorney General,

DUNCAN CAMERON,  
Secretary.

Thursday, 8th January, 1829.

At 12 o'clock this day, James Fitzgibbon, Esquire, Clerk of Assembly, and Samuel Peter Jarvis, Esquire, Clerk of the Crown in Chancery, Commissioners authorised to administer the oath prescribed by the statute, to the Members returned to serve in the present Parliament, attended in the chamber of Assembly, and administered the oath to 45 members, viz :

From what County, Town or Riding.	NAMES OF MEMBERS PRESENT.
Prescott & Russell,	Donald McDonald,
Glengarry,	Alexander Fraser,
Stormont,	Archibald McLean, and Ambrose Blacklock,
Dundas,	Peter Shaver and George Brouse,
Grenville,	George Longley and Rufus E. Henderson,
Leeds,	John Kilborn and William Buell Junior,
Lanark,	William Morris,
Frontenac,	Hugh C. Thomson and Thomas Dalton,
Kingston,	Donald Bethune,
Carleton,	Thomas Radenthurst,
Lennox & Addington,	Marshall S. Bidwell and Peter Perry,
Hastings,	Joseph N. Lockwood and J. H. Samson,
Prince Edward,	Paul Peterson, and James Wilson,
Northumberland,	James Lyons and Benjamin Ewing,
Durham,	John David Smith,
York,	Jesse Ketchum and William Lyon Mackenzie,
Simcoe,	John Cawthra,
Middlesex,	John Matthews and John Rolph,
Town of York,	John B. Robinson,
Halton,	George Rolph and Caleb Hopkins,
Lincoln.	Robert Randal, John J. Lafferty, Wm. Terry, and Wm. Woolruff,
Wentworth,	John Wilson and George Hamilton,
Town of Niagara,	Robert Dickson,
Norfolk,	Duncan McCall and W. W. Baldwin,
Oxford,	Thomas Hornor and Finlay Malcolm,
Essex.	John A. Wilkinson, and Francis Baby, Esquires.

At 2 o'clock 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 members present, at the bar of the Legislative Council Chamber, and having withdrawn, the Clerk, Rev. Chaplain, Clerk of the Crown in Chancery, and Sergeant at Arms, with the members present, proceeded without delay, to the Legislative Council Chamber

The honorable the Speaker of the Legislative Council then said,  
Honourable Gentlemen of the Legislative Council, and  
Gentlemen of the House of Assembly,

I am commanded by His Excellency the Lieutenant Governor to inform you that His Excellency does not think fit to declare the causes for which he has summoned this Provincial Parliament, until there be a Speaker of the House of Assembly.

It is, therefore, His Excellency's pleasure, that you, Gentlemen of the House of Assembly, do forthwith repair to the place in which the sittings of the House of Assembly are usually held, and there choose a fit person to be your Speaker, and that you present the person that shall be so chosen, to His Excellency in this House, on to-morrow, at 2 o'clock in the afternoon, for his approbation.

The members then returned to the chamber of Assembly, and having taken their seats, Archibald McLean, Esquire, a member for Stormont, arose, and addressing the Clerk, moved that John Willson, Esquire, a member for Wentworth, might be their Speaker, in which he was seconded by John A. Wilkinson, Esquire, a member for Essex.

On which debates ensued.

At length the question being put by the Clerk, it was decided in the negative.

John Matthews, Esquire, a member for the County of Middlesex, then arose, and proposed that Marshall S. Bidwell, Esquire, one of the members



representing the incorporated counties of Lennox and Addington, be Speaker of this House, in which he was seconded by Peter Perry, Esquire, also a member for the incorporated counties of Lennox and Addington.

The question being put by the Clerk, was carried in the affirmative.

Whereupon, the Clerk having declared Mr. Bidwell duly elected, he was conducted to the chair by Captain Matthews and Mr. Perry, and, standing on the upper step, he returned his humble acknowledgements for the honor they had been pleased to confer upon him, by choosing him to be their Speaker.

The House then adjourned till one o'clock to-morrow.

Friday, 9th January, 1829.

The House met.

At a quarter past 2 o'clock P. M. the 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, and retired.

The Speaker elect, with the officers of the House, and members present, agreeably to the commands delivered, repaired to the bar of the Legislative Council Chamber, and being returned, the Speaker reported that His Excellency had been pleased to approve of the choice the House had made of him to be their Speaker, and had given an assurance that the usual privileges of the House should be granted by His Excellency in the most ample manner.

Captain Matthews gives notice, that on Tuesday next, he will bring in a bill to repeal the 44th of the late King.

The Speaker then informed the House, that when the House attended upon His Excellency, at the bar of the Legislative Council Chamber, His Excellency had been pleased to open the session with a most gracious speech from the Throne, of which, to prevent mistakes, he had procured a copy.

The Speech was then read as follows:—

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

At the time of my assuming the Government which His Majesty has been pleased to commit to my charge, I was desirous of meeting you in Provincial Parliament at an earlier period than the present. But the interests of the country have been best consulted by convening you at a season when little embarrassment or inconvenience can be experienced in any District from your being called to your Legislative duties.

In recommending your immediate and earnest attention to be directed to affairs that are closely connected with the welfare of the Colony, I must remark, that no surer proofs of your vigilance and judgment can ever be adduced, than the prosperity, happiness, and contentment of His Majesty's faithful Canadian subjects, and, I trust, if the public good be exclusively and diligently considered, in the exercise of your important functions, that those ends will be assured, and that the beneficial effects of your proceedings will soon be apparent in every part of the Province.

*Gentlemen of the House of Assembly,*

I have ordered the estimates of the present year, and the public accounts to be laid before you.

The commands of His Majesty that have relation to several addresses of the House of Assembly of the last Parliament, shall be communicated to you.

*Honorable Gentlemen and Gentlemen,*

The laws that are about to expire, will require your consideration. The repeal of the act, entitled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof" passed in the 44th of the late King is, I think, advisable, as it seldom can be applied to cases which it was intended to meet.

The report of the Arbitrators on the part of Upper and Lower Canada, for ascertaining the proportion of duties to be paid to this Province, has been transmitted to me; and it must be satisfactory to you to be informed, that on that question an equitable arrangement has taken place.

The public schools are generally increasing, but their present organization appears susceptible of improvement.

Measures will be adopted, I hope, to reform the Royal Grammar School, and to incorporate it with the University recently endowed by His Majesty and to introduce a system in that seminary, that will open to the youth of the Province the means of receiving a liberal and extensive course of instruction.

Unceasing exertions should be made to attract able masters to this country, where the population bears no proportion to the number of offices and employments, that must necessarily be held by men of education and acquirements, for the support of the laws, and of your free institutions.

The expense already incurred in carrying on the works in the Gore and Niagara Districts, has been considerable, but few will regret that they have been undertaken, such enterprizes can, at first be seldom duly appreciated. It is obvious, however, that the value of the productions of your soil can never be known, unless you have canals, and good internal communications to facilitate your commercial intercourse with the vast empire of which you form a part.

From the observations of the Deputy Post Master General, at Quebec, to which I shall draw your attention, respecting the impossibility of forwarding the mails with either safety or expedition; I am persuaded that some better expedient than statute labour must be resorted to, for maintaining the Roads in a proper state. The sums expended on the useful works now in progress, circulate in their natural channel, remain in the Province, enrich it and promote industry. On the extent of protection and encouragement afforded to projects of this kind, and on your being prepared, by means of the essential aid of well organized institutions, for the reception and location of every description of settler; the agricultural interests of the colony, and the advance of its commerce, will be found chiefly to depend.

Mr. Dalton brought up the petition of Francis Collins of the Town of York, Printer, which was laid on the table.

Mr. Dalton brought up the petition of Samuel Swan, of the Town of Kingston, which was laid on the table.

Mr. Lafferty brought up the petition of Samuel Theal, of the Township of Grantham, in the Niagara District, which was laid on the table.

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that this House will, on to-morrow, take into consideration the speech of

His Excellency the Lieutenant Governor, at the opening of this session.

Which was carried.

Mr. Hamilton brought up the Petition of James Burk and others, which was laid on the table.

Mr. Ketchum brought up the Petition of Thomas David Morrison, Esquire, of the Town of York, which was laid on the table.

Mr. Mackenzie brought up the Petition of Rowland Burr and others, of the Township of Vaughan, which was laid on the table.

Mr. Mackenzie brought up the Petition of Nathaniel Prestidge Buckley, of the Town of York, which was laid on the table.

Mr. McCall brought up the Petition of Israel Wood and others, of the London District, which was laid on the table.

Mr. Peterson brought up the Petition of Andrew Johnson and others, which was laid on the table.

Mr. Dalton gives notice, that he will, on Monday next, move certain resolutions respecting the Commercial and Agricultural state of this Province.

Mr. Perry, seconded by Mr. John Rolph, moves, that the Postage on all Letters to and from members, during the present Session, be paid by the Clerk of this House, and charged in the contingent account.

Which was carried.

Captain Matthews gives notice, that, on Monday next, he will move for a revision of the Rules of this House, particularly the twentieth.

Mr. Perry gives notice, that he will, on Tuesday next, move for leave to bring in a bill to make valid certain marriages heretofore contracted in this Province, and to provide for the future solemnization of marriages in the same.

Mr. Mackenzie gives notice, that he will, on to-morrow, move, that the President and Cashier of the Bank of Upper Canada be required to make a return, without delay, to this House, of the Funds and Property of the said Bank, pursuant to the twenty-third clause of the Bank Act.

Mr. James Wilson gives notice, that, on this day fortnight, he will move for leave to bring in a bill for the putting and keeping in repair the highways, roads, and bridges, within this Province.

Mr. Morris gives notice, that he will move, on to-morrow, for the appointment of a select committee to examine and report on the contingent expenses of the Legislature.

Mr. John Rolph gives notice, that he will, on Monday next, move for leave to bring in a bill for the more easy recovery of dower.

Mr. John Rolph gives notice, that he will, on Monday next, move for leave to bring in a bill for the abolition of imprisonment for debt.

Mr. Dalton gives notice, that he will, on Monday next, move, that an humble address be presented to His Excellency the Lieutenant Governor, requesting him to lay before this House the amount of fines received from officers, non-commissioned officers, and privates of Militia in this Province, within the last fifteen years, together with a statement of their appropriation.

Mr. Dalton gives notice, that he will, on Monday next, move that an humble address be presented to His Excellency the Lieutenant Governor, requesting him to lay before this House, the names of the several Townships, and the number of acres contained in each, which have been surveyed the last twelve years. Also the number of persons who have located lands in said Townships; the extent of their grants, and the total amount of fees charged by the Government upon the same.

Captain Matthews gives notice, that on Monday next, he will move for leave to bring in a bill to repeal an act authorising the whipping of females in this province.

Mr. James Wilson gives notice, that he will, on Tuesday next, move that an address be presented to His Excellency the Lieutenant Governor, requesting him to lay before this House the correspondence and all other instructions and communications which have passed between His Majesty's Government, the Government of this Province, and the Judges and Crown Officers, upon the removal of Judge Willis from the Court of King's Bench in this Province.

Mr. Mackenzie gives notice, that he will, on to-morrow move for leave to bring in a bill, to vacate the seats of members of this House, in certain cases.

Mr. John Rolph gives notice, that he will, on to-morrow, move for leave to bring in a bill for the repeal of 56th Geo. 3d, ch. 26, permanently granting the sum of two thousand five hundred pounds towards the Civil Government of this Province.

Doctor Baldwin gives notice, that he will, on Tuesday next, move for leave to bring in a bill for the equal return and impanelling of Juries.

Mr. Thompson gives notice, that he will, on Monday the nineteenth instant, move for leave to bring in a bill to repeal an Act, passed in the fifth year of His Majesty's reign, granting the sum of one hundred and fifty pounds annually, for the purchase of Sunday School Books.

Mr. Mackenzie gives notice, that he will, on to-morrow, move for leave to bring in a bill to alter and amend the laws of Primogeniture, now in force in this Province.

Adjourned.

Saturday, 10th January, 1829.

The House met.

Prayers were read.

The Minutes of yesterday were read.

Mr. Mackenzie brought up the petition of Thomas Stoyell and others, of the Town of York, which was laid on the table.

Mr. Lyons brought up the petition of Walter Boswell and others, Stockholders in the Cobourg harbor Company, which was laid on the table.

Mr. Perry brought up the petition of Jacob Smith, Junior, and others, of the Gore of Fredericksburgh, which was laid on the table.

Mr. Wilkinen brought up the petition of William Hands and others, of the County of Essex, which was laid on the table.

Mr. George Rolph brought up the petition of Absalom Shade and others, of the Townships of Waterloo, Dumfries, and Beverly, which was laid on the table.

Mr. George Rolph brought up the petition of Benjamin Eby and others, which was laid on the table.

Mr. Wilkinen brought up the petition of Joseph Dugre and others, of the Western District, which was laid on the table.

Agreeably to notice, Mr. Mackenzie, seconded by Mr. Ketchum, moves, that it be resolved, that the President and Cashier of the Bank of Upper Canada, be required to make a return without delay to this House, of the Funds and Property of the said Bank, pursuant to the twenty-third clause of the Bank Act.

Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Fraser, moves, that a select committee be appointed to consider and report to the House, the causes which of late years so materially increased the contingent expences of the Legislature, and to suggest such improvements as may appear best calculated to diminish the same. That Messrs. Thomson, Buell, Mackenzie, and Dalton, do compose the said committee, with power to send for persons and papers.

Which was ordered.

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that this House will, on Monday, resolve itself into a committee of the whole upon his Excellency's Speech.

Which was carried.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that this House would be pleased to order his notice of alteration in the Primogeniture Laws to be struck off the order of the day.

Which was carried, and the notice was stuck off by the Speaker.

Doctor Baldwin, seconded by Mr. Smith, moves, that one hundred copies of his Excellency's Speech at the opening of the present Session of the Provincial Parliament, be printed for the use of members.

Which was carried.

Mr. Morris gives notice, that he will, on Monday, move for the appointment of a select committee to report how far it may be prudent to appropriate a sum of money to defray the expence of putting a roof on the walls of the late Parliament House.

Mr. Lafferty gives notice, that he will, on Wednesday next, move for leave to bring in a bill for the better securing of debts due to lenient and indulgent creditors.

Mr. Lyons gives notice, that he will, on Monday next, move for reading that part of the Journals of this House which relates to the Report of the Commissioners for Internal Navigation, for constructing a Canal from the Head of the Bay of Quinty to the Presque Isle Harbour.

Doctor Baldwin gives notice, that he will, on Tuesday next, move for leave to bring in a bill to repeal, alter, amend, and reduce to one Act, the several Laws now in force relative to Township Meetings, and to provide for the nomination of additional Parish and Township Officers, and Jury lists.

Mr. Perry gives notice, that he will, on Thursday next, move for leave to bring in a bill for the more equal distribution of the property of persons dying intestate within this Province.

Mr. Hopkins gives notice, that he will, on Tuesday next, move an Address to His Excellency, requesting him to lay before this House, an account of all monies received from Quakers, Menonists, and Tunkers, on account of exemptions from Militia services, during the last sixteen years, particularizing the amount collected in each District.

Mr. Hornor gives notice, that he will, on Monday next, move an Address to his Excellency, requesting him to issue his warrant for one thousand two hundred and fifty pounds in favor of the Clerk of this House, to enable him, when directed by this House, to defray the expences incurred by the House during the late Parliament; and also, his warrant for five hundred pounds in aid of the contingencies of the present Session.

Adjourned till Monday.

*Monday, 12th January, 1829.*

The House met.

Prayers were read.

The minutes of Saturday were read.

Mr. Peterson brought up the petition of William Cunningham, and others, of the Township of Hallowell, which was laid on the table.

Mr. Longley brought up the petition of Duncan Christie and others, of the Township of Oxford, in the Johnstown District, which was laid on the table.

Mr. Dalton brought up the petition of Francis Collins, of the Town of York, Printer, which was laid on the table.

Captain Matthews, brought up the petition of Philip Ferguson Hall, of the Town of Kingston, which was laid on the table.

Agreeably to the order of the day, the petition of Francis Collins, Editor of the Canadian Freeman, York, praying that his case may be taken into the serious consideration of the House, and such measures adopted, as in justice may to them seem meet—the petition of Samuel Swan, of the Town of Kingston, praying that his case may be taken into consideration, and so represented to His Majesty's Government, that he may obtain compensation for the wrong done to him—the petition of Samuel Theal, praying that a certain lot of land, sold by the commissioners of forfeited estates, as forfeited, may be restored—the petition of James Burk, and fifty others, freeholders of the county of Durham, against the election of John David Smith, Esquire, and praying that George Strange Boulton Esquire, may be allowed to take the place of the said John D. Smith, Esquire, in the House of Assembly—the petition of Thomas D. Morrison, Esquire, setting forth the election of John Beverly Robinson, Esquire, as a member to represent the Town of York, in the present Parliament, as illegal, and praying that the return of the writ may be altered in his favor, or said election set aside, and a new writ issue—the petition of Rowland Burr, and eighty-four others, of the Township of Vaughan, praying for the sum of one hundred pounds in aid of making a Road through the centre of said Township—the petition of Nathaniel Prestidge Buckley, of the Town of York, praying to be employed as a Copying-clerk in the Clerk of Assembly's Office—the petition of Israel Wood, and two hundred and one others, inhabitants of the London District, praying that, so soon as the inhabitants shall re-build the Gael and Court House at Vittoria, the County of Norfolk may be declared a separate District—and the petition of Andrew Johnson, and four hundred and twenty four others, of the County of Prince Edward, in the Midland District, praying, that said County may be erected into a separate and distinct District—were read.

Mr. Dalton, seconded by Mr. James Wilson, moves, that the petition of Francis Collins be referred to a select committee, with power to send for

persons and papers; and, that the said committee do consist of Messrs. John Rolph, Matthews, Hornor, and Perry, who be ordered to report thereon, by bill or otherwise.

Which was carried.

Mr. Dalton, seconded by Mr. James Wilson, moves, that the petition of Samuel Swan be referred to a select committee, with power to send for persons and papers; and, that the said committee do consist of Messrs. John Rolph, Matthews, Hornor, and Perry, who be ordered to report thereon, by bill or otherwise.

Which was carried.

Mr. McCall, seconded by Doctor Baldwin, moves, that the petition of the inhabitants of the County of Norfolk be referred to a select committee, composed of Messrs. Baldwin, Malcolm, Peterson, and Perry, with power to send for persons and papers, and report by bill or otherwise.

Which was carried.

Mr. Lafferty, seconded by Mr. Terry, moves, that the petition of Samuel Theal, of the District of Niagara, be referred to a select committee, to be composed of Messrs. John Willson, Dalton, Mackenzie, and Dickson, with power to send for persons and papers, and to report on it by bill or otherwise.

Which was carried.

Agreeably to the order of the day, the House went into committee on the Speech of his Excellency, the Lieutenant Governor, at the opening of the present Session.

Mr. McDonald was called to the chair.

The House resumed.

Mr. McDonald reported, that the committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House.

On the question for receiving the Report, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, Randal, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, James Wilson, and Woodruff—37.

NAYS—Messrs. Attorney General, Bethune, McLean, and Samson—4.

The question was carried in the affirmative by a majority of thirty-three, and the report was accordingly received.

The Resolutions, from one to four, inclusive, were then severally put and carried, as follows:

Resolved, That an humble Address be presented to His Excellency, thanking him for his gracious Speech from the throne, at the opening of the present Session.

Resolved, That this House offer to his Excellency their humble congratulations upon his Excellency's accession to the Government of this Country, and that they sincerely participate the anxious feelings and expectations of the people upon that happy and auspicious event.

Resolved, That this House highly value the assurance of his Excellency, that, upon assuming this Government, his Excellency was desirous of meeting them in Provincial Parliament at an earlier period than the present; and that this House is satisfied, that, in adopting the delay, his Excellency was influenced by a desire to promote the interests of the Country.

Resolved, That this House will direct their immediate and earnest attention to those public affairs which are closely connected with the welfare of the Colony, and they trust, that, under the gracious co-operation of His Excellency, their exertions will be soon rewarded by the future prosperity, happiness, and contentment of His Majesty's faithful Canadian people in every part of the Province.

The fifth resolution was then read.

In amendment, Mr. Samson, seconded by Mr. McLean, moves, that all the words after "Provincial Administration" be struck out of the resolution.

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

YEAS—Messrs. Att'y. General, Bethune, Henderson, Longley, McLean, and Samson—6.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, Randal, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—36.

The question was decided in the negative by a majority of thirty, and was lost accordingly.

The original question was then put and carried, and it was resolved, That for the insurance of those most important objects, this House, confiding in the candor of his Excellency, and in his readiness to recognize them as constitutional advisers of the Crown, do humbly pray his Excellency against the injurious policy hitherto pursued by the Provincial Administration; and, although they at present see his Excellency unhappily surrounded by the same advisers as have so deeply wounded the feelings and injured the best interests of the Country, yet, in the interval of any necessary change, this House entertains an anxious belief, that, under the auspices of his Excellency, the Administration of Justice will rise above suspicion, the wishes and interests of the people be properly respected, the constitutional rights and independence of the Legislature be held inviolable, the prerogative and patronage of His most gracious Majesty be exercised for the happiness of his people and the honor of his Crown, and, the Revenues of the Colony be hereafter sacredly devoted to the many and urgent objects of public improvement, after making provision for the public service, upon the basis of that economy which is suited to the exigencies of the Country and the condition of its inhabitants.

The following resolutions were then put and carried:—

Resolved, That this House will direct their particular and vigilant attention to the public Estimates of the present year, and the Public Accounts, which his Excellency shall cause to be laid before them.

Resolved, That this House will receive with all respect, the pleasure of His Majesty, upon the several addresses of this House of the last Parliament, whenever his Excellency shall be pleased to communicate it.

On the eighth resolution the House divided, and the yeas and nays were taken as follows:—

YEAS—Messrs. Baby, Baldwin, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Lefforty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, McLean, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, Randal, John Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—41.

NAY—The Attorney General—1.

The question was carried in the affirmative by a majority of forty, and it was Resolved, that the House will direct their attention to the laws about to expire; and that it affords this House the highest gratification to receive such a mark of His Excellency's regard for the constitutional wishes and feelings of the people as to advise the repeal of the Act entitled "an Act for the better securing this Province against all seditious attempts or designs, to disturb the tranquillity thereof," and that this House do humbly assure His Excellency, that nothing in their opinion will more happily tend to spread contentment and give an impulse to public spirit and enterprise, than the continued manifestation from his Excellency of the same liberal and enlightened policy.

The following resolutions were then put and carried.

Resolved, That it is satisfactory to this House to learn from His Excellency, that an equitable arrangement has been made by the Arbitrators on the part of Upper and Lower Canada, respecting the proportion of duties to be paid to this Province.

Resolved, That this House will direct their anxious attention to the state of the public schools, and consider what improvements in the present imperfect and unsatisfactory system are best calculated to open to the youth of the Province the means of receiving a liberal and extensive course of instruction, and that this House are sensible of the vast importance of unceasing exertions to attract able masters to this country, where the population and wealth bear no proportion to the number of offices and employments that ought to be held by men of education and acquirements, disposed to support the laws, and, what we are highly gratified to find so favourably mentioned by His Excellency, the free institutions of this country, and that while this House thus welcome the respect of His Excellency for the just liberties of the People, his Excellency may rely upon their dutiful regard for the constitutional exercise of His Majesty's Royal Prerogative.

Resolved, That the expence already incurred in carrying on the works in the Gore and Niagara Districts has been considerable, but this House will be happy to find in their further progress, the most favourable expectations realized, being aware that such enterprizes, can, at first, be seldom duly appreciated, they feel however, the force and truth of His Excellency's declaration, that the value of the productions of the soil can never be known until there are such improvements in the internal communications, as to facilitate their commercial intercourse with the vast empire of which they form a part.

Resolved, That this House will bestow particular attention upon the changes it may be expedient to make in the present mode of maintaining the public roads in a proper state, and that while they enquire into the condition and revenue of the Post Office Department, they will not fail to promote as far as practicable, the forwarding of the mails with safety and expedition.

Resolved, That the promotion of internal improvement and the essential aid of well organized institutions for the reception of every description of settler, would promote the agricultural interests of the colony and the advancement of its commerce, and that this House will be happy to find from the extent of the resources placed at the disposal of the Legislature, and from a more economical application of them, that we shall be enabled to realize the just and extended views of his Excellency upon those important subjects.

Mr. John Rolph, seconded by Mr. Wilkinson, moves, that Messrs. McCall and Matthews be a committee to draft and report an address to his Excellency, founded on the foregoing resolutions.

Which was carried.

Captain Matthews, from the committee appointed to draft an address to his Excellency the Lieutenant Governor, founded on the foregoing resolutions, reported a draft, which was read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

The Speaker reported having received a letter from the Cashier of the Bank of Upper Canada; and statement of the affairs of said Bank, agreeably to the order of the House.

The letter was then read by the Speaker as follows:—

Bank of Upper Canada, }  
York, 12th Jan. 1829. }

Sir,

In obedience to the order which has just been received from the Honorable the Commons House of Assembly, to furnish a return of the funds and property of the Bank of Upper Canada, pursuant to the 23d Section of the Provincial Statute, of 59th Geo. 3rd, I have the honor to enclose one made up on the day the books were balanced for the last half year, dated 1st instant, which differs very little from the state of our funds at the present time—but if it is desired to be made up to this date, it shall be instantly complied with.

I have the honor to be,

Sir,

Your most obedient servant,

THOMAS G. RIDOUT,

Cashier.

The Honourable

THE SPEAKER,

Of the Commons House of Assembly.

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

GENERAL STATEMENT of the affairs of the Bank of Upper Canada, on Thursday the first day of January, 1829, pursuant to the twenty third clause of the Act of Incorporation, furnished in obedience to the order of the Honourable the Commons House of Assembly, viz:—

Funds and property,	55,007	17	6
Capital stock paid in,	72,410	0	0
Debts due to the Bank,	169,088	12	11
Debts due by the Bank,	47,792	14	4
Bank notes in circulation,	121,623	10	0
Specie in the vault,	24,559	14	4

We, the undersigned, make oath and swear, that the above statement is true and correct, to the best of our knowledge and belief, at the above date.

W. ALLAN,  
President.

THOS. G. RIDOUT,  
Cashier.

Sworn before me at York, U. C. }  
this 12th day of January, 1829. }

L. P. SHERWOOD,  
J.

Mr. Morris gives notice, that he will, on to-morrow, move for the introduction and adoption of a resolution, to compel individuals applying for the enactment of certain private acts, to defray the expence of passing the same through this House.

Mr. Morris gives notice, that he will, on to-morrow, move for leave to introduce a bill to amend the laws now in force, which regulate the practice of Physic and Surgery within this Province.

Mr. Samson gives notice, that he will, on Thursday next, move for leave to bring in a bill to regulate the appointment and holding of the office of Sheriff in the several Districts of this Province.

Mr. Samson gives notice, that he will, on Friday next, move that a Message be sent to the Honorable the Legislative Council, requesting them to appoint a committee to confer with a committee of this House to take in consideration the extent and boundaries of the several Districts of this Province.

Mr. Hamilton gives notice that he will, on to-morrow, move that an address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to inform this House whether he has received any and what information from His Majesty's Government respecting the losses, and to communicate the same to this House.

Mr. McKenzie gives notice, that he will, on to-morrow, move for the appointment of a select committee to enquire into the state of the Post Office Department in this Province, with power to send for persons and papers, and to report by bill or otherwise.

Mr. Peterson gives notice, that he will, on Thursday next, move for leave to bring in a bill to erect the County of Prince Edward into a District.

Adjourned.

Tuesday, 13th January, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Agreeably to the order of the day, the Address in answer to his Excellency's Speech at the opening of the present Session, was read the third time.

Mr. Morris, seconded by Mr. Fraser, moves, that after the word "from" in the last paragraph of the Address, the word "the" be expunged and the word "our" be inserted instead thereof.

Which was lost.

On the question for passing the Address, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilburn, Lefforty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, Randal, John Rolph, Shaver, Terry, Thomson, Wilkinson, James Wilson, and Woodruff—37.

NAY—Mr. Samson—1.

The question was carried in the affirmative by a majority of thirty-six, and the Address was signed, and is as follows:

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

May it please Your Excellency:—

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

We offer to your Excellency our humble congratulations upon your accession to the Government of this country, and we sincerely participate the anxious feelings and expectations of the people upon that happy and auspicious event.

We highly value the assurance of your Excellency that upon assuming this Government, your Excellency was desirous of meeting us in Provincial Parliament at an earlier period than the present, and we are satisfied that in adopting this delay, your Excellency was influenced by a desire to promote the interests of the country.

We will direct our immediate and earnest attention to those public affairs which are closely connected with the welfare of the colony, and we trust, that under the gracious co-operation of your Excellency, our exertions will soon be rewarded by the future prosperity, happiness, and contentment of His Majesty's faithful Canadian people, in every part of the Province.

For the insurance of those most important objects, we, His Majesty's faithful Commons, confiding in the candour of your Excellency, and in your readiness to recognize us as constitutional advisers of the Crown, do humbly pray your Excellency against the injurious policy hitherto pursued by the Provincial Administration—and although we at present see your Excellency unhappily surrounded by the same advisers as have so deeply wounded the feelings and injured the best interests of the country, yet in the interval of any necessary change we entertain an anxious belief that under the auspices of your Excellency, the administration of Justice will rise above suspicion, the wishes and interests of the people be properly respected, the constitutional rights and independence of the Legislature be held inviolable,



the prerogative and patronage of His most gracious Majesty be exercised for the happiness of his people, and the honor of his crown, and the revenues of the colony be hereafter sacredly devoted to the many and urgent objects of public improvement, after making provision for the public service, upon the basis of that economy which is suited to the exigencies of the country, and the condition of its inhabitants.

We will direct our particular and vigilant attention to the public Estimates of the present year, and the Public Accounts, whenever your Excellency shall cause them to be laid before us.

We will receive, with all respect, the pleasure of His Majesty, upon our several Addresses of last Parliament, whenever your Excellency shall be pleased to communicate it.

We will direct our attention to the laws about to expire; and it affords us the highest gratification to receive such a mark of your Excellency's regard for the constitutional wishes and feelings of the people as to advise the repeal of the Act entitled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof," and we beg leave humbly to assure your Excellency, that nothing, in our opinion, will more happily tend to spread contentment and give an impulse to public spirit and enterprise, than the continued manifestation by your Excellency of the same liberal and enlightened policy.

It is satisfactory to us to learn from your Excellency, that an equitable arrangement has been made by the Arbitrators on the part of Upper and Lower Canada, respecting the proportion of duties to be paid to this Province.

We will direct our anxious attention to the state of the public schools, and consider what improvement in the present imperfect and unsatisfactory system are best calculated to open to the youth of this Province the means of receiving a liberal and extensive course of instruction; and we are fully sensible of the vast importance of unceasing exertions to attract able masters to this Country, where the population and wealth bear no proportion to the number of offices and employments which ought to be held by men of education and acquirements, disposed to support the laws, and, what we are highly gratified to find so favourably mentioned by your Excellency, the free institutions of our Country. While we thus welcome the respect of your Excellency for the just liberties of the people, your Excellency may rely upon our dutiful regard for the constitutional exercise of His Majesty's Royal Prerogative.

The expense already incurred in carrying on the works in the Gore and Niagara Districts has been considerable; but we shall be happy to find, in their further progress, the most favourable expectations realized, being aware that such enterprizes, can, at first, be seldom duly appreciated. We feel, however, the force and truth of your Excellency's declaration, that the value of the productions of the soil can never be known until there are such improvements in the internal communications, as to facilitate our commercial intercourse with the vast empire of which we form a part.

We will bestow particular attention upon the changes it may be expedient to make in the present mode of maintaining the public roads in a proper state; and while we enquire into the condition and revenue of the Post Office Department, we will not fail to promote as far as practicable, the forwarding of the mails with safety and expedition.

The promotion of internal improvement, and the essential aid of well organized institutions, for the reception of every description of settler, would promote the agricultural interests of the colony and the advancement of its commerce; and we shall be happy to find, from the extent of the resources placed at the disposal of the Legislature, and from the more economical application of them, that we can realize the just and extended views of your Excellency upon those important subjects.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly,  
13th January, 1829.

Mr. John Rolph, seconded by Mr. Dickson, moves, that Messrs. Matthews and Hamilton be a committee to wait upon His Excellency, to learn when he will be pleased to receive this House with their Address in answer to his gracious Speech from the Throne at the opening of this Session.

Which was carried.

Mr. Randal brought up the petition of William Forsyth, of Niagara Falls, which was laid on the table.

Mr. Dickson brought up the petition of Edward M. Bride, Esquire, and others, of the Town and Township of Niagara, which was laid on the table.

Mr. Lefferty brought up the petition of John Decow, and others, of the county of Lincoln, which was laid on the table.

Mr. Fraser brought up the petition of John Cameron, Esquire, and others, of the County of Glengarry, which was laid on the table.

Mr. Mackenzie brought up the petition of John Scott, Esquire, and others, of the Township of Etobicoke, and other Townships of the County of York, which was laid on the table.

Agreeably to the order of the day, the petition of Thomas Stoyell, and seven others, freeholders of the Town of York, against the election and return of John Beverly Robinson, Esquire—the petition of Walter Boswell, and twenty-seven others, Stockholders of the Cobourg Harbour Company, praying for an Act to incorporate them under the name and style of "the President, Directors, and Company, of the Cobourg Harbour"—the petition of Jacob Smith, Junior, and fifteen others, of the Gore of Fredericksburgh, praying to be annexed to the County of Lennox—the petition of William Hands, and seventy-seven others, of the County of Essex, praying for a grant of three hundred pounds for enabling them to open the road from the Town of Sandwich to the Lake Settlement, commonly called Talbot Street West—the petition of Absalom Shade, and fifty-five others, of the Townships of Waterloo, Dumfries, and Beverly, praying for an Act of Incorporation, authorizing them to borrow ten thousand pounds for the purpose of improving the road leading from these Townships to the head of Lake Ontario—the petition of Benjamin Eby, and twenty-six others, of Upper Canada, praying for the admission of Books in the High Dutch Language, duty free,—and the petition of Joseph Dugre, and thirty others, of the Western District, praying for the erection of a Light House on Long Point on Lake Erie—were read.

Mr. Wilkinson, seconded by Captain Matthew, moves, that the petition of William Hands and others, be referred to the Committee of Supply.

Which was carried.

Mr. Wilkinson, seconded by Mr. Dickson, moves, that the petition of Joseph Dugre, and others, of the Western District, relative to the erection of a Light House on Long Point in Lake Erie, be referred to a select committee, composed of Messrs. Baldwin and M'Call, with power to report by bill or otherwise.

Which was carried.

Mr. Lyons, seconded by Mr. Ewing, moves, that the petition of Walter Boswell, and others, be referred to a select committee, to be composed of Messrs. John Rolph, Perry, Longley, and Kilborn, with power to send for persons and papers, and to report by bill or otherwise.

Which was carried.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that the petition of Rowland Burr, Johnstone and others of Vaughan, be referred to the committee of supply.

Which was carried.

Mr. Perry, seconded by Mr. Peterson, moves, that the petition of Jacob Smith, and others of the Gore of Fredericksburgh, be referred to a select committee, composed of Messrs. Woodruff, Lockwood, Hopkins, & Brouse, with leave to report thereon, by bill or otherwise.

Which was carried.

Mr. Dickson, seconded by Mr. Radenhurst, moves, that the petition of Absalom Shade, and others, be referred to a select committee composed of Messrs. Hamilton, and John Rolph, with power to report by bill or otherwise.

Which was carried.

Mr. Dalton, seconded by Mr. James Wilson, moves, that it be resolved, that this House will, on Tuesday next, resolve itself into a committee of the whole, on the agricultural and commercial interests of this Province.

Which was carried and ordered.

Agreeably to notice, Mr. John Rolph, seconded by Captain Matthews, moves for leave to bring in a bill for the more easy recovery of dower.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Captain Matthews, from the committee to wait upon His Excellency, the Lieutenant Governor, to know when he would be pleased to receive this House with their address, in answer to His Excellency's speech from the Throne, at the opening of the present session, reported that His Excellency had been pleased to name the hour of twelve (noon) to-morrow.

Agreeably to notice, Mr. John Rolph, seconded by Captain Matthews, moves for leave to bring in a bill for the abolition of imprisonment for debt.

Which was granted, and the bill read, and ordered for a second reading on Tuesday next.

Agreeably to notice, Captain Matthews, seconded by Mr. John Rolph, moves that the House do now resolve itself into a committee of the whole to consider the propriety of making an alteration in the twentieth rule of this House.

Which was carried, and Mr. Randal was called to the chair.

The House resumed.

Mr. Randal reported, that the committee had agreed to a Resolution, which he was directed to submit for the adoption of the House.

The report was ordered to be received.

The resolution was then put; on which the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, Lyons, M'Call, M'Donald, Mackenzie, M'Lean, Matthews, Morris, Perry, Peterson, Randal, John Rolph, Shaver, Smith, and James Wilson—31.

NAYS—Messrs. Attorney General, Baby, Bethune, Ewing, Radenhurst, Terry, Thomson, and Wilkinson—8.

The question was carried in the affirmative by a majority of twenty-three and it was resolved, that the twentieth rule of this House be expunged, and the following rule be adopted: "That a member may, at any time, move that the House be cleared of strangers, and the Speaker shall immediately put the question without debate."

Agreeably to notice, Mr. Dalton, seconded by Mr. James Wilson, moves, that an humble address be presented to His Excellency the Lieutenant Governor, requesting him to lay before this House the amount of fines received from officers, non-commissioned officers, and privates, of militia in this Province, within the last fifteen years, together with a statement of the manner of their appropriation, and that Messrs. Perry and Peterson be a committee to prepare and report the address.

Which was ordered.

Mr. James Wilson, seconded by Mr. Randal, moves, that one hundred copies of the resolutions introduced by Mr. Dalton, on the agricultural and commercial interests of this Province, be printed for the use of members.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Cawthra, moves, that the petition of Thomas David Morrison, and the petition of Thomas Stoyell, and others, be entered on the Journals.

Which was carried, and are as follows:—

*To the Honourable the Commons of Upper Canada in Provincial Parliament assembled.*

The Petition of Thomas David Morrison, of the Town of York, Esquire,  
HUMBLY SHEWETH,

That, pursuant to a writ for the election of a member to represent the said Town of York in this present Parliament, William Botsford Jarvis, Esquire, as Returning Officer for the said Town of York, to whom the said writ was directed, proceeded to hold an election for the said Town on the ninth day of July last—that the Candidates proposed at the said election were John Beverly Robinson, Esquire, the sitting member, and your Petitioner—that the majority of legal votes polled at the same election was in favor of your Petitioner, and not of the said John Beverly Robinson—that, notwithstanding such majority being in favor of your Petitioner, the said William Botsford Jarvis falsely returned the said John Beverly Robinson, as duly elected the Representative for the said Town. That the said William Botsford Jarvis, in the execution of his office as Returning Officer at

the said election, acted partially and illegally in several particulars; among others, in accepting illegal votes for the said John Beverly Robinson, in refusing votes tendered for your Petitioner, and accepting votes for the said John Beverly Robinson which were subject to similar objections, although such objections were urged at the time; in vexatiously refusing to allow one of the electors of the said Town to address the electors from the Hustings in support of your Petitioner, and against the said John Beverly Robinson, although there was no reasonable or probable grounds for supposing that the allowing such elector so to address the said electors would in the least have interfered to prevent the said Returning Officer from completing the election within the time limited by law, and in prematurely closing the poll on the second day of the said election although all the electors of the said Town had not voted, and voters were expected to arrive the evening of that day or the next day to vote for your Petitioner.

That at the said election, not only did certain Honorable Legislative Councillors interfere in support of the said John Beverly Robinson, but several of them were allowed by the said Returning Officer, to vote for the said John Beverly Robinson, and which your Petitioner humbly conceives to be illegal and unconstitutional.

Your Petitioner therefore humbly prays that the return to the said writ of election may be amended and your Petitioner's name inserted instead of the name of the said John Beverly Robinson, or that the said election may be declared void, and a new writ ordered for the said Town.

And your Petitioner as in duty bound will ever pray.

T. D. MORRISON.

York, Upper Canada, }  
8th January, 1829. }

To the Honourable the Commons of Upper Canada in Provincial Parliament assembled.

The Petition of the undersigned electors of the Town of York,  
HUMBLY SHREWETH,

That at the last election for a member to represent the said Town of York in Parliament, William Botsford Jarvis, High Sheriff of the Home District, was the Returning Officer, that the Candidates proposed at the said election, and for whom a poll was demanded and opened, by the said Returning Officer, were John Beverly Robinson, Esquire, His Majesty's Attorney General, of this Province, the sitting member, and Thomas David Morrison, Esquire, that the said Returning Officer in performing his duty, as Returning Officer, at the said election, acted in several particulars partially and illegally, among others in accepting illegal votes for the said John Beverly Robinson, in refusing votes tendered for the said Thomas D. Morrison, and accepting others for the said John Beverly Robinson, which were subject to the same objections, on account of which the said Returning Officer, asserted that he had rejected those tendered for the said Thomas D. Morrison, in vexatiously preventing one of the Electors of the said Town from addressing his fellow electors in support of the said Thomas D. Morrison, against the said John Beverly Robinson, although there was no reasonable or probable ground for supposing that the same would in any respect have prevented the said Returning Officer from completing the said election within the time expressed by law, in prematurely closing the poll on the second day of the said election, before all the electors of the said Town had voted, and at a time when electors were hourly expected to arrive to vote for the said Thomas D. Morrison, in permitting members of the Upper House of Parliament, to vote at the said election, and in falsely returning the said John Beverly Robinson, as duly elected, although the majority of legal votes polled at the said election, was in favour of the said Thomas D. Morrison. Your petitioners therefore hereby hope, that the said return to the said writ of election, will be ordered to be amended by the name of the said Thomas D. Morrison being inserted therein instead of that of the said John Beverly Robinson.

But if it should be proved that your petitioners are mistaken as to the majority of legal votes being in favour of the said Thomas D. Morrison, your petitioners still confidently pray, that an election, at which members of the Upper House of Parliament were allowed to interfere, and at which such partial and illegal conduct was permitted, may not be allowed by the Returning Officer, to stand as a good or valid election, but that the same may be set aside, and a new writ issued, that the good people of this Town may be represented by a man of their own free choice.

And your petitioners as in duty bound will ever pray.

THOMAS STOYELL,      JOSEPH CAWTHRA,  
JOHN LUMSDEN,        JAMES JOHNSTON,  
LARDNER BOSTWICK,    JOSUUA VAN ALLAN,  
JOHN RODDY,            ROBERT RUTHERFORD.

Agreeably to notice, Mr. Dalton, seconded by Mr. James Wilson, moves, that a humble address be presented to His Excellency the Lieutenant Governor, requesting him to lay before this House, a list of the names of the several Townships, and the number of acres contained in each, which have been surveyed the last twelve years. Also the number of persons who have located lands in said Townships, the extent of their grants, and the total amount of fees charged by the Government upon the same, and that Messrs. Perry and Peterson, be a committee to prepare and report the address.

Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. M'Lean, moves, that a select committee be appointed, to report to the House how far it may be expedient to appropriate a sum of money to defray the expense of putting a roof on the walls of the late Parliament House, and to ascertain the expense thereof, and that Messrs. Fraser and Hamilton, do compose the said committee.

Which was ordered.

Agreeably to notice, Mr. Hornor, seconded by Mr. Randal, moves, that a humble address be presented to His Excellency, requesting him to issue his warrant in favour of the Clerk of this House, for the sum of one thousand two hundred and fifty pounds, to defray the contingencies of the late session of Parliament, and also for the sum of five hundred pounds in aid of the contingencies of the present session, and that Messrs. M'Call and Cawthra, be a committee to draft and present the said address.

In amendment, Mr. Mackenzie, seconded by Mr. Lefferty, moves, that after the word "warrant" in the original motion, the rest be expunged, and the following words substituted, "in favour of the Honourable Marshall S. Bidwell, Speaker of this House, for the sum of eight hundred pounds to be placed at the order of this House, and to be employed towards discharging the contingent expenses of the present session."

Which was carried.

The original question, as amended, was then put and carried.

Mr. M'Call from the committee appointed to draft an address to His Excellency the Lieutenant Governor, on the subject of an advance to defray contingencies, reported a draft which was received, and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to notice, Captain Matthews, seconded by Mr. John Rolph, moves for leave to bring in a bill to repeal an Act passed in the 4th year of the late King.

Which was granted and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Perry, seconded by Mr. Peterson, moves for leave to bring in a bill to make valid certain marriages heretofore contracted in this Province, and to provide for the future solemnization of marriages in the same.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. James Wilson, seconded by Mr. Dalton, moves, that a humble address be presented to His Excellency the Lieutenant Governor, requesting him to lay before this House the correspondence and all other instructions and communications, and affidavits which have passed between His Majesty's Government, the Government of this Province, and the Judges and Crown Officers, and other individuals upon the removal of Judge Willis, from the Court of King's Bench in this Province, and that Messrs. Hornor, and M'Call, do form a committee to draft and report the same.

Which was ordered.

Mr. Hornor from the committee appointed to draft an address to His Excellency the Lieutenant Governor, on the subject of instructions and communications in the case of the Honorable John Walpole Willis, reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Perry from the committee appointed to draft an address to His Excellency the Lieutenant Governor, on the subject of lands granted, &c. reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor, requesting him to issue his warrant in favor of the Honorable the Speaker of this House, for the sum of eight hundred pounds, towards defraying the contingencies of the same, was read a third time, passed and signed, and is as follows:—

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

May it please Your Excellency:—

WE, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, request that your Excellency will be pleased to issue your warrant to the Receiver General of this Province, in favor of the Honorable Marshall S. Bidwell, Speaker of this House, for the sum of eight hundred pounds to be placed at the order of this House, and to be employed towards discharging the contingent expenses of the present session, which sum, His Majesty's faithful commons will make good during the present session of the Provincial Legislature.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
13th January, 1829. }

Mr. Hornor, seconded by Mr. Mackenzie, moves, that Messrs. Lefferty and Malcolm, be a committee to wait upon His Excellency, to know when he will be pleased to receive the address for money for contingencies, and to present the same.

Which was carried.

Mr. Perry from the committee to draft an address to His Excellency the Lieutenant Governor, on the subject of militia fines, reported a draft which was received, and read twice.

On the question for concurrence, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fraser, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, Lyons, M'Call, M'Donald, Mackenzie, M'Lean, Malcolm, Morris, Perry, Peterson, Randal, John Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson, and Woodruff—32.

NAYS—Messrs. Dickson, and Hamilton—2.

The question was carried in the affirmative by a majority of thirty, and the Address was concurred in, and ordered to be engrossed and read a third time this day.

Mr. Morris gives notice, that he will, on Monday next, move an Address to His Excellency the Lieutenant Governor, praying His Excellency to inform this House if any and what answer has been received from His Majesty's Government, to the resolutions of this House, during the last session of the Legislature, on the subject of the debt of this Province.

Mr. John Rolph, gives notice, that he shall, on to-morrow move for the appointment of a committee, to enquire into the practicability and expediency of constructing a harbour at the mouth of the Otter Creek, and improving the navigation of that stream, from its mouth as far as practicable in the interior.

Mr. John Rolph gives notice, that he shall, on to-morrow move for the appointment of a select committee to enquire into the present state of Education in this Province, to report what changes are expedient in the



present system of District and Common Schools, and upon the practicability of putting into early operation a college opening to the youth of this country the means of receiving a liberal and extensive course of instruction, pursuant to His Excellency's recommendation, in his gracious speech from the throne.

Mr. John Rolph gives notice, that he shall, on to-morrow move for the appointment of a select committee, to consider and report upon that part of His Excellency's gracious speech, at the opening of this session, respecting the public roads.

Mr. John Rolph, seconded by Mr. Perry, moves, that Captain Matthews and Mr. Thomson, be a committee to search the Journals of the Honorable the Legislative Council, upon the mode of opening the present session of the Legislature.

Which was carried.

Agreeably to notice, Mr. Mackenzie, seconded by Mr. Ketchum, moves, that a select committee be appointed to enquire into the state and condition of the Post Office Department in this Province, with power to send for persons and papers, and to report by bill or otherwise, and that said committee shall consist of Messrs. Matthews, Blacklock, Cawthra, and Erry.

Which was ordered,

Adjourned.

*Wednesday, 14th January, 1829.*

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Cawthra brought up the Petition of Henry Hamilton, and others, of the Town of York, which was laid on the table.

The Attorney General brought up the Petition of John Perry, and others inhabitants of the Townships of Innisfil, and Essa, which was laid on the table.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of Militia fines, was read the third time, passed and signed, and is as follows:—

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

*May it please Your Excellency,*

WE, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that your Excellency will be pleased to cause to be laid before this House, the amount of all fines received from officers, non-commissioned officers, and privates, of militia, during the last fifteen years, together with an account of the manner in which the same have been appropriated.

MARSHALL S. BIDWELL,

*Speaker.*

House of Assembly, }  
14th January, 1829. }

Mr. Perry, seconded by Mr. Lafferty, moves, that Messrs. Peterson and Kilborn be a committee to wait on His Excellency, to know when he will be pleased to receive the address just adopted, and present the same.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of lands located &c., was read the third time, passed and signed, and is as follows:—

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

*May it please your Excellency,*

WE, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to direct the proper officer to lay before this House a list of the names of the Townships which have been surveyed during the last twelve years; the number of acres contained in each, and the names of the persons who have been located, or had grants within the same; and also the amount of all fees and monies which have been charged on each respectively.

MARSHALL S. BIDWELL,

*Speaker.*

Commons House of Assembly, }  
14th January, 1829. }

Mr. Perry, seconded by Mr. Lafferty, moves, that Messrs. Peterson and Kilborn be a committee to wait upon His Excellency with the address and present the same.

Which was carried.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of the removal of Mr. Justice Willis, was read the third time, passed and signed and is as follows:—

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

*May it please your Excellency,*

WE, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, anxious to know the

cause which occasioned the removal of the Honorable John Walpole Willis, from His Majesty's Court of King's Bench, in this Province, humbly request your Excellency to direct the proper officer to lay before this House copies of all instructions, communications, and other correspondence and affidavits which may have passed between the Government of this Province, and the Judges, Law Officers, and other individuals touching, or in any way relating to his removal from the Bench, and also copies of all instructions, communications, and other correspondence that have passed between His Majesty's Government, and the Government of this Province on the same subject, so far as it may be in your Excellency's power to communicate the same.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
14th January, 1829. }

Mr. James Wilson, seconded by Mr. Randal, moves, that Messrs. Baldwin and Dalton, be a committee to carry up the said address to His Excellency, and to present the same.

Which was ordered.

Agreeably to the order of the day, the petition of William Cunningham, and thirty-one others, of the Township of Hollowell, praying that their lines in the military tract, in the said Township of Hollowell, may be run, and established agreeably to their deeds, and to the original plan and records—the petition of Duncan Christie, and eighteen others, inhabitants of Oxford, in the Johnstown District, praying that an act may be passed, authorizing a survey of the line between the ninth and tenth concessions of the said Township of Oxford, said survey to be performed at the expense of the petitioners—the petition of Francis Collins, of the Town of York, Printer, praying that certain matter therein contained may be considered with his first petition—and the petition of Philip Ferguson Hall, of the Town of Kingston, praying to be enabled to practice as an Attorney, were read.

Mr. Dalton, seconded by Mr. James Wilson, moves that the petition of Francis Collins, be referred to the committee to which his former petition was referred.

Which was ordered.

Mr. Longley, seconded by Mr. Henderson, moves, that the petition of Duncan Christie, and others, of the District of Johnstown, be referred to a select committee to be composed of Messrs. Lyons and Henderson, with leave to report thereon by bill or otherwise.

Which was ordered.

Mr. Peterson, seconded by Mr. Brouse, moves, that the petition of Wm. Cunningham, and others, be referred to a select committee, and that Messrs. John Rolph, James Wilson, Perry, and Hornor, do compose the same, with power to send for persons and papers, and report by bill or otherwise.

Which was ordered.

Captain Matthews, seconded by Mr. McCall, moves, that the petition of Philip Ferguson Hall, be referred to a committee, consisting of Messrs. Dalton and Hamilton.

Which was ordered.

Agreeably to notice, Mr. Lyons, seconded by Mr. Kilborn, moves, that that part of the Journals of this House, relating to the report of the commissioners, for internal navigation for the constructing a canal from the head of the Bay of Quinty, to the Presque Isle Harbour, be now read pursuant to a notice of Saturday.

Which was carried, and that part of the Journals of the last session but one, relating to internal communication from the head of the Bay of Quinty to the Presque Isle Harbour, was read by the clerk.

Mr. Lyons, seconded by Mr. Kilborn, moves, that that part of the report of the commissioners for internal navigation, of this Province, which relates to the constructing a canal from the head of the Bay of Quinty to the Presque Isle Harbour, be referred to a select committee to be composed of Messrs. Morris, Samson, Thomson, and Peterson, with power to send for persons and papers, and report thereon by bill or otherwise.

Which was ordered.

Agreeably to notice, Mr. Hopkins, seconded by Mr. James Wilson, moves, that an address be presented to His Excellency the Lieutenant Governor, requesting him to lay before this House an account of all monies paid by Quakers, Menonists, and Tunkers, as exempts from militia services, during the last sixteen years, and that Messrs. Randal, and Terry, be a committee to draft and report the same.

Which was carried, and ordered.

At 12 o'clock the House waited upon His Excellency the Lieutenant Governor, with their address in answer to His Excellency's speech, from the throne, at the opening of the present session, and having returned, the Speaker reported that the House had waited upon His Excellency the Lt. Governor, with their address, in answer to His Excellency's speech, at the opening of the present session, and that His Excellency had been pleased to make the following reply:—

*Gentlemen,*

I thank you for the congratulations and assurances expressed in your address; but I must remark, that it is less difficult to discover the traces of political dissensions and local jealousies in this colony, than to efface them.

With the conviction, therefore, that in many instances, the most upright intentions have been discoloured by the medium through which they have been seen, I anticipate that the principles of the constitution being kept steadily in view, and the good sense of the people, will neutralize the efforts of any interested faction.

Agreeably to notice, Doctor Baldwin, seconded by Mr. Smith, moves for leave to bring in a bill to alter, amend and reduce to one act the several laws now in force, relative to Township Meetings, and to provide for the nomination of additional Parish and Township officers, and jury lists.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Mr. McCall, from the committee to whom was referred the petition of Joseph Dugro, 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 ordered to be received, and the Light House bill was read a first time, and ordered for a second reading to-morrow.

Mr. Randal, from the committee appointed to draft an address to His Excellency the Lieutenant Governor on the subject of fines from Quakers, Menonists, &c. reported a draft, which was received and read twice.

On the question for concurrence, the House divided, and the Yeas and Nays were taken as follows:

**YEAS**—Messrs. Attorney General, Daby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fraser, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, Lyons, McDonald, McLean, Malcolm, Matthews, Morris, Perry, Peterson, Randal, John Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson, and Woodruff—34.

**NAYS**—Messrs. Bethune, Dickson, Hamilton, Radenhurst, Terry, and John Willson—6.

The question was carried in the affirmative by a majority of twenty-eight, and the address was concurred in, and ordered to be engrossed and read a third time this day.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that it be resolved, that this House will take into consideration the petition of Thomas David Morrison, and the petition of Thomas Stoyell, and others, all of the Town of York, complaining of the Election and return of John Beverly Robinson, Esquire, a member of this House, and of partial conduct on the part of the Returning Officer, on Thursday the twenty-ninth day of this present month, at the hour of twelve o'clock, noon.

Which was carried.

Agreeably to notice, Doctor Baldwin, seconded by Mr. Smith, moves for leave to bring in a bill the better to regulate the return of Jurors.

Which was granted, and the bill read.

The Speaker then put the question for the second reading of the bill to-morrow.

Which was lost.

The Speaker then put the question for the second reading of the bill on Friday next.

In amendment, Mr. Hamilton, seconded by Mr. Hopkins, moves, that the Jury bill be read a second time on Monday next.

Which was lost.

In amendment to the original question, Mr. Bethune, seconded by Mr. Radenhurst, moves, that the Jury bill be read a second time on Wednesday next.

Which was lost.

The original question was then put and carried, and the Jury bill was ordered to be read a second time on Friday next.

Mr. Lefferty, from the committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, requesting His Excellency to grant his warrant to the Speaker for eight hundred pounds in advance of the contingent expences of the present Session, reported delivering the same.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of fines from Quakers, Menonists, &c. was read the third time, passed, and signed, and is as follows:

To His Excellency SIR JOHN COLBORNE, Knight Commander of the most Honourable Military Order of the Bath, 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, being desirous to have before us a statement of all monies received from Menonists, Quakers, and Tunkers, on account of exemption from Militia services during the last sixteen years, particularizing the amount collected in each District, request your Excellency may be pleased to direct the proper officer to lay the same before this House with as little delay as possible.

MARSHALL S. BIDWELL,

Speaker.

Commons House of Assembly, }  
14th January, 1829. }

Mr. Hopkins, seconded by Mr. James Wilson, moves, that Messrs. Perry and Dalton do form a committee to wait upon His Excellency to know when he will be pleased to receive the address requesting information respecting the exemption money paid by Quakers, &c. and to present the same.

Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Kilborn, moves for leave to bring in a bill to amend the Physic and Surgery laws of this Province.

Which was granted, and the bill read, and ordered for a second reading on Monday next.

Mr. Lefferty gives notice, that he will, on Monday next, move for leave to bring in a bill to attach the property of absconding debtors.

Mr. Mackenzie gives notice, that, on to-morrow, he will move the following resolution:—

Resolved, that on to-morrow at 12 o'clock, noon, the following standing committees be appointed to continue during the present Session, in the order in which they are herein placed, and shall consist of the number of members placed opposite the name of each committee respectively:—

- A Committee on the Judiciary—Three.
- on Commerce—Three.
- on Agriculture—Three.
- on Manufactures—Three.
- on Education—Five.
- on Contingent Accounts—Three.
- on Post Roads—Five.

Mr. Hamilton gives notice, that he will, on to-morrow, move for leave to bring in a bill to amend such parts of the Militia Laws as respects imposing fines upon Menonists, Tunkers, and Quakers.

Adjourned.

Thursday, 15th January, 1829.

The House met.

Prayers were read.

The Minutes of yesterday were read.

Doctor Baldwin brought up the petition of Ezekiel Foster, and others, of the County of Norfolk, and the adjoining Townships, in the District of London, which was laid on the table.

Mr. Samson brought up the petition of James Peterson, and others, of the Township of Tyendenaga, which was laid on the table.

Mr. Bethune brought up the petition of Thomas Markland, Esquire, and others of the Town of Kingston, which was laid on the table.

Mr. Lefferty brought up the petition of Eastwood & Skinner, Co-partners in the York Paper-mills, which was laid on the table.

The Attorney General brought up the petition of Alexander Wood, Esquire, of the Town of York, which was laid on the table.

Mr. Mackenzie brought up the petition of George Wilson, of the Township of Chinguacousy, which was laid on the table.

Mr. Mackenzie brought up the petition of John M. A. Cameron, of the Town of Hamilton, in the Gore District, which was laid on the table.

Mr. John Willson, (late Speaker of the House of Assembly of this Province), presented to the Speaker a letter from Joseph Hume, Esquire, a member of the British Parliament.

Mr. Speaker reported having received a letter from Mr. Secretary Mudge, which he read as follows:

Government House,  
York, 14th January, 1829.

SIR,

I have the honor to transmit to you herewith, by the Lieutenant Governor's command, a warrant on the Receiver General, in your favor, for the sum of eight hundred pounds, issued by His Excellency in compliance with the address of the House of Assembly of yesterday's date.

I have the honor to be,

SIR,

Your most Obedient,

Humble Servant,

Z. MUDGE.

The Honourable  
THE SPEAKER,

Of the Commons House of Assembly.

Mr. Speaker reported having received, through the late Speaker of Assembly, a letter from Joseph Hume, Esquire, a member of the Imperial Parliament, which he read as follows:

London, 12th April, 1828.

SIR,

"I have the honor to acknowledge the receipt of your letter of the 29th February last, inclosing a vote of thanks with which the House of Assembly of Upper Canada have thought fit to honor my humble exertions in support of their civil and political rights.

"I request you will express to the Assembly my grateful sense of this mark of their approbation, and my earnest desire to be more efficiently serviceable than circumstances have yet admitted to my fellow subjects in Canada."

I have the honor to be,

SIR,

Your most Obedient,

Humble Servant,

JOSEPH HUME.

To

JOHN WILLSON, ESQUIRE,  
Speaker, &c. &c. &c.

Upper Canada.

Agreeably to the order of the day, the petition of William Forsyth, respecting the right of ferrying across the Niagara River, &c.—the petition of John Decow, Richard Leonard, and three others, praying to be incorporated under the style and title of the "Upper Canada Glass Manufactory Company,"—the petition of Edward M'Bride, and sixty-four others, inhabitants of the Town and Township of Niagara, praying the House to intercede with His Excellency the Lieutenant Governor in behalf of Francis Collins, Editor of the Canadian Freeman, for a mitigation of his fine and imprisonment—the petition of John Cameron, and one hundred and fifty-five others, of the county of Glengarry, praying for pecuniary aid, to open the road from the river St. Lawrence, to the Dundas Street in said county—and the petition of John Scott, Esquire, and one hundred and ninety others, of the Townships of Etobicoke, Chinguacousy, Caledon, Albion, and the Gore of Toronto, praying for pecuniary aid, for repairing the road leading from Farr's Mills, on the river Humber, to lot number ten, in the sixth concession, east of the centre road, in the Township of Chinguacousy, were read.

Mr. Randal, seconded by Mr. Hopkins, moves, that the petition of Wm. Forsyth, be referred to a select committee to be composed of Messrs. John Rolph, Baldwin, Hornor, and Lefferty, with power to send for persons and papers, and report by bill or otherwise.

Which was ordered.

Mr. Fraser, seconded by Mr. Blacklock, moves, that the petition of John Cameron, and others of the Township of Lancaster, be referred to the committee of supply.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that the petition of John Scott, Esquire, and others, of Chinguacousy, &c. be referred to the committee of supply.

Which was ordered.

Mr. Dickson, seconded by Mr. Terry, moves, that the petition of Edward McBride, and others, of the Town and Township of Niagara, be referred to the committee to whom was referred the petition of Francis Collins.

Which was ordered.

Mr. Lefferty, seconded by Mr. Dickson, moves, that the petition of John Decow, and others, of the District of Niagara, praying for a company to be incorporated to establish a Glass Factory, in the District of Niagara, be referred to a select committee to be composed of Messrs. Woodruff and Terry, with power to report by bill or otherwise.

Which was ordered.

Agreeably to notice, Mr. John Rolph, seconded by Mr. Brouse, moves, for leave to bring in a bill to repeal the 56th Geo. 3rd, ch. 26, entitled "an

act for granting to His Majesty a sum of money, towards defraying the expenses of the civil administration of the Government of this Province."

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Lefferty, seconded by Mr. Woodruff, moves for leave to bring in a bill for the better securing of debts due to lenient & indulgent creditors.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the Dower Bill was read a second time, and referred to a committee of the whole.

Mr. Thomson was called to the chair.

On the committee rising, the House resumed.

Mr. Thomson reported, that some progress was made in the bill, and requested leave to sit again to-morrow.

The report was ordered to be received, and leave was granted accordingly.

Mr. Mackenzie, seconded by Mr. James Wilson, moves, that a committee of Privileges be appointed, to consist of five members.

Which was carried.

Mr. Mackenzie, seconded by Mr. James Wilson, moves, that the said committee shall consist of Messrs. Morris, John Rolph, John Willson Perry, and Mackenzie, and they are to take into consideration all such matters as shall or may come into question, touching privileges, and to report their proceedings, with their opinion thereon, from time to time, and the committee shall have power to send for persons, papers, and records, for their information.

Which was ordered.

Mr. Kilborn, from the committee appointed to wait upon His Excellency the Lieutenant Governor with the Addresses of this House passed this day on the subjects of Lands granted and Militia fines, reported having delivered them, and that His Excellency had been pleased to give answers to the same as follows:—

*Gentlemen of the House of Assembly,*

I shall order to be prepared for your inspection, the lists of Townships, &c. which you request in your address of the 15th instant, may be laid before you; but there appears no probability, that they will be completed till a considerable time is elapsed.

*Gentlemen of the House of Assembly,*

I shall order the amount of all Militia fines, and the account of their appropriations, as specified in your address of the 15th instant, to be prepared for your inspection.

Mr. Perry, from the committee appointed to wait on His Excellency the Lieutenant Governor with the addresses of this House, relative to fines received from Quakers, Menonists, &c. and to the removal of Mr. Justice Willis, reported delivering them, and that His Excellency had been pleased to answer the same, as follows:—

*Gentlemen of the House of Assembly,*

I shall give the necessary directions respecting the statement of monies received from Quakers, Menonists, and Tunkers, on account of exemption from Militia services, in compliance with the address of the House of Assembly.

*Gentlemen of the House of Assembly,*

I shall direct, that copies of any instructions and communications that may be found in the Government offices, relating to the removal of Mr. Willis, until His Majesty's pleasure should be known, be laid before the House of Assembly, if it should appear that the public service, and the undecided case alluded to in your Address, will admit of those documents being produced in that House.

Mr. McLean, seconded by Mr. Morris, moves, that it be resolved, that the Petitioners, complaining of the undue election of John Beverly Robinson, Esquire, their Council, or Agent, do deliver unto the sitting member, his Council, or Agent, and to the Clerk of the House, on Thursday, the twenty-second day of January, instant, the list of votes intended to be objected to, specifying in such list the several heads of objection, and distinguishing the same opposite the names of the votes excepted to; and, that the sitting member do, by himself, his Counsel, or Agent, within the same time, deliver the like list on his part to the Petitioners, their Counsel, or Agent, and to the Clerk of the House.

Which was ordered.

Agreeably to the order of the day, the Sedition Law repeal bill was read a second time and referred to a committee of the whole.

Mr. Hamilton was called to the chair.

On committee rising the House resumed.

Mr. Hamilton reported the bill without amendment.

The report was ordered to be received.

Captain Matthews, seconded by Mr. John Rolph, moves, that the Sedition law repeal bill be engrossed and read a third time this day, and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was ordered.

Mr. John Willson gives notice, that he will move, on to-morrow, for the appointment of a select committee to enquire what costs are allowed to be charged in the several Courts on causes tried therein; and that the said committee have power to send for persons and papers, and be permitted to accompany their report by bill.

Mr. John Willson gives notice, that he will move, on Thursday next, that the House do resolve itself into committee of the whole, to take into consideration the state of Education in this Province, and the inadequacy of the means now by law applied to the furtherance of that object, and to enquire whether any, and what other or further provision may be made to ensure the attainment of so great and important advantages to the people of this Province.

Mr. Mackenzie gives notice that he will make a motion, on to-morrow, for referring the report of the select committee of last session, on the right of appointing the officers and servants of this House, to the committee of Privileges.

Mr. Attorney General gives notice, that he will, on Saturday next, move for leave to bring in a bill for admitting the evidence of Quakers, Menonists, and Tunkers, in criminal cases.

Mr. Dickson gives notice, that he will, on Tuesday next, move for leave to bring in a bill to repeal and amend part of an Act passed in the fortieth year of the late King, entitled, "An Act for the summary conviction of persons selling spiritous liquors by retail, without licence."

Adjourned.

*Friday, 16th January, 1829.*

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Lyons brought up the petition of Thomas A. Stewart, and others, of the Newcastle District, which was laid on the table.

Mr. Lyons brought up the petition of Benjamin Throop, and others, of the Town of Cobourg, which was laid on the table.

Mr. Henderson brought up the petition of Truman Hurd, and others, of the Townships of Edward'sburg, South Gower, and Oxford, in the Johnstown District; which was laid on the table.

Captain Matthews brought up the petition of Charles Perkins, which was laid on the table.

Captain Matthews brought up the petition of John Dingman, of the Township of Westminster, in the London District, which was laid on the table.

Agreeably to the order of the day, the Sedition Law Repeal Bill, was read the third time.

On the question for passing the bill, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Buell, Cawthra, Dalton, Dickson, Ewing, Fraser, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lockwood, Lyons, McCall, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Randal, John Rolph, Smith, Terry, Thomson, Woodruff—29.

NAY—The Attorney General—1.

The question was carried in the affirmative by a majority of twenty-eight, and the bill was signed.

Captain Matthews, seconded by Mr. Hamilton, moves, that the bill be entitled "an act to repeal an act passed in the forty-fourth year of Geo. the 3rd. entitled 'an Act for the better securing this Province, against all seditious attempts or designs to disturb the tranquillity thereof.'"

Which was carried, and Messrs. Matthews and Hamilton were ordered by the Speaker, to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of Henry Hamilton, and 69 others of the Town of York, praying that the Parliament House may not be erected at the west end of the Town, but that the old buildings at the east end of the same may be repaired—and the petition of John Perry, and 11 others, inhabitants of the Townships of Lunenburg, and Essa, praying for a grant of one hundred pounds, in aid of making a road across a swamp which intercepts the passage of the said Townships, were read.

Mr. Attorney General, seconded by Mr. Morris, moves, that the petition of the inhabitants of Essa and Lunenburg, be referred to a select committee to be composed of Messrs. Baldwin and Cawthra, with power to send for persons and papers, and to report thereon to this House.

Which was ordered.

Mr. Cawthra, seconded by Mr. Mackenzie, moves, that the petition of Henry Hamilton, and others, of the Town of York, be referred to a select committee to be composed of Messrs. Hornor and Ketchum.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Randal, moves, that the Petition of Nathaniel P. Buckley, be referred to the committee on contingent expenses.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that the report of the select committee, of last session, on the question where the right of appointment of the officers and servants of this House lies, be read from the Journals and referred to the committee on privileges.

Which was ordered.

Mr. John Rolph, seconded by Mr. Perry, moves that Messrs. Dickson and Morris, be a committee to search the Journals of the Honorable Legislative Council, upon their proceedings on the speech of His Excellency, from the throne, at the opening of this session.

Which was ordered.

Mr. Mackenzie, seconded by Doctor Baldwin, moves, that the thirty-second rule of this House be suspended so far as to enable him to make a motion for information in respect to Crown Lands.

Which was carried.

Mr. Mackenzie, seconded by Doctor Baldwin, moves, that an humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause to be laid before this House a copy of the code of instructions from His Majesty's Government under which the Honorable Peter Robinson acts as Commissioner of Crown Lands in this Province, together with a statement of the number of Acres of Land sold by him since he held that office, particularizing the several terms of credit given to purchasers, the several rates at which sales have been effected, and the quantity sold at each price—also, the amount of monies paid on their lands at his office; the amount of his (Mr. Peter Robinson's) salary, as Crown Commissioner, and of the fees, emoluments, and contingencies of his office, with such further information on the present mode of disposing of Crown Lands, and of the authorities vested in the said Commissioner as may be within His Excellency's power to communicate, in order that this House may the more fully comprehend the system adopted lately for selling Crown Lands, and the reasons why so great a change was made by the Colonial Minister without advising with the Legislature of Upper Canada, and that Messrs. Hornor, and Randal, be a committee to draft and report the same.

Which was carried, nem. con.

PRESENT—Messrs. Attorney General, Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, Lyons, McDonald, Mackenzie, McLean, Malcolm, Matthews, Perry,



Peterson, Radenhurst, Randal, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Wilson and Woodruff.

Mr. Hornor from the committee to draft an address to His Excellency the Lieutenant Governor, on the subject of Crown Lands, reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Hamilton, seconded by Mr. Wilkinson, moves, that this House will, on Friday the thirteenth instant, go into the consideration of the petition of James Burke, and others, freeholders of the county of Durham, complaining of the undue election and return of John David Smith, Esquire, the sitting member in this House, at the hour of twelve o'clock, noon.

Which was carried.

Mr. Hamilton, seconded by Mr. Wilkinson, moves, that it be resolved, that the petitioners complaining of the undue election and return of John David Smith, Esquire, their council or agent, do deliver unto the sitting member, his council or agent, and to the Clerk of the House of Assembly, on Monday the 26th day of January, instant, the list of votes intended to be objected to, specifying in such list the several heads of objection, and distinguishing the same opposite the names of the votes excepted to, and that the sitting member do by himself, his council or agent, within the same time deliver the like list on his part to the petitioners, their council or agent and to the clerk of the House.

Which was ordered.

Agreeably to the order of the day, the Marriage bill was read the second time and referred to a committee of the whole House.

Mr. Shaver was called to the chair.

On the committee rising the House resumed.

Mr. Shaver reported that the committee had gone through the bill, and had made some amendments to it.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor on the subject of the manner in which the Crown Lands are disposed of &c., was read a third time, passed and signed, and is as follows:—

*To His Excellency SIR JOHN COLBORNE, Knight  
Commander of the Most Honourable Military Order of the  
Bath, Lieutenant Governor of the Province of Upper Canada,  
and Major-General commanding His Majesty's Forces  
therein. &c. &c. &c.*

May it please Your Excellency:—

WE, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, request your Excellency to cause to be laid before this House a copy of the code of instructions from His Majesty's Government under which the Honorable Peter Robinson acts as Commissioner of Crown Lands in this Province, together with a statement of the number of Acres of Land sold by him since he held that office, particularizing the several terms of credit granted to purchasers, the several rates at which sales have been effected, and the quantity sold at each price—also, the amount of monies paid on their lands at his office; the amount of his (Mr. Peter Robinson's) salary, as Crown Commissioner, and of the fees, emoluments, and contingencies of his office, with such further information on the present mode of disposing of Crown Lands and of the authorities vested in the said Commissioner as may be within your Excellency's power to communicate, in order that this House may the more fully comprehend the system adopted lately for selling Crown Lands, and the reasons why so great a change was made by the Colonial Minister without advising with the Legislature of this Province.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
16th January, 1829. } Speaker.

Mr. Peterson, seconded by Mr. Brouse, moves, that Messrs. Mackenzie and Ketchum, be a committee to wait upon His Excellency, with the address of this House, relative to Crown Lands, and present the same.

Which was ordered.

Mr. Morris gives notice, that he will move, on to-morrow, that the resolutions of last session on the subject of the public buildings, be read and referred to the committee appointed to report on the propriety of putting a roof on the walls of the late Parliament House.

Mr. John Rolph, seconded by Mr. Dickson moves, that a select committee be appointed to enquire into the practicability and expediency of constructing a harbour at the mouth of Otter Creek, in the London District, and of improving the navigation of that stream from its mouth, and as far as navigable towards its source; and to report the most practicable and economical method of providing the means for accomplishing those objects and for the gradual repayment of any sums raised therefor; and that Messrs. Matthews, Hornor, Malcolm, and McCall, be that committee, with power to send for persons and papers, and report thereon by bill, or otherwise.

Which was ordered.

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that a select committee be appointed to enquire into the present state of education in this Province, to report what changes are expedient in the present system of District and Common Schools, and to consider and report upon the best and most practicable means of opening to the youth of this Province the means of receiving a liberal and extensive course of instruction, and that Messrs. Baldwin, Perry, Dickson and Buell, be that committee, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Mr. Perry, seconded by Mr. Dalton, moves for leave to bring in a bill for the more equal distribution of the property of persons dying intestate.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Mr. Lefferty gives notice, that he will, on Friday next, move for leave to bring in a bill to suspend the payment of taxes on land granted by the Government of this Province to the family of the late Sir Isaac Brock.

Mr. Thomson gives notice, that he will, on Monday, the twenty-sixth inst., move certain resolutions relative to the appointment of Trustees of District Schools, within this Province.

Adjourned till one o'clock to-morrow.

Saturday, 17th January, 1829.

The House met pursuant to adjournment.

Prayers were read.

The minutes of yesterday were read.

Mr. Ketchum brought up the Petition of Donald Cameron, in behalf of himself and other inhabitants of Thora, Eldon, and the adjoining new Townships; which was laid on the table.

Doctor Baldwin brought up the petition of Jordan Post, Junior, of the Town of York; which was laid on the table.

Mr. Perry brought up the petition of John Gough, of the Township of Oro, Farmer; which was laid on the table.

Mr. Hamilton brought up the petition of Wm. Nichols, and others of the Township of Markham; which was laid on the table.

Agreeably to the order of the day, the marriage bill was read a third time, passed, and signed.

Mr. Perry, seconded by Mr. Thomson, moves, that the bill be entitled, "an Act to make valid certain marriages heretofore contracted and to provide for the future solemnization of matrimony in this Province."

Which was carried, and Messrs. Perry and Peterson, were ordered by the Speaker, to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of Ezekiel Foster, and five hundred and sixty-two others, of the County of Norfolk, and the adjoining Townships, in the District of London, praying for a division of said District, and a law authorising a loan to enable them to build a Gaol and Court House—the petition of James Peterson, and thirty-one others, of the Township of Tyendenaga, praying for the sum of three hundred and fifty pounds, to enable them to make a road through that Township—the petition of Thomas Markland, and 45 others of the Town of Kingston, praying for an alteration in the Police Law of the said Town—the petition of John Eastwood and Colin Skinner, partners in the York Paper-mills, praying for a draw back on the duties paid for machinery imported for the purpose of paper making, and that part of the paper made use of by the Legislature during its session, may be of Canadian Manufacture—the petition of Alexander Wood, Esquire, of the Town of York, praying for relief in regard to a certain registry in the county of Northumberland—the petition of George Wilson, of the Township of Chinguacousy, praying that measures may be taken to expedite the issue of patents for land granted to settlers—and the petition of John M. A. Cameron, of the Town of Hamilton in the Gore District, praying to be employed as a copying clerk, in the clerk of Assembly's office—were read.

Mr. Mackenzie, seconded by Mr. James Wilson, moves, that the petition of John M. A. Cameron, of the Town of Hamilton, be referred to the committee appointed to consider and report upon the contingent expenses of the Legislature.

Which was ordered.

Mr. Lefferty, seconded by Mr. Woodruff, moves, that the petition of John Eastwood, and others, of the Township of York, be referred to a select committee, and that Messrs. Mackenzie and Ketchum, do compose the same, with power to send for persons and papers, and report by bill or otherwise.

Which was ordered.

Doctor Baldwin, seconded by Mr. Woodruff, moves, that the petition of Ezekiel Foster, and others, inhabitants of the county of Norfolk, be referred to the same committee to whom is referred the former petition from the said county, with power to send for persons and papers, and with leave to report by bill or otherwise.

Which was ordered.

Mr. Bethune, seconded by Mr. Fraser, moves, that the petition of the inhabitants of the Town of Kingston, praying for the incorporation of that Town, be referred to a select committee consisting of the Attorney General, McLean, Samson, and Fraser, and that they have leave to report thereon by bill or otherwise.

Which was ordered.

Mr. Hamilton, seconded by Mr. Hornor, moves, that the forty-third rule of this House be dispensed with so far as relates to the petition of William Nichol, and others, in the case of Francis Collins, and that the same be now read.

Which was carried, and the petition of Wm. Nichol, and eighty-five others, of the Township of Markham, praying the House to address to His Excellency to liberate Mr. Francis Collins, was read.

Mr. Hamilton, seconded by Mr. Hornor, moves, that the petition of W. Nichol, and others, in the case of Francis Collins, be referred to the same committee to whom was referred the petitions on the same subject.

Which was ordered.

Agreeably to the order of the day, the Parish and Town officers bill was read a second time, and referred to a committee of the whole House.

Mr. James Wilson was called to the chair.

The Speaker resumed the chair to receive a message.

Mr. Secretary Mudge brought down from His Excellency the Lt. Governor a message, and having presented the same to the Speaker retired.

The Speaker then announced to the House, the receipt of a message from His Excellency the Lieutenant Governor, and rising uncovered, read the same to the House as follows:—

J. COLBORNE,

THE LIEUTENANT GOVERNOR, acquaints the House of Assembly, that His Majesty's Secretary of State for the Colonies has acknowledged the receipt of a Despatch with an Address from the House of Assembly of the last Parliament, praying that the monies arising from the sale of lands set apart in this Province for the support and maintenance of a Protestant Clergy, may be placed at the disposal of the Legislature of the Province, for defraying the expence of certain public works for the internal improvement of the country, and for the promotion of general Education; and praying that the University recently endowed, may be established on more comprehensive principles, than those on which it is placed by the present Charter.

This Address has been laid before the King, and His Majesty has been graciously pleased to express his satisfaction in the assurances of loyalty and attachment to his person and Government, which are contained in it—and that His Majesty will at all times receive with the most serious attention, any representation which may be made to him by the representatives of his faithful subjects in Upper Canada, in Provincial Parliament assembled, for advancing the prosperity of this important and interesting portion of his dominions.

The Lieutenant Governor, however, is given to understand from the Secretary of State, that the present Statutes respecting the appropriation of the Cloggy Reserves, grant a very limited discretionary power to His Majesty's Government—and that in case a revision of them should be deemed necessary, with a view to any alteration in their provisions, much information on that subject in all its bearings is required, and will soon be obtained by His Majesty's Ministers.

The Lieutenant Governor has no doubt that it would be deservedly a subject of regret to His Majesty's Government, if the principles on which the University is founded cannot be made to accord with the general feeling and opinion of those for whose advantage it was intended; and he believes that the first change in the Charter which should be recommended and which would conduce more than any other to its becoming eminently useful to the Province, is the connecting the Royal Grammar School with King's College, in such a manner that its exhibitions, scholarships and chief support may depend on the funds of that endowment.

The advantages that will result from an Institution conducted by nine or ten able masters, under whose tuition the youth of the Province could be prepared for any profession, are indisputable: and if such a school were permanently established, and the Charter so modified that any Professor shall be eligible for the Council, and that the students in the College shall have liberty and faculty of taking degrees in the manner that shall be hereafter directed by the Statutes and Ordinances framed by His Majesty's Government, the University must flourish, and prove highly beneficial to the Colony.

*Government House, 17th January, 1829.*

Mr. Morris, seconded by Mr. Fraser, moves, that an humble address be presented to His Excellency the Lt. Governor, thanking His Excellency for his message of this day, and assuring His Excellency that this House will take the matter thereof into its most serious consideration.

Which was carried.

Mr. Morris, seconded by Mr. Fraser, moves, that Messrs. Samson and Buell be a committee to draft and report the said address.

Which was ordered.

Mr. Perry, seconded by Mr. Dalton, moves, that five hundred copies of His Excellency's message of this day, be printed for the use of members.

Which was ordered.

The House went again into committee on the Parish and Town Officers Bill.

Mr. James Wilson in the chair.

On the committee rising, the Speaker resumed the chair.

Mr. Wilson reported that the committee of the whole House, on the Parish and Town Officers bill, 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 adopted as follows:—

Resolved, That the Chairman be instructed to move the appointment of a select committee to whom shall be referred the Parish and Town Officers bill, and to report thereon.

Mr. James Wilson, Chairman of the committee, seconded by Mr. Hornor, moves, that Messrs. Baldwin, Dickson, and Perry, be a select committee to consider and report on the said bill.

Which was ordered.

Mr. Morris from the committee appointed to search the Journals of the honorable the Legislative Council, and report to this House the proceedings of that honorable body on the speech of His Excellency the Lieutenant Governor, at the opening of the session, reported as follows:—

The committee appointed to search the Journals of the Honorable the Legislative Council upon the proceedings on the speech of His Excellency from the throne at the opening of this session, beg leave to report, that in obedience to the order of the House, your committee proceeded to the Council Chamber, and informed the clerk of that House of their appointment to search the Journals of the Legislative Council to ascertain the above proceedings, who replied, that as the matter in question does not relate to any subject now in progress before that House, he could not allow your committee to search the said Journals until the pleasure of the Legislative Council is known to him.

WILLIAM MORRIS,

*Chairman.*

Mr. Samson, from the committee appointed to draft an address to His Excellency, the Lieutenant Governor, thanking him for his message of this day, reported a draft, which was read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Mackenzie gives notice, that he will, on Monday next, move for leave to bring in a bill to establish the validity of certain contracts, and to remove defects in the law of evidence.

Agreeably to the order of the day, the Jury bill was read the second time.

Mr. Morris, seconded by Doctor Baldwin, moves, that the Jury bill be referred to the committee on the Parish and Town Officers bill, to report on the same.

Which was ordered.

Adjourned till Monday.

*Monday, 19th January, 1829.*

The House met.

Prayers were read.

The minutes of Saturday were read.

Mr. Fothergill brought up the petition of John D. Smith, Esquire, and others, of the Newcastle District; which was laid on the table.

Mr. Perry brought up the petition of John Pettit, and others of the Townships of Wainfleet, Crowland, and Thorald, in the District of Niagara; which was laid on the table.

Doctor Baldwin brought up the petition of Joseph Cawthra, and others, inhabitants of the Home District; which was laid on the table.

Captain Matthews brought up the petition of William Forsyth, of Niagara Falls, Yeoman; which was laid on the table.

Captain Matthews brought up the petition of Joseph Sifton, of the County of Middlesex; which was laid on the table.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, thanking him for his message of the 17th instant, was read the third time, passed and signed, and is as follows:—

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

*May it please your Excellency,*

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to thank your Excellency for your message of this day, and to assure your Excellency, that we will take the subject matter thereof into our most serious consideration.

*Commons House of Assembly,*  
*19th January, 1829.*

MARSHALL S. BIDWELL,  
*Speaker.*

Mr. Buell, seconded by Mr. Longley, moves, that Messrs. Morris and Samson be a committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, and to present the same.

Which was ordered.

Agreeably to the order of the day, the petition of Thomas A. Stewart, and nine hundred and sixty-eight others, of the District of Newcastle, praying for authority to build a Gaol and Court House in the Village of Cobourg, in the said District—the petition of Benjamin Throop, and thirty six others, of the Village of Cobourg, praying the same—the petition of Truman Hurd, and sixty-seven others, of the Townships of Edwardsburgh, South Gower, and Oxford, in the Johnstown District, praying for a grant of £300, to repair the road leading from Johnstown, via Spencer's Mill, to Gideon Adam's, Esquire, in South Gower, and from thence to Lyman Clothier's, in Oxford—and the petition of Charles Perkins, praying for a support—were read.

Mr. Fothergill, seconded by Mr. Wilkinson, moves, that the petition of J. T. Williams, and others relative to the removal of the Gaol and Court House of the Newcastle District, be now read, and that the forty-third rule of this House be suspended so far as relates to this petition.

Which was carried, and the petition of J. T. Williams, Esquire, and fourteen others, magistrates of the District of Newcastle, praying against the removal of the Gaol and Court House, in the said District, was read.

Mr. Lyons, seconded by Mr. Henderson, moves, that the petition of Thomas A. Stewart, Esquire, and others, be referred to a select committee, to be composed of Messrs. Bethune, Perry, Lockwood, and Kilborn, with power to send for persons and papers, and report thereon by bill or otherwise.

Which was carried.

Mr. Lyons, seconded by Mr. Henderson, moves, that the petition of Benjamin Throop, and others, be referred to the committee to whom was referred the petition of Thomas A. Stewart, Esquire, and others.

Which was carried.

Mr. Fothergill, seconded by Mr. Wilkinson, moves, that the petition of J. T. Williams, and others, relative to the removal of the Gaol and Court House of the District of Newcastle, be referred to the same committee as that of Thomas A. Stewart, on the same subject, has been referred to.

Which was ordered.

Mr. Henderson, seconded by Mr. Longley, moves, that the petition of sundry inhabitants of the Johnstown District be referred to the committee of supply.

Which was ordered.

Mr. Bethune, seconded by Mr. Radenhurst, moves, that the petition of Alexander Wood, Esquire, be referred to a select committee to consist of Messrs. Samson and M'Lean, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Agreeably to the order of the day, the Light House bill was read a second time, and referred to a committee of the whole House.

Mr. M'Lean was called to the chair.

The House resumed.

Mr. M'Lean reported that the committee had made some progress in the bill, and requested leave to sit again this day three weeks.

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

YEAS—Messrs. Blacklock, Brouse, Buell, Cawthra, Fraser, Henderson, Ketchum, Kilborn, Lockwood, Longley, Lyons, M'Donald, Mackenzie, M'Lean, Morris, Perry, Radenhurst, Randal, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, James Wilson, and Woodruff—26.

NAYS—Messrs. Baldwin, Ewing, Fothergill, Hornor, Lafferty, M'Call, Malcolm, and John Rolph—8.

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

Mr. Wilkinson, seconded by Mr. McCall, moves that the committee on the Light House bill shall be placed the first on the order of the day, this day three weeks.

Which was carried.

Mr. Buell, seconded by Doctor Baldwin, moves that the message of His Excellency, respecting the clergy reserves and education, of Saturday last, be referred to the select committee on education.

Which was ordered.

Mr. McKenzie, seconded by Mr. Hornor, moves, that a standing committee on agriculture be now appointed by this House to consist of three members, and that Messrs. Longley, M'Donald, and Blacklock, be that committee.

Which was ordered.

Mr. McKenzie, seconded, by Mr. Randal, moves that this House do now appoint a standing committee on commerce, consisting of three members, and that Messrs. Morris, Dalton and Longley, do compose the same.

Which was ordered.



Mr. James Wilson, seconded by Mr. Dalton, moves, that the House resolve itself into a committee of the whole, to take into consideration the answer of His Excellency the Lt. Governor on the address of this House, for information relating to the removal of Mr. Justice Willis from the court of King's Bench in this Province.

On which the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Matthews, Randal, and James Wilson, 3.

NAYS—Messrs. Attorney General, Baldwin, Bethune, Blacklock, Brouse, Buell, Cawthra, Dickson, Ewing, Fothergill, Fraser, Henderson, Hornor, Kilborn, Lafferty, Lockwood, Longley, Lyons, McDonald, McLean, Malcolm, Morris, Perry, Peterson, Radenhurst, John Rolph, Samson, Shaver, Smith, Terry, Thomson, and Wilkinson, 32.

The question was decided in the negative by a majority of twenty nine, and lost accordingly.

Mr. Samson, seconded by Mr. Lockwood, moves that it be resolved, that the extent of the districts of this province is in many cases a serious inconvenience and hardship to the inhabitants.

Resolved, that from the number of petitions presented to the Legislature from different parts of the province praying for divisions and new districts, it is necessary that enquiry be made to ascertain if any and where, and how such divisions and new districts, may be formed throughout the province, with the most general and permanent advantage.

Resolved That the foregoing resolutions be transmitted to the Honorable the Legislative Council with a message requesting a conference on the subject of the same.

The first resolution was then put and carried as follows.

Resolved—That the extent of the districts of this Province is in many cases a serious inconvenience and hardship to the inhabitants.

The second resolution was then put and carried as follows,

Resolved—That from the number of petitions presented to the Legislature from different parts of the province praying for divisions and new districts, it is necessary that enquiry be made to ascertain if any and where, and how such divisions and new districts, may be formed throughout the province with the most general and permanent advantage.

The third resolution was then read as follows.

Resolved—That the foregoing resolutions be transmitted to the Honorable the Legislative Council with a message requesting a conference on the subject of the same.

In amendment Mr. Perry seconded by Mr. Thomson, moves that after the word, "Resolved" in the original, the whole be expunged and the following inserted " that the resolutions just adopted be referred to a select committee, composed of Messrs. Samson, Peterson, McCall, Fraser and Lyons, with power to send for persons, and papers, and with leave to report thereon.

Which was carried.

The original question as amended was then put and carried.

Mr. McKenzie from the committee to wait upon His Excellency the Lieutenant Governor with the address of this House relative to the sale of crown lands &c. reported delivering the same; and that His Excellency had been pleased to give an answer to the same as follows;

Gentlemen,

I will direct a copy of the warrant and instructions to the commissioner of Crown Lands, who has been appointed by His Majesty, to be laid before the House of Assembly.

With respect to the other information requested by that House, as the waste lands of the crown in this and other colonies appear to have been subjected to the disposal of the Lords of His Majesty's Treasury, to whom I am not directly responsible, I shall take the pleasure of His Majesty upon this address.

Captain Matthews, from the committee to which was referred the petition of P. F. Hall, Esquire, 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 ordered to be received, and it was read as follows,—

SEE APPENDIX.

Mr. John Rolph, seconded by Captain Matthews, moves, that the House do now take into consideration the report of the select committee, to search the journals of the Honorable the Legislative Council, on the proceedings of that House upon the speech of His Excellency at the opening of the present session.

Which was carried.

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that the refusal by the Clerk of the Honorable Legislative Council, to allow the committee appointed by this House to search the Journals of that Honorable House, upon the proceedings of that Honorable House, on the speech of His Excellency, at the opening of the present session, was a high breach of the privileges of this House, and a denial of a clear and undoubted right, not only of this House, but of every subject of the realm.

In amendment, Mr. Attorney General, seconded by M'Lean, moves, that after the word "that" in the original motion, the remaining words be expunged, and the following inserted, "the right of the House of Assembly, by a committee appointed for that purpose, to search the Journals of the Legislative Council, is a right not to be disputed, and one which may be exercised without reference to the purpose for which the search is desired, and that a message be sent to the Honorable the Legislative Council, to acquaint them that that right has been denied on a recent occasion by their Clerk, and to request that they will inquire into that matter, and give such instructions to their officer as will prevent any further denial of a right which this House conceives to be without question."

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

YEAS—Messrs. Attorney General, Bethune, Ewing, Henderson, Longley, M'Lean, Morris, Radenhurst, and Samson—9.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Fothergill, Fraser, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Randal, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, and James Wilson—32.

The question was decided in the negative by a majority of twenty-three, and lost accordingly.

On the original question the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Henderson, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Longley, Lyons, M'Call, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Randal, John Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, and James Wilson—38.

NAYS—Messrs. Attorney General, M'Lean, and Radenhurst—3.

The question was carried in the affirmative by a majority of thirty-five, and it was resolved accordingly.

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that a message be sent to the Honorable the Legislative Council, communicating the foregoing resolution, and requesting their particular attention to the speedy restoration of such breach of privilege.

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

YEAS—Messrs. Baby, Baldwin, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Henderson, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Longley, Lyons, M'Call, McDonald, Mackenzie, M'Lean, Malcolm, Matthews, Morris, Perry, Peterson, Randal, John Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, and James Wilson—39.

NAYS—Messrs. Attorney General and Radenhurst—2.

The question was carried in the affirmative by a majority of thirty-seven, and Messrs. John Rolph and Morris were ordered by the Speaker to carry up the message.

Agreeably to the order of the day, the Civil List Repeal bill was read the second time, and referred to a committee of the whole House.

Mr. Lyons was called to the chair.

The House resumed.

Mr. Lyons reported the bill without amendment.

On the question for receiving the report the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Henderson, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Longley, Lyons, M'Call, McDonald, Mackenzie, M'Lean, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, Randal, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—39.

NAY—The Attorney General—1.

The question was carried in the affirmative by a majority of thirty-eight, the report was received, and the bill ordered to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the indulgent creditors relief bill was read a second time and referred to a committee of the whole House.

Mr. Morris was called to the chair.

The House resumed.

Mr. Morris reported that the committee had considered the bill, and had made some amendments to it, which he was desired to report for the adoption of the House.

On the question for receiving the report the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Attorney General, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fraser, Henderson, Hornor, Kilborn, Lafferty, Lockwood, Longley, Lyons, M'Call, Malcolm, Matthews, Morris, Perry, Peterson, Shaver, Smith, Terry, John Willson, James Wilson, and Woodruff, 28.

NAYS—Messrs. Bethune, Pothergill, Ketchum, McDonald, M'Lean, Radenhurst, Randal, Thomson, and Wilkinson.—9.

The question was carried in the affirmative by a majority of nineteen, the report was received, and the bill ordered to be engrossed and read a third time to-morrow.

Mr. M'Call, from the committee to which was referred the petition of Ezekiel Foster, and five hundred and sixty-two others, of the county of Norfolk, reported 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 ordered to be received, and the London District division bill was read the first time, and ordered to be read a second time to-morrow.

Mr. Perry gives notice, that he will, on Monday next, move for leave to bring in a bill for the regulation of line or division fences.

Mr. Perry gives notice, that he will, on Monday next, move for a committee of the whole House, on the subject of settlement duty required to be performed on lands granted to the sons and daughters of U. E. Loyalists.

Mr. Fothergill 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 disposal of £500 to each District, for the purpose of repairing the roads.

Mr. Fothergill gives notice, that he will, on Wednesday next, move for leave to bring in a bill for incorporating certain persons as a company for the purpose of constructing a harbour and Wharf at Port Hope, in the Newcastle District.

Mr. Fothergill gives notice, that he will, on Thursday next, move for the reading of that part of the Journals of the last Parliament, which relates to an alteration of the Eastern boundary line of this Province, and the annexation of the Island of Montreal thereto.

Mr. Thomson gives notice, that he will, on Monday next, move certain resolutions on the subject of erecting a Penitentiary within this Province.

Mr. Bethune gives notice, that he will, on Monday next, move for leave to bring in a bill to authorise the attachment of the property of debtors in certain cases.

Mr. Mackenzie gives notice, that he will move, to-morrow, an address to His Excellency the Lieutenant Governor, requesting a copy of the Canada Committee report, with the evidence to be forthwith laid before this house for its information.

Adjourned.

Tuesday, 20th January, 1829.

The House met.

Prayers were read.

The Minutes of yesterday were read.

Doctor Baldwin brought up the petition of Robert Baldwin, Esquire; which was laid on the table.

Mr. Baby brought up the petition of Wm. Hands, and others, of the Western District; which was laid on the table.

Mr. Perry brought up the petition of the Executive committee of the Ernest Town and Kingston road society; which was laid on the table.

Mr. Secretary Cameron, by His Excellency's command, came to the bar of the House and delivered the public accounts for the year 1828, and estimates for 1829, the Schedule of which was read by the Clerk as follows:—

## UPPER CANADA.

*Schedule of Accounts prepared to be laid before the first Session of the tenth Provincial Parliament.*

No. 1	Statement of monies paid to the Receiver General of Lower Canada, between the first January, and first May, 1828, arising from duties collected at the port of Quebec.
2	Statement of the Receiver General's receipts and payments of provincial revenues from the first January, to the 30th June, 1828.
3	Abstract of warrants issued on the Receiver General under the several Provincial enactments, from the first January, to the 30th June, 1828.
4	Statement of the Receiver General's receipts and payments, of Provincial Revenue, from the first July, to the 31st December, 1828.
5	Abstract of warrants issued on the Receiver General under the several provincial enactments from the first July, to the 31st December, 1828.
6	Statement of receipts and payments on account of the civil list appropriations for the year 1827 with an abstract of warrants annexed.
7	Statement of receipts and payments on account of the civil list appropriations for the year 1828 with an abstract of warrants annexed.
8	Statements of receipts and payments on account of the appropriations of £2500 annually by statute 56th Geo. 3d Chapter 26 with an abstract of warrant annexed.
9	Account of revenue from Shop, Tavern, Still, Wholesale dealers, and Billiard table licences from 5th January, 1828, to 5th October, 1828.
10	Account of Revenue from Shop, Tavern, Still and Wholesale dealers licences, from the 5th October, 1828, to fifth January 1829.
11	Account of Revenue from duties on merchandize imported from the United States, between the first January, and 31st December, 1828.
12	Account of Revenue from licences issued to Hawkers and Pedlars, from the first January, to 31st December, 1828.
13	Account of Revenue from licences issued to Auctioneers and on sales at Auction, from first January, to 31st December, 1828.
14	Account of Revenue from Light House Tonnage Duty, from first January, to 31st December, 1828.
15	Estimate for the civil list for the year 1829.
16	General estimate of the expenditure and resources of the Province, for the year 1829.
17	Account of monies outstanding in the hands of collectors and Inspector's on the 31st December, 1828.
18	Account of monies paid to the Receiver General by collectors and Inspector's since the 31st December, 1828.
19	Statement of monies paid to the Receiver General of Lower Canada between first July 1828 and first January 1829, arising from duties collected at the Port of Quebec.

*Inspector General's Office, 8th January, 1829.*

J. BABY.

Inspector General.

[For Public Accounts, See Appendix]

Mr. Morris, seconded by Mr. Fraser, moves, that it be resolved, that this House do, on tomorrow, at 12 o'clock, proceed to appoint by ballot, a committee of seven members to examine and report on the public accounts.

Which was ordered.

Agreeably to the order of the day the civil list repeal bill was read the third time passed and signed.

Mr. John Rolph, seconded by Mr. Randal, moves, that the bill be entitled, "An act to repeal an act passed in the 56th year of the late King, granting to His Majesty a sum of money towards defraying the expences of the Civil Administration of the Government of this Province.

Which was carried, and Messrs John Rolph, and Perry, were ordered by the Speaker, to carry up the same to the Honorable the Legislative Council, and to request their concurrence thereto.

On the third reading of the Indulgent creditor's bill being called, Mr. Lefferty, seconded, by Mr. Woodruff moves, that the Bill do not now pass, but be referred to a select committee, composed of Messrs, Dickson, Perry and Terry, to examine and report thereon.

Which was carried

Agreeably to the order of the day the petition of Donald Cameron, in behalf of himself, and the Inhabitants of Thora, Eldon, and the adjoining new townships in the Home District, praying for £300 in aid of opening a road from the Big Bay in Whitby, to lake Simcoe—the petition of Jordan Post Junior and 351 others, praying for authority to establish a market on the west side of Yonge Street, in the town of York; and the petition of John Gough, of the Township of Oro, praying that his case may be taken into consideration, and such relief granted as may appear meet—were read.

Mr. Morris, from the committee appointed to search the journals of the Honorable the Legislative Council reported as follows.

The committee appointed to search the Journals of the Honorable the Legislative Council upon the proceedings of that Honorable House on the Speech of His Excellency at the opening of the present session, beg leave to report: that they have this morning received a letter from the clerk of that Body, which they think proper, herewith, to submit for the information of the House.

WILLIAM MORRIS.

Chairman.

*Legislative Council Office.*

*Monday Afternoon.*

The clerk of the Legislative council takes the earliest occasion to make known to the committee of the House of Assembly, appointed to search the Journals of the Honorable the Legislative Council, on the proceedings had upon the speech of His Excellency from the throne at the opening of the Session—that having submitted their desire to the Legislative Council, and learned the sense of that Honorable body thereon, he will be ready to attend the search of his Journals, at any convenient time the committee may name.

19th January, 1829.

Agreeably to notice Mr. Morris, seconded by Mr Henderson, moves, that a humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to inform this House, if any and what answer has been received from His Majesty's Government on the subject of a loan to cancel the present debt of this Province; and that Messrs. Radenburt and Brouse be a committee to draft and report the same.

Which was carried.

Mr. Perry, seconded by Mr Lyons, moves that this House, do proceed on to-morrow at the hour of 12 o'clock, to the appointment of a printing committee by ballot.

Which was ordered.

Mr Radenburt from the committee to draft an address to His Excellency the Lieutenant Governor, on the subject of communications from His Majesty's Government, relative to a loan of ninety thousand pounds, reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that the communication made by the Clerk of the Legislative Council to the committee of this House, appointed to enquire into the proceedings of that House upon the speech of His Excellency from the Throne at the opening of the session, is a further breach of the privileges of this house, inasmuch as it states that after having submitted their desire to the Legislative Council, and learned the sense of that Honorable body thereon, he will be ready to attend the search of his Journals at any convenient time the committee may name: instead of confessing his error, and admitting the undoubted right of the committee to search the Journals, without reference to the purpose for which it is desired, or to the sense of the Legislative Council upon the subject.

In amendment Mr. Thomson, seconded by Mr. Perry, moves, that the debate be adjourned until to-morrow.

Which was carried

The original question as amended was then put and carried.

Mr Morris from the committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, thanking His Excellency for his message of the 17th instant, reported delivering the same.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor on the subject of a loan from His Majesty's Government, was read the third time, passed and signed, and is as follows:—

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

*May it please your Excellency,*

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly request that Your Excellency will be pleased to inform this House, if any and what answer has been received from His Majesty's Government to the application of this House during the last session, for a loan of ninety thousand pounds sterling.

MARSHALL S. BIDWELL,

Commons House of Assembly, 20th Jan. 1829.

Speaker.

Mr. Morris, seconded by Mr. Henderson, moves, that Messrs. Longley and Kilborn be a committee to wait upon His Excellency the Lieutenant Governor with the address of this House, and to present the same.

Which was carried.

Agreeably to the order of the day, the House went into committee on the Dower Bill.

Mr. Fothergill was called to the chair.

The Speaker resumed the chair to receive a message.

Mr. Secretary Mudge brought down from His Excellency the Lieutenant Governor, several messages and documents, and having delivered the same to the Speaker, retired.

Mr Speaker informed the House that he had received from His Excellency the Lieutenant Governor, by the hands of his Private Secretary, several messages and documents, and rising uncovered, read the messages as follows:—

J. COLBORNE,

The Lieutenant Governor, acquaints the House of Assembly that His Majesty's Secretary of State for the colonies has received a despatch enclosing an address from the House of Assembly of the last parliament, praying that the Chief Justice may no longer be a member of the Executive Council, and that the Judges may be rendered independent of the crown and of the people.

This Address has been laid before the King, and His Majesty has been pleased to receive it very graciously.

On the subject of the Judges being commissioned to hold office during good behaviour, His Majesty's Government, find there are many difficulties to which the Assembly may not perhaps, have adverted; but it is with a view solely to the welfare of the Province, and to the impartial administration of Justice, that His Majesty's Government, hesitate to remove from the Judges in Upper Canada, their direct responsibility to the crown; a responsibility, enforced only upon the most serious occasion and never in respect to any act which can be properly considered Judicial.

With respect to the Chief Justice retaining his seat in the Executive

Council, it is a question which His Majesty's Government have taken into their consideration, and on which they must at present suspend their opinion.

Government House,  
20th January, 1829. }

J. COLBORNE.

The Lieutenant Governor, transmits to the House of Assembly, a copy of a despatch which he has received from His Majesty's Secretary of State for the Colonies, with reference to an act passed at the last session of the Legislature for borrowing a sum of money from His Majesty's Government, for the use of this Province.

Government House,  
20th January, 1829. }

J. COLBORNE.

The Lieutenant Governor, acquaints the House of Assembly, that the building which is occupied by the Legislature, will be appropriated to the use for which it was designed, after the conclusion of the present session; and he therefore suggests the expediency of their making some arrangement for their future accommodation.

The Lieutenant Governor, in communicating this information to the House, imagines that it is fully understood how necessary it is to establish immediately an Hospital and Dispensary, chiefly for the reception and relief of the sick and distressed Emigrants,

Government House,  
20th January, 1829. }

J. COLBORNE.

The Lieutenant Governor, transmits for the information of the House of Assembly, in compliance with its address, copies of the commission and instructions to the Commissioner for the sale and management of Crown Lands in Upper Canada.

Government House,  
20th January, 1829. }

The documents were then read by the Clerk as follows:—

GEORGE R.

George the Fourth by the Grace of God of the United Kingdom of Great Britain and Ireland, King Defender of the faith.

To our Right Trusty and Right well-beloved Cousin, George, Earl of Dalhousie, of that part of our United Kingdom called Scotland.

(L.S.) KNOW YE, That We, reposing especial trust and confidence in the loyalty, integrity, and ability of our trusty and well-beloved Peter Robinson, Esquire, have nominated, constituted, and appointed, and by these presents, do nominate, constitute, and appoint, him, the said Peter Robinson, to be our Commissioner for the sale and management of Crown Lands in the Province of Upper Canada—To have, hold, exercise, and enjoy, the said office for and during our will and pleasure, and his residence within our said Province, hereby giving and granting unto the said Peter Robinson, full power and authority to do, perform, and execute, all such acts, matters, and things, as may be necessary in the due execution of the said office; and we do require and command the said Peter Robinson to examine and report upon the state and condition of our Reserves and waste Lands in our said Province of Upper Canada, which we have thought fit to place under his care and superintendance, and to follow such orders and instructions as he may receive from the Commissioners of our Treasury, or our High Treasurer for the time being, or from any one of our Principal Secretaries of State, or the Governor, or Officer administering the Government of the said Province of Upper Canada. And for the encouragement of the said Peter Robinson, faithfully and diligently to execute the duties of the said office, we do grant and allow to him the following salary or reward, to be paid by the Receiver General of our Province of Upper Canada, out of the Revenue to be received by our said Receiver General, yearly, and every year, for the sale of our Lands within the said Province, and not out of any other our Revenue, the following reward, viz: Five-sixths of the net amount which may be paid into the hands of the Receiver General of our said Province, as the consideration for the sale of Lands, provided such five-sixths do not exceed five hundred pounds in any such year; but if five-sixths of such net amount should exceed five hundred pounds, then we do give and grant the sum of five hundred pounds as a reward for such year, together with an additional reward equal to five per cent upon the residue or surplus of five-sixths of the Revenue so paid, provided such percentage shall in no one year exceed the sum of five hundred pounds.

Given at our Court at St. James', this 17th day of July, 1827, in the eighth year of our reign.

By His Majesty's command.

(Signed) MOUNT CHARLES,  
J. LEVISON GOWER,  
ELIOT.

A True Copy.  
Z. MUDGE.

P. Robinson, Esquire, to be Commissioner for the sale and management of Crown Lands in the Province of Upper Canada.

[For Instructions see Appendix.]

[COPY.]

Downing Street,  
London, Sept. 30, 1828. }

SIR,

Having referred for the consideration of the Lords Commissioners of His Majesty's Treasury, your Predecessor's despatch of the 19th May last, together with the act therein enclosed, which had been passed by the Legislature of the Province of Upper Canada, during their last session, entitled "an act to borrow a sum of money from His Majesty's Government, and to make provision for the payment of the same."

I have received in reply a letter from that Department, of which I enclose you a copy, and upon which it is only necessary that I should remark, that it is not considered expedient that any measures should be taken for giving effect to the provisions of the above act, as their Lordships consider that His Majesty's Government have, in its most extended sense, redeemed the pledge which was held out to the Legislature, in Earl Bathurst's Despatch of the 8th October, 1824, that every reasonable assistance should be afforded for the improvement of the internal navigation of the Province.

I have the honor to be,  
Sir, &c. &c. &c.

Major General (Signed) G. MURRAY.  
SIR JOHN COLBORNE,  
K. C. B. &c. &c. &c.

A True Copy.  
Z. MUDGE.

[COPY.]

Treasury Chambers,  
13th Sept. 1828.

SIR,

The Lords Commissioners of His Majesty's Treasury have had under consideration your letter of the 4th Instant transmitting a copy of a Despatch which has been received from Sir Peregrine Maitland, enclosing an act which had been passed by the Legislature of Upper Canada, for the purpose of obtaining a loan from His Majesty's Government, and to make provision for the payment of the same; and I am commanded to acquaint you, for the information of Secretary Sir George Murray, that my Lords observe, in reference to the letter of Lord Bathurst, enclosed in Sir Peregrine Maitland's Despatch of the 19th May, that the loan which His Lordship announced the readiness of the Government to make to the Legislature of Upper Canada, was for the purpose of executing two lines of water communication—one from the Rideau River to Lake Ontario, and the other from the latter Lake to Lake Erie.

Since the date of that Despatch, His Majesty's Government have determined to take upon themselves the entire expense of completing the former work, and have advanced towards the latter a sum of not less than fifty thousand pounds to be employed in the completion of the Welland Canal.

Under these circumstances, my Lords do not consider, that, in declining now to make the loan proposed to the Province of Upper Canada, it can be supposed that they view with indifference the improvement of that Province, or are indisposed to contribute most liberally to its progress; my Lords, on the contrary, feel, that with reference to the just claims of other parts of the Empire, they should not be justified in making a further loan of one hundred thousand pounds to the Province on which so large a sum is about to be expended, and another lent for the execution of the public works.

I am, &c. &c. &c.  
(Signed) J. STUART.

R. W. HAY, Esquire, &c. &c. &c.  
A true Copy.  
Z. MUDGE.

The House went again into committee on the Dower bill.

Mr. Fothergill in the chair.

The Speaker resumed the chair, Black Rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council certain resolutions which that Honorable House had passed, and, delivering the same to the Clerk, retired.

Mr. Speaker informed the House that the Master in Chancery had brought down from the Honorable the Legislative Council certain resolutions which that Honorable House had passed.

The Clerk then read the resolutions as follows:—

Resolved, That it is essential to the dignity of this House, that its officers should hold themselves independant of any authority other than that of this House.

Resolved, that as a doubt existed in the mind of the Clerk of this House whether the application of the committee of the House of Assembly to search the Journals of this House, "upon their proceedings on the Speech of His Excellency from the Throne at the opening of this Session," was in accordance with former practice, that officer acted in strict conformity with his duty and his oath of office, in declining to accede to such search until the pleasure of this House could be ascertained.

Resolved, That this House, having been informed by their Clerk of the application of the committee of the House of Assembly, after due consideration have signified to their officer, that they do not object to the search being made, agreeably to the wish of the House of Assembly, made known through their committee.

Resolved, That in reply to the complaint of the House of Assembly, "that the officer of this House had refused to permit a committee of the House of Assembly to search the Journals of the Legislative Council," this House readily expresses its assurances, that no impediment shall be offered on their part to the full exercise of the just privileges of the House of Assembly; but they feel persuaded, that that House appreciates too highly its own privileges to expect precipitation in others on so important a subject; and that they understand too well the accountability of their own officers; to wish that those of this House should be debarred from the reasonable exercise of that judicious caution which they owe to this House, and which may prevent future embarrassment.

Truly extracted.

January 20th, 1829.

GRANT POWELL,  
C. L. C.

The Speaker left the chair.

Mr. Fothergill resumed the chair of the committee.

The Speaker resumed the chair.

Mr. Fothergill reported, that the committee had considered the bill and made some amendments to it.

On the question for receiving the report the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Brouse, Buell, Cawthra, Ewing, Fothergill, Fraser, Horner, Ketchum, Kilborn, Leckwood, Longley, Lyons, McCall, Mackenzie,

Malcolm, Perry, Randal, John Rolph, George Rolph, Shaver, Smith, Wilkinson, and Woodruff—23.

NAYS—Messrs. Attorney General, Bethune, Henderson, Lefferty, McDonald, Matthews, Morris, Peterson, and Samson—9.

The question was carried in the affirmative by a majority of fourteen, the report was received, and the bill ordered to be engrossed and read a third time to-morrow.

Mr. Morris, seconded by Mr. Shaver, moves, that the despatch of Sir George Murray, in answer to the application of this House for a loan of ninety thousand pounds, be referred to a select committee, to consist of Messrs. Radenhurst and Mackenzie, with power to report thereon by bill or otherwise.

Which was ordered.

Mr. Morris, seconded by Mr. Samson, moves, that the message of His Excellency the Lieutenant Governor on the subject of accommodation for the Legislature, be referred to the committee appointed to report on the expediency of covering the walls of the late Parliament House.

Which was carried.

Adjourned.

*Wednesday, 21st January, 1829.*

The House met.

Prayers were read.

The Minutes of yesterday were read.

Doctor Baldwin brought up the petition of Thomas Stoyell, and others, of the Town of York; which was laid on the table.

Mr. Attorney General brought up the petition of R. C. Horne, Esquire; which was laid on the table.

Agreeably to the order of the day, the Dower bill was read the third time.

Mr. Fothergill, seconded by Mr. Wilkinson, moves, that the bill for the more easy recovery of Dower, be now re-committed.

Which was lost.

On the question for passing the bill the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Mackenzie, Perry, and Woodruff—3.

NAYS—Messrs. Attorney General, Baldwin, Bethune, Blacklock, Brouse, Buell, Cawthra, Dickson, Ewing, Fothergill, Fraser, Henderson, Hornor, Ketchum, Lefferty, Lockwood, McCall, McDonald, McLean, Malcolm, Matthews, Morris, Peterson, Radenhurst, Randal, George Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, and James Wilson—34.

The question was decided in the negative by a majority of thirty-one, and was lost accordingly.

Agreeably to the order of the day, the House proceeded to ballot for a committee of Finance, when the following names were drawn:

Morris, Thomson, Mackenzie, Dalton, Blacklock, Longley, and J. Rolph.

The House then, agreeably to the order of the day, proceeded to ballot for a committee to superintend the Printing during the Session, when the following names were drawn:

Thomson, Buell, Fothergill, Dalton, Kilborn, Terry, and Perry.

Agreeably to the order of the day, the petition of John Petit and twelve others, of the townships of Wainfleet, Crowland, and Thorold, in the District of Niagara, praying for relief against the Welland Canal Company—the petition of Joseph Cawthra, and one thousand six hundred and twenty-eight others, of the Home District, praying for redress of grievances—the petition of William Forsyth, of Niagara Falls, Yeoman, praying to be allowed to prove the truths he stated in his petition of last session,—and the petition of Joseph Sifton, of the County of Middlesex, praying that his case may be taken into consideration and relief granted him, were read.

Mr. Ketchum, seconded by Mr. Cawthra, moves, that the petition of D. Cameron, be referred to the committee of supply.

Which was carried.

Doctor Baldwin, seconded by Mr. Smith, moves, that the House do resolve itself into a committee of the whole, on Monday next, to take into consideration the petition of Joseph Cawthra, and others, for redress of grievances.

In amendment, Mr. Perry, seconded by Mr. James Wilson, moves that after the word "moves" in the original motion, the whole be expunged, and the following inserted; "that the petition of Joseph Cawthra, and others be referred to a select committee, and that Messrs. Baldwin, Dalton, Ketchum, Mackenzie, and Woodruff do compose the same, with power to send for persons and papers, with leave to report thereon."

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

YEAS—Messrs. Brouse, Buell, Cawthra, Hornor, Lefferty, Lockwood, Lyons, McCall, Mackenzie, Malcolm, Matthews, Perry, Peterson, Randal, John Rolph, George Rolph, and James Wilson—17.

NAYS—Messrs. Attorney General, Baby, Baldwin, Bethune, Blacklock, Dalton, Dickson, Ewing, Fothergill, Fraser, Henderson, Ketchum, Kilborn, Longley, McDonald, McLean, Morris, Radenhurst, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, and Woodruff—26.

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

The original question was then put and carried.

Mr. Secretary Mudge brought down from His Excellency the Lieutenant Governor, several messages and documents and having delivered the same to the Speaker, retired.

Mr. Speaker reported to the House, that the private secretary to His Excellency the Lieutenant Governor, had delivered to him several messages signed by His Excellency, and rising uncovered, read the messages as follows:

J. COLBORNE,

The Lieutenant Governor, transmits for the information of the House of Assembly, a statement by the Receiver General, showing the debentures issued under the authority of various Provincial Statutes, which are now outstanding, and those also which have been redeemed.

*Government House, 21st January, 1829.*

J. COLBORNE,

The Lieutenant Governor, transmits for the information of the House of Assembly, a copy of the letter, from the Deputy Post Master General, at Quebec, respecting the state of the roads.

*Government House, 21st January, 1829.*

[COPY.]

General Post Office,  
Quebec, 8th Dec'r. 1828. }

SIR,

I have the honor to acknowledge the receipt of your letter of the 27th November, informing me by direction of His Excellency Sir John Colborne, that His Excellency had forwarded to His Majesty's Government a project for making an alteration in the mode of conveying letters to the Province of Upper Canada, and had suggested the necessity of appointing a Deputy Post Master General for that province, to reside at York or Queenston; His Excellency further desires my opinion as to the expediency of having a Deputy Post Master General resident in Upper Canada, and also requests that I will authorise the Post Master at York to contract for the conveyance of the mail between York and Queenston, daily, via Burlington Beach, conformably to a scheme suggested by the American Post Master (Mr. Cook) at Lewiston, a copy of whose letter on the subject to His Excellency, you have, by His Excellency's command, sent to me.

With regard to the appointment of a Deputy Post Master General to reside in Upper Canada, I can see no necessity whatever for it, as I hope to prove myself equal to a proper discharge of the duties to which I have the honor to be entrusted, as well in Upper Canada, as in this Province.

I beg to be permitted here to say, that independent of my long acquaintance with these countries, and of the plan I have formed of acquiring by travelling through every route, an intimate knowledge of the localities of every section, I possess the further advantage of having, in many of my deputies, intelligent, zealous men, whose services at all times are at my command.

As respects His Excellency's request that I should authorise a contract to be entered into for carrying the mails daily between York and Queenston, via Burlington Beach, I beg to say, that it is beyond the limits of my authority to do so, without the previous sanction of His Grace the Post Master General, even if I considered it necessary, which I certainly do not, for these reasons, that it would involve an expense which the revenue cannot support, and that it would not be right, nor consistent with the principles hitherto acted upon by the General Post Office, to give that portion of the Province a daily mail and leave the important country between York and Montreal with a mail only twice a week.

To carry the mail from York to Queenston, via Burlington Beach, would certainly shorten the distance by several miles, probably from thirteen to fifteen, but in that case His Excellency will please to observe that another line of couriers would be required to serve the offices of Dundas, Hamilton, and Ancaster, and it is from this latter office that the mails for the country west of Lake Ontario are made up, consequently it is a very important one.

I have for sometime thought, and my recent visit to Upper Canada has confirmed me in the belief, that it has now become expedient to have a third mail through the whole of the main Post Route, that is from Montreal to Niagara, and along the Niagara Frontier; and previous to the receipt of your letter I had made the necessary enquiries relative to the expense &c. of such an arrangement, preparatory to applying home for authority to carry it into effect; which, if I am permitted to do there will be this advantage secured, that besides a communication once more in the week, the mail will be carried through from Montreal to Niagara, in six days, instead of nine, which is at present taken.

I have some other alterations relative to the Post communications in this Province, to submit for the consideration of my Lord the Post Master General, which I hope will tend to facilitate and improve the intercourse by mail.

I will avail myself of this opportunity of submitting to His Excellency the necessity of calling the Legislative attention to the condition of the roads and bridges on the Grand Post Route between Montreal and Niagara.

His Excellency cannot fail to learn by enquiry that a great portion of this route is in such a state that there can be neither expedition nor safety in conveying the mails until very essential improvements take place upon it.

The worst parts lie between Prescott and Kingston, seventy miles; between Kingston and York, 72 miles; and between York and Ancaster fifty miles. I do not mean to say that these roads throughout their whole extent are bad, but there are portions of them from ten to twenty miles together, which, at certain periods of the year, are almost impracticable; so much so, that I am astonished how the couriers get through. They have done, however, up to this time because the contractors are respectable and wealthy men, who would not shrink from the performance of their obligation, but I have reason to believe that they are sustaining a very serious loss by their engagement, and that I shall experience great difficulty in forming a new contract when the present one expires, except the roads are placed in a better condition.

At this moment I am informed that the couriers have lately been obliged to swim their horses over some of the rivers on this route, (in consequence of the bridges being carried away) preserving the mails in the best way they could, and on two occasions within the last month; the mail bags and their contents have been so entirely saturated by falling into the rivers, that it was necessary to dry and remail all the letters at the first office they came to, before they could be sent on.

These are details with which I am sorry to trouble His Excellency, but I think it is necessary he should be made acquainted with them, as forming a part of the difficulties with which the Post Office Establishment in this country has to contend, and as being closely connected with the questions in discussion; and I respectfully trust that His Excellency will effectually remedy this very serious obstacle to the improvement of the Post Office duties in Upper Canada.

I have the honor to be,  
&c. &c. &c.

(Signed)

T. A. STAYNER,  
Deputy Post Master General.  
British North America.

[For Debentures, see Appendix.]

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that the committee of the whole on Monday next be discharged from so much of the petition of grievances as relates to Judge Willis and the Administration of Justice; and that such part be referred to a select



committee, by ballot to be chosen forthwith, with power to send for persons and papers, and to report thereon by bill or otherwise.

In amendment, Mr. Mackenzie, seconded by Mr. Randal, moves, that after the words "select committee" the rest be expunged, and the following inserted, "consisting of Messrs. John Rolph, Baldwin, and Radenhurst, with power to send for persons and papers, and to report thereon by bill or otherwise."

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

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Hornor, Ketchum, Lefferty, Lockwood, Lyons, M'Call, Mackenzie, Malcolm, Peterson, Randal, John Rolph, George Rolph, Smith, Thomson, James Wilson and Woodruff—22.

NAYS—Messrs. Attorney General, Bethune, Buell, Dickson, Ewing, Fothergill, Fraser, Henderson, Kilborn, Longley, M'Donald, M'Lean, Morris, Perry, Radenhurst, Samson, Shaver, Terry, Wilkinson, and John Willson—20.

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

The original question, as amended, was then put and carried.

Mr Dalton, from the committee to which was referred the petition of Francis Collins, 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 ordered to be received, and was read.

[For Report, see Appendix.]

The address to His Excellency the Lieutenant Governor, reported by the committee on the petition of Francis Collins, was then read the first time.

On the question for the second reading of the address debates ensued.

Adjourned.

Thursday, 22d January, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Thomson brought up the petition of Robert Forest, and others, of the Town of Kingston; which was laid on the table.

Mr. Lyons brought up the petition of Walter Boswell, Esquire, and others, of the Township of Hamilton, in the District of Newcastle; which was laid on the table.

Mr. Woodruff brought up the petition of Chauncey Beadle, and others, Trustees of the Grantham Academy; which was laid on the table.

Mr. Woodruff brought up the petition of Jacob Keefer, and others, Trustees of the Grantham Academy; which was laid on the table.

Mr. Mackenzie brought up the petition of Rowland Burr, and others, of the County of York; which was laid on the table.

Mr. Mackenzie brought up the petition of Thomas Burrell, and others, of the Township of Toronto; which was laid on the table.

Mr. Mackenzie brought up the petition of John D. Porter, of the Township of York; which was laid on the table.

Doctor Baldwin brought up the petition of John Misner, and others, of the County of Norfolk; which was laid on the table.

Doctor Baldwin brought up the petition of John Cook, and others, of the County of Dundas; which was laid on the table.

Mr. Hopkins brought up the petition of William J. Sumner, and others, of the Townships of Nassagawia, Nelson, and Eramossa; which was laid on the table.

Agreeably to the order of the day, the petition of Robert Baldwin, Esq. of the Town of York, praying that his case may be taken into consideration, and such relief granted as may seem meet—the petition of William Hands, and 125 others, of the Western District, praying for a law to compel the Farmers in that District to open one main ditch through or across their lands, &c.—and the petition of James Lake, and others, forming the Executive Committee of Earnestown and Kingston Road Society, praying for pecuniary aid—were read.

Doctor Baldwin, seconded by Mr. Smith, moves, that the petition of Robert Baldwin, Esquire, be referred to a select committee, with power to send for persons and papers, and that Messrs. Mackenzie, Dalton, and Cawthra, do form such committee, with leave to report by bill or otherwise.

Which was ordered.

Mr. Lyons, seconded by Mr. M'Lean, moves, that the petition of Walter Boswell, and others, be now read, and that the 43d rule of this House be dispensed with, so far as relates to the said petition.

Which was carried, and the petition of Walter Boswell, Esquire, praying for authority to raise, by loan, a sum not exceeding £4000, for the purpose of building a new Gaol and Court House in the District of Newcastle, was read.

Mr. Lyons, seconded by Mr. M'Lean, moves, that the petition of Walter Boswell be referred to the select committee to whom was referred the petition of Thomas A. Stewart, Esquire, and others.

Which was ordered.

Doctor Baldwin, seconded by Mr. Smith, moves, that the petition of Jordan Post, and other inhabitants of York, be referred to a select committee with power to send for persons and papers, and, with leave, to report by bill or otherwise, and that Messrs. Ketchum and Lockwood, do form said committee.

Which was ordered.

Mr. Baby, seconded by Mr. Hornor, moves, that the petition of the Inhabitants of the Township of Sandwich be referred to a select committee, composed of Messrs. John Rolph and Baldwin.

Which was ordered.

Mr. Morris, seconded by Mr. M'Lean, moves, that the Clerk be directed to publish the questions and votes of this House in the Lobby each morning, for the information of the public.

Which was ordered.

Mr. Dalton, seconded by Mr. James Wilson, moves, that the address to His Excellency, respecting the case of Francis Collins, be now read a second time.

Which was carried, and the address was read the second time.

On the question for concurrence being put, Mr. James Wilson, seconded by Mr. Dalton, moves, that the House do resolve itself into a committee of the whole, on the address in behalf of Francis Collins.

Which was carried, and Mr. Peterson was called to the chair.

The Speaker resumed the chair.

Mr. Peterson reported, that the committee had considered the address, and amended it.

On the question for receiving the report the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, Randal, John Rolph, George Rolph, Shaver, Smith, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—37.

NAYS—Messrs. Bethune, M'Lean, and Samson—3.

The question was carried in the affirmative by a majority of thirty-four, and the report was received, and the address ordered to be engrossed and read a third time to-day.

Captain Matthews gives notice, that, on to-morrow, he will move for leave to bring in a bill for the relief of a denomination of Christians called Unitarians.

Mr. Morris, from the committee to whom was referred that part of the Journals of last Session which relates to loaning a sum of money from His Majesty's Government, reported 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 ordered to be received, and the loan bill was read the first time, and ordered for a second reading to-morrow.

Mr. Lyons, from the committee to which was referred the petition of Walter Boswell, and others, of the District of Newcastle, relative to the formation of a Harbor at Cobourg, in the said District, reported, that the committee had agreed to a report and a draft of a bill, which he was ready to submit, whenever the House would be pleased to receive the same.

The report was ordered to be received, and was read by the Clerk.

[For Report see Appendix.]

The Cobourg harbour bill was then read the first time, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. John Willson, seconded by Mr. Peterson, moves, that Messrs. Lefferty, Thomson, Fothergill, and Brouse, be a committee to enquire what costs are allowed to be charged in the several courts on causes tried therein, and that the said committee have power to send for persons and papers, and be permitted to accompany their report by bill.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor, in behalf of Francis Collins, was read the third time, passed, and signed, and is as follows:

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

May it please your Excellency,

WE, his Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly represent to your Excellency, that we have received a petition from Francis Collins a prisoner in the York Gaol, under sentence of the late court of Oyer and Terminer and General Gaol Delivery, in and for the Home District, for libel, by which sentence he is doomed to twelve months imprisonment, and to pay a fine of fifty pounds to the King, and afterwards to give security for his good behaviour for three years, himself in £400 and two sureties in £100 each, and to stand committed till those conditions be complied with; and having taken the same into our consideration, together with the time he has already been confined: we earnestly entreat your Excellency to extend to Francis Collins the Royal Clemency, by remitting his sentence and restoring him to his family.

Commons House of Assembly, }  
22nd January, 1829. }

MARSHALL S. BIDWELL,  
Speaker.

Mr. John Rolph, seconded by Mr. Perry, moves, that Messrs. Matthews, and Dalton be a committee to wait upon His Excellency to learn when he will receive the address of this House in favour of Francis Collins, and to present the same.

Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Cawthra, moves for leave to bring in a bill to admit the evidence of Quakers and certain other denominations of christians in criminal cases.

Which was granted and the bill read, and ordered for a second reading to-morrow.

Mr. Attorney General from the committee to which was referred the petition of Alexander Wood, Esquire, of the Town of York, reported that the committee had agreed to the draft of a bill which he was directed to submit whenever the House would be pleased to receive the same.

The report was ordered to be received and the bill was read a first time, and ordered for a second reading to-morrow.

Doctor Baldwin gives notice, that he will, on Wednesday next, move certain resolutions on the subject of the northern boundaries of the Province.

Mr. Fothergill gives notice, that he will, to-morrow, move for leave to bring in a bill regulating the sale of Drugs and Medicines.

Adjourned till one o'clock to-morrow.

Friday, 23d January, 1829.

The House met pursuant to adjournment.

Prayers were read.

The minutes of yesterday were read.

Agreeably to the order of the day, the petition of Thomas Stoyell, and 18 others, of the Town of York, praying that the rights and liberties of the people may be preserved, and the petition of R. C. Horns, Esquire,



praying that he may be remunerated for printing laws, while he was Government Printer, according to the existing regulations—were read.

Mr. Thomson, seconded by Mr. Dickson, moves, that so much of the order of the day, as relates to the debate on a question of privilege, be discharged.

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

YEAS—Messrs. Buell, Cawthra, Dickson, Henderson, Ketchum, Longley, Morris, Radenhurst, and Thomson—9.

NAYS—Messrs. Baby, Baldwin, Blacklock, Dalton, Fraser, Hopkins, Hornor, Leftery, McCall, McDonald, Malcolm, Matthews, Perry, Peterson, Randal, John Rolph, George Rolph, Shaver, Terry, and Woodruff—20.

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

Mr. Morris, seconded by Mr. Buell, moves, for the appointment of a select committee, to report on expiring laws, or laws which have expired since the last session of Parliament, and that Messrs. Thomson, Henderson, and Kilbourn, do compose the same.

Which was ordered.

Captain Matthews, seconded by Mr. Hopkins, moves, that the petition of Win Forsyth, be referred to a committee consisting of Messrs. Randal, Rolph, Hornor, and Leftery.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Dalton, moves, that an humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause the proper officer to lay before this House, at the earliest possible period, for its information, full and detailed accounts of all monies received by His Majesty's Government, from the Canada Company, as also a full and particular account of the appropriation of the said monies, so far as they may have been expended, and that Messrs. Thomson and McDonald be a committee to report the said address; as also that the 3d rule of this House may be dispensed with in so far as it relates to said address.

Which was ordered.

Mr. Thomson from the committee to draft an address to His Excellency the Lt. Governor, relative to monies received from the Canada Company, reported a draft which was received and read twice, concurred in and ordered to be engrossed and read a third time this day.

Mr. Mackenzie, seconded by Mr. Dalton, moves, that an humble address be presented to His Excellency the Lieutenant Governor requesting His Excellency to lay before this House a printed copy of the report of the Canada Committee of the Imperial Parliament with the evidence, for its information, should it be in His Excellency's power, to communicate the same, and that Messrs. Randal, and Hornor, be a committee to draft and report the same.

On which the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fraser, Henderson, Hopkins, Hornor, Ketchum, Leftery, Longley, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, Randal, George Rolph, Shaver, Smith, Terry, Thomson, James Wilson, and Woodruff—33.

NAYS—Messrs. Hamilton, McLean, John Rolph, Samson, Wilkinson, and John Willson—6.

The question was carried in the affirmative by a majority of twenty-seven, and as ordered accordingly.

Mr. Randal from the committee to draft an address to His Excellency the Lieutenant Governor, requesting a printed copy of the report of the committee of the Imperial Parliament, on the affairs of Canada, with the evidence on that subject, reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to notice, Captain Matthews, seconded by Mr. Rolph, moves for leave to bring in a bill for the relief of a denomination of christians called Unitarians.

Which was granted, and the bill read and ordered for a second reading to-morrow.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor on the subject of monies received from the Canada Company, was read the third time, passed and signed and is as follows:—

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

*May it please your Excellency,*

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, request your Excellency to cause the proper officer to lay before this House, at the earliest possible period, for its information, full and detailed accounts of all monies received by His Majesty's Government from the Canada Company, as also a full and particular account of the appropriation of the said monies, so far as they may have been expended.

Commons House of Assembly, }  
23d January, 1829. }

MARSHALL S. BIDWELL,  
Speaker.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that Messrs. Matthews and Dalton, be a committee to wait upon His Excellency to know when he will receive the said address, and to present the same.

Which was ordered.

Agreeably to notice, Mr. Hamilton, seconded by Mr. Hornor, moves, that an address be presented to His Excellency the Lt. Governor, respecting the losses sustained during the late war, and that Messrs. Leftery and Woodruff be a committee to draft the same.

Which was ordered.

Mr. Leftery from the committee to draft an address to His Excellency the Lt. Governor, on the subject of losses sustained during the late war with the United States of America, reported a draft which was read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor, on the subject of Canada Committee's report, was read the third time, passed and signed and is as follows:—

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, request your Excellency to cause to be laid before this House a printed copy of the report of the Canada Committee of the Imperial Parliament, with the evidence, for its information, should it be in Your Excellency's power to communicate the same.

Commons House of Assembly }  
23d January, 1829. }

MARSHALL S. BIDWELL,  
Speaker.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that Doctor Baldwin and Mr. James Wilson, be a committee to wait upon His Excellency to know when he will be pleased to receive the said address, and to present the same.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency, the Lieutenant Governor, on the subject of losses, was read the third time, passed and signed, and is as follows:—

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

*May it please Your Excellency,*

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to request that Your Excellency will please to inform this House, whether any communication has been received since the last session of the Legislature, from His Majesty's Government, respecting the losses sustained by His Majesty's Canadian subjects in Upper Canada, during the late war, with the United States of America; and humbly request if any such has been received, that it may be communicated to this House.

Commons House of Assembly, }  
23d January, 1829. }

MARSHALL S. BIDWELL,  
Speaker.

Mr. Hamilton, seconded by Mr. Fothergill, moves, that Messrs. Leftery and Woodruff be a committee to wait upon His Excellency the Lieutenant Governor, with the address respecting the losses, to know when he will be pleased to receive, and to present, the same.

Which was ordered.

Mr. Secretary Mudge brought down from His Excellency the Lt. Governor, several messages, and having delivered the same to the Speaker retired.

Mr. Speaker informed the House, that Mr. Mudge, private Secretary to His Excellency the Lieutenant Governor, had delivered to him several messages, signed by His Excellency, with documents accompanying the same, and rising uncovered, read the messages as follows:

J. COLBORNE,

The Lieutenant Governor, transmits to the House of Assembly a copy of a communication from His Excellency, the Administrator of Lower Canada, forwarding a resolution of the House of Assembly of that Province on the expediency of appointing Commissioners to treat of matters of common concern to both Provinces, respecting the imposing and collecting of duties on importations, the improvement of the navigation of the Rivers St. Lawrence and Ottawa, and of the Roads of communication between the Provinces.

Government House, }  
23d January, 1829. }

J. COLBORNE,

The Lieutenant Governor transmits for the information of the House of Assembly, a copy of a report recently received from the commissioners appointed under the authority of an act passed at the last session of the Legislature, providing for the erection of a Light House, at the False Duck's Islands, in Lake Ontario, with an account and vouchers of the expenditure of the sum granted for that object.

Government House, }  
23d January, 1829. }

J. COLBORNE,

The Lieutenant Governor, transmits to the House of Assembly an extract from a Despatch forwarded by the Right Honorable William Huskisson, when Secretary of State for the Colonies, with copies of the letters therein referred to, respecting the erection of a Light House on Long Point in Lake Erie, which he recommends to the favorable consideration of the House.

Government House, }  
23d January, 1829. }

The Clerk then read an extract from a Despatch and Letter, as follows:—

[COPY.]

Castle of Saint Lewis, }  
Quebec, 10th January, 1829. }

SIR,

The Legislative Council and House of Assembly of this Province, in Provincial Parliament assembled, having concurred in a resolution respecting the appointment of Commissioners to meet any other Commissioners

who may be appointed on the part of Upper Canada, to treat of, and report upon, various matters of common concern to both Provinces; and, having this day presented a joint address to me, praying, that I would communicate this resolution to your Excellency, that the same might be made known to the Legislature of Upper Canada, I have the honor herewith to transmit a copy of it; and I take this opportunity of expressing to your Excellency my anxious desire to promote, by every means in my power, any measure that may tend to advance the common interests of the two Provinces.

I have the honor to be,

Sir,

Your most Obedient,

Humble Servant,

(Signed)

JAMES KEMPT.

His Excellency Major General,  
SIR JOHN COLBORNE, K.C.B.  
&c. &c. &c.

[COPY.]

House of Assembly, }  
Tuesday, 16th December, 1828. }

Resolved.—That it is expedient that Commissioners be appointed on the part of this Province to meet any commissioner or commissioners, which may be appointed on the part of Upper Canada, to treat of and report upon matters of common concern to both Provinces, respecting the imposing and collecting of duties on importations, the improvement of the navigation of the Rivers Saint Lawrence and Ottawa, and roads of communication between the two Provinces.

Attest.

[Signed.]

W. B. LINDSAY,

Deputy Clk. of the House of Assembly.

(Extract and other documents see Appendix.)

Mr. Dalton, seconded by Mr. Hornor, moves, that an address be presented to His Excellency the Lt. Governor, requesting that he will be pleased to issue his warrant in favour of Francis Collins, for £133 18 6—in favour of John Carey for £133 18 6—and in favor of Wm. Lyon Mackenzie, for £59, being the amount of contingencies voted to them by this House, and interest for the same, and that Captain Matthews, and Mr. Perry be a committee to prepare the said address.

In amendment, Mr. Morris, seconded by Mr. Fraser, moves, that after the word "moves" in the original motion, the whole be expunged and the following inserted, "that this House will go into committee of the whole to-morrow, to consider the claims of certain Printers, and others, in whose favour votes of the Assembly have formerly passed.

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

YEAS—Messrs. Attorney General, Baby, Baldwin, Bethune, Blacklock, Brouse, Buell, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Kilborn, Lockwood, Longley, Lyons, M'Call, McDonald, McLean, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, John Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, and John Willson—35  
NAYS—Messrs. Cawthra, Dalton, Hornor, Ketchum, Lafferty, Randal, George Rolph, James Wilson, and Woodruff—9.

The question was carried in the affirmative by a majority of twenty-six.

The original question as amended, was then put and carried.

Doctor Baldwin, seconded by Mr. Smith, moves, that the House do to-morrow resolve itself into a committee of the whole to take into consideration the message of His Excellency received this day, containing the resolutions of the Legislature of Lower Canada, and the documents accompanying the said message.

Which was carried.

Mr. Thomson, seconded by Mr. Perry, moves, that this House do resolve itself into a committee of the whole, on supply, on Thursday next.

Which was carried.

Agreeably to the order of the day, the Physic and Surgery bill was read the second time and referred to a committee of the whole House.

Mr. Fraser was called to the chair.

The Speaker resumed the chair.

Mr. Fraser reported, that the committee had considered the bill, made some progress in the same, and requested to sit again this day three months.

On the question for receiving the report the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Brouse, Cawthra, Hopkins, Honor, Ketchum, Lafferty, Lockwood, Lyons, M'Call, Malcolm, Perry, Peterson, Randal, John Rolph, George Rolph, Smith, Terry, and Woodruff—13.

NAYS—Messrs. Attorney General, Bethune, Blacklock, Buell, Dickson, Ewing, Fothergill, Fraser, Henderson, Kilborn, Longley, M'Donald, Mackenzie, McLean, Morris, Radenhurst, Samson, Shaver, and John Wilson—19.

The question was decided in the negative by a majority of one, and the bill was again referred to the committee of the whole.

The Speaker left the chair.

Mr. Fraser resumed the chair of the committee.

The committee rose again.

The Speaker resumed the chair.

Mr. Fraser reported that the committee had again considered the bill, made some further progress, and asked leave to sit again to-morrow.

The report was ordered to be received, and leave was granted accordingly.

Mr. Dickson gives notice, that he will, on Thursday next, move certain resolutions relative to the actual residence of certain public officers holding appointments from the Executive, in the county Towns in the several Districts, and particularly in the Niagara District.

Mr. Dickson gives notice, that he will, on Tuesday next, move for leave to bring in a bill to extend the Gaol limits of the Town of Niagara, from their present dimensions to the boundaries of the whole Town.

Adjourned till twelve o'clock, noon, to-morrow.

Saturday, 24th January, 1829.

The House met pursuant to adjournment.  
Prayers were read.

The minutes of yesterday were read.

Mr. Dickson brought up the petition of Wm. M. Ball, of the Township of Niagara; which was laid on the table.

Mr. Ketchum brought up the petition of James M'Intosh, and others, masters of vessels on Lake Ontario; which was laid on the table.

Mr. Ketchum brought up the petition of Henry Hamilton, and others of the Town of York; which was laid on the table.

Mr. Ketchum brought up the petition of Thomas Whitesides, and others, of the Township of Scarborough; which was laid on the table.

Mr. Hopkins brought up the petition of Wm. M'Kay, and others, a committee of improvement of 12 mile creek, in the Township of Nelson; which was laid on the table.

Mr. John Rolph brought up the petition of Henry White, and others, of the Townships of Middlesex and Oxford; which was laid on the table.

Mr. John Willson brought up the petition of James G. Strowbridge; which was laid on the table.

Mr. M'Lean brought up the petition of Dennis Fitzgerald, late Adjutant of the late Battalion of Incorporated Militia; which was laid on the table.

Agreeably to the order of the day, the petition of Robert Forest, and three hundred and forty-two others, of the Town of Kingston, praying for alteration in the Police regulations of that place—the petition of Chauncey Beadle, and four others, trustees of the Grantham Academy, praying for an act of incorporation—another petition from the same person, in same capacity, praying for pecuniary aid to enable them to procure suitable tutors for said Academy—the petition of Rowland Burr, and one hundred and eighty-six others, praying for a grant of money, for the repairing of the road called Yonge-Street, in the Home District—the petition of Thomas Burrel, and sixty nine others, of the township of Toronto, praying the House to interest themselves, in behalf of Francis Collins, to procure his liberation—the petition of John D. Porter, of the township of York, praying for relief in the premises—the petition of John Misiner, and sixty-four others, of the county of Norfolk, praying for a grant of money to enable them to construct a harbour at the mouth of Paterson's creek, in said county—the petition of John Cook, and twelve others, of the county of Dundas, complaining of an undue election and return of P. Shaver and G. Brouse, Esqrs. members representing the said county of Dundas—and the petition of W. J. Sumner, and one hundred and nineteen others, of the townships of Nassagawea, Nelson, and Eramosa, praying for £200 to aid in making a road from the Dundas Street to the Township of Garafraxa: were read.

Doctor Baldwin from the committee appointed to wait on His Excellency the Lt. Governor, with the address of this House, relative to the report of the Canada Committee informed the House that he had delivered the same, and that His Excellency had been pleased to answer the same.

The answer was then handed to the clerk, who read the same as follows:

GENTLEMEN,

I have but one copy of the report of the Canada Committee of the Imperial Parliament, which, when I have read, I shall have great pleasure in forwarding to the House of Assembly, for the use of the Provincial Parliament.

Doctor Baldwin, seconded by Mr. Smith, moves, that the Norfolk petition relative to the improvement of the harbour of Paterson's creek, be referred to a select committee, with power to send for persons and papers, and with leave to report by bill or otherwise, and that Messrs. M'Call and Hornor, do form such committee.

Which was ordered.

Mr. Attorney General, seconded by Mr. Fothergill, moves, that the petition of Robert Charles Horne, be referred to a select committee to consist of Messrs. Morris and Thomson, with power to send for persons and papers, and to report thereon.

Which was ordered.

Mr. Woodruff, seconded by Mr. Lockwood, moves, that the petition of the trustees of the academy of St. Catherines, praying for an act of incorporation, also the one for Legislative aid, from the above named Trustees, for said Academy, may be referred to a select committee, composed of Messrs. Terry and George Rolph, with power to report by bill or otherwise.

Which was ordered.

Mr. Hopkins, seconded by Mr. G. Rolph, moves, that the petition of sundry inhabitants of the Townships of Nassagawea, Nelson, and Eramosa, be referred to a select committee, to be composed of Messrs. Hornor, Geo. Rolph, Hamilton, and Brouse, with power to send for persons and papers, and report by bill.

Which was ordered.

Agreeably to notice, Captain Matthews, seconded by Mr. Wilkinson, moves for leave to bring in a bill for the relief of P. Ferguson Hall, Esq.

Which was granted, and the bill read, and ordered for a second reading on Monday.

Captain Matthews, from the committee to wait on His Excellency the Lieutenant Governor with the address of this House on the subject of the enlargement of Francis Collins, reported delivering the same, and that His Excellency had been pleased to give an answer, which he handed to the Clerk, who read the same as follows:

GENTLEMEN,

It is my anxious wish to render service to the Province, by concurring with the Legislature in every thing that can promote its peace, prosperity, and happiness; and I regret exceedingly, that the House of Assembly should have made an application to me, which the obligation I am under to support the laws, and my duty to society, forbid me, I think, to comply with.

I transmit, for the information of the House, Mr. Justice Sherwood's observations, and copies of a petition from Francis Collins, and of the reply to it, forwarded by my direction.

[COPY.]

York, 5th December, 1828.

SIR,

The following are the principal grounds of my judgment in the case of the King vs. Francis Collins, lately convicted of a libel on the Attorney General.—I think all publications of this kind have the effect to create ill-blood in society, and therefore, manifestly tend to a breach of the public

peace, which is always regarded of the greatest importance by all civilized Governments. Such publications, also, have a direct and undoubted tendency to impede the due administration of public justice, by generating a bad feeling and injurious prejudice in the public mind, and more particularly in the minds of the Jurors, who are summoned for the trial of causes. This libel, in my opinion, was intended to obstruct the administration of justice, because it was printed and published during the sitting of the Court, and just before the defendant was tried for printing and publishing an alleged libel on Sir Peregrine Maitland, then the Lieutenant Governor of the Province. Any person who writes and publishes fair and candid opinions on the system of Government and constitution of the Country, or points out what he honestly conceives to be grievances, and in a proper and decent manner, proposes legal means for the redress of such grievances; or if any person, in his publications, enters into a just and useful criticism of the productions of others, and shews the public their errors or absurdities; or if any one, in a decent and proper manner, exposes the errors and wrong opinions of public men; or if he exhibits the evil tendency and unconstitutional bearing of public measures; such person, in my opinion, deserves encouragement. If such publisher, however, steps aside from the high road of decency and peaceable deportment, and adopts a course of public calumny and open abuse against the Officers of Government generally, or particularly against the principal Law Officer of the Crown, in the legal execution of his duty in the King's Courts, as the defendant did, then, I think, he should be punished to that extent, which, in human probability, would prevent a recurrence of the offence—any thing short of this, would be nugatory, and have an effect contrary to the ends proposed by all punishments.

Taking all the circumstances of the case into consideration, Mr. Justice Hagerman and myself deemed the sentence which we passed on the defendant, both proper and necessary for the public good, and what the case itself required.

I have the honor to be, &c.

LEVIUS P. SHERWOOD,

Z. MUDGE, Esquire,

Secretary to His Excellency the Lieutenant Governor.

[COPY]

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

The memorial of Francis Collins, Editor of the Canadian Freeman—  
HUMBLY SHEWETH,

THAT your memorialist was convicted of libel upon the Attorney General, at the last York Assizes, sentenced to 12 months imprisonment, to pay a fine of £50, and to find security for good behaviour for three years himself in £400, and two sureties in £100 each, which sentence, if enforced, amounts in fact to perpetual imprisonment.

In consequence of this ruinous sentence, your memorialist has been kept in close confinement, in this Gaol, for the last month, and the business by which he supports his family all but ruined, as the entire success of his establishment depended solely on his own personal exertions.

Under these painful circumstances, your memorialist looks forward with humble confidence to your Excellency's clemency, to restore him to his liberty by a remission of the sentence, and thereby save a young and helpless family from desolation.

And your memorialist will ever pray.

(Signed) FRANCIS COLLINS.

York Gaol,  
Nov. 26, 1828.

[COPY]

Government House,  
Decr. 18th, 1828.

SIR,

I am directed to acquaint you that the Lieutenant Governor regrets that he cannot think it right to comply with your petition, dated the 24th ult., but that on the expiration of the specified time of your imprisonment, any application you may wish to make will be taken into consideration, upon the facts alledged in your statement.

I am, &c.,

(Signed) Z. MUDGE.

Mr. Francis Collins.

Captain Matthews, seconded by Dr. Baldwin, moves, that it be resolved, that this House will, on Monday next, resolve itself into a committee of the whole upon the answer of His Excellency to the address of this House, in favor of Francis Collins, that 500 copies be immediately printed for the use of members, and that it be the first thing on the order of the day, on Monday, and continue the first thing on the order of the day, until it is finally disposed of, and that this House do now adjourn until ten o'clock on Monday morning next.

In amendment, Mr. Morris, seconded by Mr. Shaver, moves, that the words "and that this House do now adjourn until ten o'clock, on Monday morning next," be expunged.

On which the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Attorney General, Bethune, Ewing, Fothergill, Henderson, Longley, M'Lean, Morris, Samson, Shaver, Wilkinson, and John Willson—12.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Dalton, Dickson, Fraser, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, John Rolph, George Rolph, Smith, Terry, Thomson, James Wilson, and Woodruff—28.

The question was decided in the negative by a majority of sixteen. In amendment to the original motion, Mr. Perry, seconded by Mr. John

Rolph, moves, that after the words "500 copies of His Excellency's reply," in the original, the following be inserted, "together with the address of this House, in favor of Francis Collins, with the yeas and nays thereon."

Which was carried.

The original question as lastly amended, was then put and carried, nem. con.

Present—Messrs. Attorney General, Baby, Baldwin, Bethune, Blacklock, Brouse, Buell, Dalton, Dickson, Ewing, Fothergill, Fraser, Henderson, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Longley, Lyons, M'Donald, Mackenzie, M'Lean, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, J. Rolph, G. Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff.

Adjourned accordingly.

Monday, 26th January, 1829.

The House met.

Prayers were read.

The minutes of Saturday were read.

Mr. John Willson brought up the petition of William Holme, and others, of the London and Gore Districts; which was laid on the table.

Mr. Thomson brought up the petition of Job Deacon, and others, of Adolphustown, in the Midland District; which was laid on the table.

Mr. Ketchum brought up the petition of James M'Kenery, and others, of the Township of Scarborough; which was laid on the table.

Mr. Hamilton brought up the petition of Samuel Ryckman, Deputy Surveyor; which was laid on the table.

Mr. Mackenzie brought up the petition of Malcolm Wright, and others, of the Township of Scarborough; which was laid on the table.

Mr. Perry brought up the petition of certain Indian Chiefs of the Rice Lake, which was laid on the table.

Agreeably to the order of the day, the House went into committee of the whole on His Excellency's answer to the address to him in behalf of Francis Collins.

Mr. Ewing was called to the chair.

The House resumed.

Mr. Ewing reported, that the committee had agreed to two resolutions, which he was directed to submit for the adoption of the House.

The report was ordered to be received.

The first resolution was then read by the Clerk as follows:—

Resolved, That this House does not doubt the sincerity of the anxious wish avowed by His Excellency in His Message, to render service to the Province by concurring with the Legislature in every thing that can promote its peace, prosperity, and happiness; but, the imputation which this House apprehends to be conveyed by His Excellency's Message, that they are not equally anxious and industrious for the same great ends, is neither justified by their conduct since His Excellency assumed the Government, nor is it what they had reason to expect, and in future hope to receive, in all communications from His Excellency to this Branch of the Legislature.

On the resolution being put by the Speaker, the House divided, and the Yeas and Nays being taken were as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, M'Donald, Mackenzie, Malcolm, Perry, Peterson, Radenhurst, Randal, George Rolph, John Rolph, Thomson, James Wilson, and Woodruff—24.

NAYS—Messrs. Attorney General, Bethune, Buell, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Longley, M'Call, M'Lean, Morris, Samson, Shaver, Smith, Terry, Wilkinson, and John Willson—19.

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

The second resolution was then read by the Clerk as follows:—

Resolved, That while this House does not doubt the disposition of His Excellency, properly to extend mercy to those who supplicate it from the Throne, they owe it to their own honor and dignity to declare, that by their application for the extension of the Royal clemency towards Francis Collins, they have not merited the imputation which they apprehend to be conveyed in His Excellency's Message, that their request was inconsistent with the due support of the laws and their duty to society.

On the question being put by the Speaker, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, M'Donald, Mackenzie, Malcolm, Perry, Peterson, Radenhurst, Randal, George Rolph, John Rolph, Thomson, James Wilson, and Woodruff—24.

NAYS—Messrs. Attorney General, Bethune, Buell, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Longley, M'Call, M'Lean, Morris, Samson, Shaver, Smith, Terry, Wilkinson, and John Willson—19.

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

Adjourned.

Tuesday, 27th January, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Fothergill brought up the petition of John D. Smith, and others, of Port Hope; which was laid on the table.

Mr. Samson brought up the petition of Hiram Nelson, and others, of the County of Hastings, and the adjoining Townships, in the Midland District; which was laid on the table.

Mr. Wilkinson brought up the petition of J. C. Lewis, and others, of Sandwich and vicinity; which was laid on the table.

Mr. John Rolph brought up the petition of W. W. Philan, and others, of the Townships of Yarmouth and Southwold; which was laid on the table.

Agreeably to the order of the day, the petition of William M. Ball, of the Township of Niagara, praying the House to take the matter therein contained into their consideration, and determine on the same—the petition of James M'Intosh, and nine others, Masters of Vessels on Lake Ontario, praying that their case may be taken into consideration, and measures adopted for their relief—the petition of Henry Hamilton, and seventy-two others, of the Town of York, praying for an Act incorporating them under the style and title of "the Upper Canada Fire, Life, and Marine Assurance



Company," with a Capital of £250,000, divided into shares of £12 10s. each—the petition of Thomas Whitesides, and fifty-one others, praying in behalf of Francis Collins—the petition of William M'Kay, and three others, a committee for improving the Road, &c. at the Twelve-mile-Creek, in the Township of Nelson, praying for pecuniary aid for that purpose—the petition of Henry White, and four hundred and ninety-nine others, of the Townships of Middlesex and Oxford, praying for the formation of a Harbour at the mouth of Otter Creek, and the improvement of the said Creek—the petition of James G. Strowbridge, Contractor for the Burlington Bay Canal, praying that his case may be taken into the favorable consideration of the House and relief granted him—and the petition of Dennis FitzGerald, Adjutant of the late Battalion of Incorporated Militia of Upper Canada, praying for the same remuneration which was granted to the other Officers of that Regiment—were read.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that the petition of John D. Porter be referred to a select committee, composed of Messrs. George Rolph and Radenhurst, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Mr. Ketchum, seconded by Mr. Mackenzie, moves, that the petition of Henry Hamilton, and others, be referred to a select committee, to report by bill or otherwise, and that Messrs. Dickson and Radenhurst be such committee.

Which was ordered.

Mr. Ketchum, seconded by Mr. Mackenzie, moves, that the petition of James M'Intosh, and others, be referred to the committee on Commerce.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that the Clerk be requested to lay before this House, without delay, a tabular statement of the petitions which have been presented during the present, and also during the last two Sessions, praying for pecuniary aid for Roads, Bridges, Education, and other purposes, distinguishing the name of the member who presented each petition, the purpose for which it was made, the number of signatures, and the County or District for which it was sent, the prayers of which have not yet been complied with: also, a similar statement of petitions for the same period, the prayers of which have been complied with; in order that this House may become acquainted with the full extent of the claims which have been made on them for aid, and how far they have been attended to.

Which was ordered.

Mr. John Willson, seconded by Mr. Wilkinson, moves, that the petition of James G. Strowbridge be referred to a select committee composed of Messrs. Hamilton, Leftery, Fothergill, and Dickson, and that the said committee have power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Mr. Wilkinson, seconded by Mr. Fothergill, moves, that an humble address be presented to His Excellency the Lieutenant Governor, thanking him for his several Messages of the twentieth, twenty-first, and twenty-third, instant, and that Messrs. Dickson and Ewing be a committee to draft and report the same.

Which was ordered.

Captain Matthews, from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House relative to monies received from the Canada Land Company, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

A statement of the payments which are to be made by the Canada Company to His Majesty's Government, and of the appropriation of the same by the Lords Commissioners of the Treasury, shall be laid before the House of Assembly.

With respect to the other documents required in this address, I cannot, consistently with His Majesty's Instructions, communicate them, without reference to His Majesty's Government.

Mr. Dickson, from the committee to draft an address to His Excellency the Lieutenant Governor, thanking him for certain Messages, reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Mackenzie, seconded by Mr. Cawthra, moves, that an humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause to be laid before this House for its information, an account of the Receipts and Expenditure of the Casual and Territorial Revenue in Upper Canada, for the years 1825, 6, 7, and 8; that is to say, from and after the period included in the documents sent down to the House of Assembly, accompanying a message of His Excellency's predecessor, the late Lieutenant Governor, of the 29th November, 1825, until the present time; as also, a statement of the Funds which have been obtained and set apart for the erection of an University in this Town or neighbourhood, as well as the appropriations made from and out of said Funds; and that Messrs. Randal and Ketchum be a committee to draft and report the same; as also, that the thirty-second rule of this House be dispensed with, so far as it may relate to this motion.

Which was ordered.

Mr. Randal, from the committee to draft an address to His Excellency the Lieutenant Governor, for Casual and Territorial Revenue Accounts, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Hamilton, seconded by Mr. Dickson, moves, that the petition of William M. Ball be referred to a select committee, consisting of Messrs. Morris and Fraser, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that after this date, the order for charging to the contingent account of this House, letters sent to, and received from members of this House, shall not be held to extend to any letter or paper weighing above one ounce.

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

YEAS—Messrs. Cawthra, Ewing, Hopkins, Ketchum, Kilborn, Longley, M'Donald, Mackenzie, Malcolm, Morris, Thomson, and Woodruff—12.

NAYS—Messrs. Attorney General, Blacklock, Brouse, Dickson, Fothergill, Hamilton, Henderson, Hornor, Leftery, Lockwood, Lyons, M'Call, Matthews, Perry, Peterson, Radenhurst, George Rolph, Samson, Shaver, Smith, Terry, Wilkinson, and John Willson—23.

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

Mr. Longley, from the committee to which was referred the petition of Duncan Christie, and others, of the township of Oxford, in the Jointstown District, 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 please to receive the same.

The report was ordered to be received and the bill was read a first time, and ordered for a second reading to-morrow.

Mr. Hopkins, seconded by Mr. George Rolph, moves, that the petition of William McCoy, and others, be referred to a select committee composed of Messrs. Lyons, George Rolph, Hamilton, and Terry, with power to send for persons and papers, and report by bill.

Which was ordered.

Mr. Perry, seconded by Mr. Thomson, moves for leave to withdraw the petition of certain chiefs and principal men of the Rice Lake Indians.

Which was granted, and the petition was withdrawn.

Mr. Perry, seconded by Mr. Thomson, moves, that this House do resolve itself into a committee of the whole, on Monday next, on that part of His Excellency's message of the seventeenth January, that relates to the clergy reserves, in this Province.

Which was ordered.

Mr. Perry, seconded by Mr. George Rolph, moves, that 500 copies of the resolutions of this House on His Excellency's reply to the address of this House, in favor of Francis Collins, with the yeas and nays on the same, be printed for the use of members.

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

YEAS—Messrs. Attorney General, Baby, Bethune, Blacklock, Brouse, Cawthra, Dickson, Fothergill, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lockwood, M'Donald, Malcolm, Matthews, Perry, Peterson, G. Rolph, Shaver, Smith, and Terry—24.

NAYS—Messrs. Ewing, Longley, M'Call, Morris, Radenhurst, and Thomson—6.

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

Agreeably to notice, Mr. Peterson, seconded by Mr. Brouse, moves for leave to bring in a bill to declare the county of Prince Edward, a separate District.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the Intestate Estate bill was read the second time, and referred to a committee of the whole.

Mr. Henderson was called to the chair.

The House resumed.

Mr. Henderson reported the bill without amendment.

On the question for receiving the report, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Ewing, Fothergill, Fraser, Henderson, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Leftery, Lockwood, Longley, Lyons, M'Call, Mackenzie, Malcolm, Perry, Peterson, Randal, G. Rolph, John Rolph, Shaver, Smith, Thomson, Wilkinson, John Willson, and Woodruff—33.

NAYS—Messrs. Attorney General, Bethune, Dickson, M'Donald, M'Lean, Morris, Radenhurst, and Samson—8.

The question was carried in the affirmative by a majority of 25, and the report was received, and the bill ordered to be engrossed, and read a third time to-morrow.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, thanking him for his several messages, was read the third time, passed and signed, and is as follows:

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper of Upper Canada, in Provincial Parliament assembled, beg leave to thank your Excellency for your several messages of the twentieth, twenty-first, and twenty-third, instant.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
27th January, 1829. } Speaker.

Mr. Wilkinson, seconded by Mr. M'Call, moves, that Messrs. Hamilton and Fothergill be a committee to wait on His Excellency with the address of this House, thanking him for his several messages of the twentieth, twenty-first, and twenty-third instant, and present the same.

Which was ordered.

Mr. Secretary Mudge brought down from His Excellency, the Lieutenant Governor, a message and documents, and having delivered the same, retired.

Mr. Speaker informed the House that Mr. Mudge, Private Secretary to His Excellency the Lieutenant Governor, had delivered to him a message, signed by His Excellency, and rising, uncovered, read the same as follows:

J. COLBORNE,

The Lieutenant Governor, transmits to the House of Assembly copies of several Reports and Documents received from the Commissioners of the Burlington Bay Canal, having reference to the state of that work, and to disputed accounts of the Contractor, which documents he recommends to the consideration of the House.

Government House, }  
27th January, 1829. }

The Schedule was then read by the Clerk as follows:

**SCHEDULE OF PAPERS—Relating to the Burlington Bay Canal, transmitted by the Lieutenant Governor to the House of Assembly, 27th January, 1829:—**

Report of the Commissioners, dated the 24th January, 1829—marked A. Copies of papers relating to the state of the Canal, since removed from the management of Mr. Strowbridge—marked B. General account of monies received and expended on account of the Canal, up to 1st January, 1829—marked C. Account of monies received and expended by Mr. Kerr, as Superintendent—marked D. Order of Commissioners regulating the Toll on certain articles—marked E. Copies of papers, relating to the differences between the Commissioners and the Contractor, Mr. Strowbridge, on the payment of the award of the Arbitrators, under Provincial Statute, 9th Geo. 4th, Chap. 12—marked F.

**Burlington Bay Commissioners Report & Communications.**  
(SEE APPENDIX.)

Agreeably to the order of the day, the address to His Excellency the Lt. Governor, for casual and territorial revenue accounts, &c., was read the third time, passed and signed, as follows:

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request your excellency to cause to be laid before this House, for its information, an account of the Receipts and Expenditure of the Casual and Territorial Revenue in Upper Canada, for the years 1825, 6, 7, and 8, that is to say, from and after the period included in the documents sent down to the House of Assembly, accompanying a message of your Excellency's predecessor, the late Lieutenant Governor, of the 29th November, 1825, until the present time; as also, a statement of the Funds which have been obtained and set apart for the erection of an University in this Town or neighbourhood, as well as the appropriations made from and out of said Funds.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
27th January, 1829. } Speaker.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that Messrs John Rolph and McDonald be a committee to present to His Excellency the said address.

Which was ordered.

Mr. Lefferty, from the committee to wait upon His Excellency, the Lieutenant Governor, with the address of this House, relative to losses sustained by the inhabitants of this Province during the late war with the United States of America, reported delivering the same, and that His Excellency had been pleased to send the following answer:

GENTLEMEN,

I have received no instructions nor communication from His Majesty's Government on the subject of losses sustained by inhabitants of this Province during the late war.

Mr. Lyons, from the committee to which was referred the petition of Thomas Alexander Stewart, and others, of the District of Newcastle, relative to the building of a New Gaol and Court House in said District, reported, that the committee had agreed to the draft of a bill, which he was directed to submit to the House whenever it would be pleased to receive the same.

The report was ordered to be received, and the bill was read the first time, and ordered for a second reading to-morrow.

Mr. Perry, from the select committee appointed to examine and report upon the bill for the relief of indigent Creditors, reported, that the committee had agreed to a bill, which he was ready to submit, whenever the House would be pleased to receive the same.

The report was ordered to be received, and the bill was read the first time, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Mackenzie, seconded by Mr. Woodruff, moves for leave to bring in a bill to amend the law of evidence.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Mr. Perry, from the committee to which was referred the petition of Jacob Smith and others, of the Town of Fredericksburgh, reported, 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.

The report was ordered to be received, and the bill was read the first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the London District Division bill was read the second time and referred to a committee of the whole.

Mr. Smith was called to the chair.

The House resumed.

Mr. Smith reported, that the committee had considered the bill, and had directed him to submit the same without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Mr. Fothergill gives notice, that he will, to-morrow, move for leave to bring in a bill for the better preservation of Salmon.

Mr. Fothergill gives notice, that he will, to-morrow, move for the reading of those parts of the Journals of the two last sessions of Parliament which relate to the library belonging to this Legislature.

Mr. George Rolph gives notice, that he will, to-morrow, move for the appointment of a select committee, to enquire into the expediency of opening the Governor's road leading from Dundas to the Town plot, in the London District, and to report the best means of doing it.

Mr. Hamilton gives notice, that he will, on to-morrow, move for the reading of the Journals of last Session, as respects the losses.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that his notice of a bill for vacating seats of members, be struck off the order of the day.

Which was ordered, and it was struck off accordingly.  
Adjourned.

Wednesday, 28th January, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. John Willson brought up the petition of George Beard, and others, of the Town of York; which was laid on the table.

Mr. Dickson brought up the petition of Edward M'Bride, Esquire; which was laid on the table.

Agreeably to the order of the day, the Intestate Estate bill was read the third time.

On the question for passing the bill, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longly, Lyons, M'Call, Mackenzie, Malcolm, Perry, Peterson, Randal, G. Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, and Woodruff—33.

NAYS—Messrs. Bethune, M'Donald, Morris, Radenhurst, and Samson—5.

The question was carried in the affirmative by a majority of 28, and the bill was passed.

Mr. Perry, seconded by Mr. Thomson, moves, that the bill be entitled "an act for the more equal distribution of the property of persons dying Intestate."

Which was carried, and Messrs. John Wilson and Perry, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the London District division bill was read the third time.

Mr. M'Call seconded by Doctor Baldwin, moves, that the bill be amended by inserting on press three, line six from the top, after the word Districts, the following words, "shall be and are hereby extended to that District."

Which was carried, and the bill was amended accordingly.

On the question for passing the bill, the House divided, and the yeas and nays were taken as follows:—

YEAS—Messrs Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Perry, Peterson, Radenhurst, Randal, George Rolph, Samson, Shaver, Smith, Terry, Wilkinson, John Wilson, and Woodruff—36.

NAYS—Messrs. Baby, M'Lean, Matthews, Morris, and Thomson—5.

The question was carried in the affirmative by a majority of 31, and the bill was passed.

Doctor Baldwin, seconded by Mr. Smith, moves, that the bill be entitled "an act to declare the boundaries of the county of Norfolk, and to erect the same into a separate District."

Which was carried, and Messrs. M'Call and Baldwin, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and request their concurrence thereto.

Agreeably to the order of the day, the petition of Wm. Holme, and fourteen others, praying to be incorporated into a company for the improvement of the Grand River, agreeably to a bill reported the last session of the Legislature—the petition of the Rev. Job Deacon, and thirty others, of the Township of Adolphustown, praying that a law may be passed affording them relief—the petition of James MacEnery, and ninety five others, of the Township of Scarborough, praying in behalf of Francis Collins—the petition of Samuel Ryckman, Deputy Surveyor, praying to be remunerated for services performed—and the petition of Malcolm Wright, and forty-seven others, of the Township of Scarborough, praying for an amendment of the laws in force, for the collection of debts under £25, and diminution of costs in collection of same, were read.

Mr. Thomson, seconded by Mr. Dickson moves for leave to bring in a bill to alter and amend the police law of the Town of Kingston, on the petition of Robert Forest, and others.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Mr. Kilborn, seconded by Mr. Terry, moves, that the rule of this House relative to printing, be suspended during the present session, and that the printing committee be authorised to dispose of the printing during the year, in such manner as they shall deem most advisable.

In amendment Mr. Hamilton, seconded by Mr. John Willson, moves, that the debate be adjourned until to-morrow.

Which was lost.

On the original question the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Lyons, M'Donald, Malcolm, Matthews, Perry, Peterson, Randal, George Rolph, Shaver, Smith, Terry, and Woodruff—27.

NAYS—Messrs. Attorney General, Bethune, Fraser, Hamilton, Henderson, Longley, Mackenzie, M'Lean, Morris, Radenhurst, Samson, Thomson, Wilkinson, and John Willson—14.

The question was carried in the affirmative by a majority of thirteen, and the rule was suspended accordingly.

Mr. John Willson, seconded by Mr. Wilkinson, moves, that so much of the message of His Excellency the Lieutenant Governor, of yesterday, as relates to the difference between the Commissioners of the Burlington Bay Canal and Mr. James G. Strowbridge, Contractor, be referred to the committee to whom was referred the petition of James G. Strowbridge.

Which was ordered.

Mr. Thomson, seconded by Mr. Radenhurst, moves, that the petition of the Reverend Job Deacon, and others, be referred to a select committee composed of Messrs. Perry and Blacklock.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that it be resolved, that the Speaker be directed to furnish the parties concerned in the several controverted Elections which are, or may be, during the present Session referred to the consideration of the House, writs of summons, under his



hand and seal, for the attendance of such witnesses as may be named by the parties.

Which was ordered.

Mr. M'Lean, seconded by Mr. Samson, moves, that the petition of Dennis Fitzgerald, be referred to a select committee to be composed of Messrs. Morris and Kilborn, with power to report thereon, by bill, or otherwise.

Which was ordered.

Mr. Perry, seconded by Mr. Thomson, moves, that the petition of John Gough, be referred to a select committee, with power to send for persons and papers, and leave to report thereon, and that Messrs. Cawthra, Hornor, Peterson, and Mackenzie, do compose the same.

Which was ordered.

Mr. Dalton, seconded by Mr. Thomson, moves, that the committee of Finance be empowered to send for persons and papers.

Which was carried.

Mr. John Willson, seconded by Mr. M'Call, moves, that an address be presented to His Excellency thanking him for his message of yesterday, and that Messrs. Lafferty and Terry be a committee to draft and report the same.

Which was ordered.

Mr. Hamilton, seconded by Mr. Wilkinson, moves, that such part of the Journals of last session as refers to the report on the petition of Samuel Ryckman, be read on to-morrow.

Which was ordered.

Mr. Buell, seconded by Mr. Longley, moves, that the committee on agriculture be instructed to take into their consideration the establishing of agricultural societies, in this Province, and submit a plan for carrying the same into effect.

Which was ordered.

Agreeably to the order of the day, the House went into committee on the message of His Excellency the Lieutenant Governor, relative to the joint resolution of the Legislative Council and Assembly of Lower Canada.

Mr. Dickson was called to the chair.

The House resumed.

Mr. Dickson reported, that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

The report was ordered to be received, and the resolutions were severally put and carried, as follows:

Resolved—That this House receive with peculiar satisfaction the communication of His Excellency the Lieutenant Governor, of the twenty-third instant, with a copy of a despatch from His Excellency Sir James Kempt, relative to the joint resolution of the Legislative Council and House of Assembly of Lower Canada, respecting the appointment of commissioners on the part of that Province, to meet other Commissioners on the part of Upper Canada, to treat of, and report upon, various matters of common concern to both Provinces, respecting the imposing and collecting duties on importation: the improvement of the navigation of the Rivers Saint Lawrence and Ottawa, and roads of communication: and that this House do highly appreciate the assurance of His Excellency Sir James Kempt, of his approval of this important object.

Resolved—That this House are fully impressed with the importance of cordial co-operation with the sister Province, in all matters of mutual interest.

Resolved—That a bill be brought in for the appointment of three commissioners for the purpose of carrying into effect in the most liberal manner, the object of the said joint resolution, of the Legislature of Lower Canada.

Resolved—That a message be sent to the Honorable the Legislative Council, communicating the foregoing resolutions, and to request their concurrence therein.

Messrs. Baldwin and Morris were ordered by the Speaker to wait upon the Honorable the Legislative Council with the message.

Agreeably to notice, Mr. Lafferty, seconded by Mr. Terry, moves for leave to bring in a bill to attach the property of absconding debtors.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the House went into committee on certain resolutions on commerce and agriculture.

Mr. Perry was called to the chair.

The House resumed.

Mr. Perry reported progress, and obtained leave to sit again on Friday next.

Mr. John Willson from the committee to carry up to the Honorable the Legislative Council the bill entitled, "an act for the more equal distribution of the property of persons dying Intestate," reported having done so.

Mr. Morris from the committee to wait upon the Honorable the Legislative Council with a message from this House, communicating certain resolutions for their concurrence, reported having done so.

Mr. Dalton, seconded by Mr. Mackenzie, moves, that the committee of the whole on resolutions on Trade and Agriculture, be first on the order of the day, on Friday next.

Which was ordered.

Mr. M'Call gives notice, that he will, on Wednesday, next move for leave to bring in a bill to authorise commissioners to borrow a sum of money to repair the Court House in Vittoria, in the county of Norfolk.

Mr. Dickson gives notice, that he will, on Saturday next, move for leave to bring in a bill to remunerate Edward M'Bride, a member of the late Provincial Parliament, for the four years services, rendered as a Representative for the town of Niagara.

Adjourned.

Thursday, 29th January, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Previous to reading the order of the day, for consideration of the petition of Thomas D. Morrison, Esquire, and the petition of Thomas Stoyell, and seven others, electors of the Town of York, complaining of the undue election and return of John Beverly Robinson, Esquire, to represent the said Town of York, in the present Parliament, being read, the Sergeant at Arms was sent to summon the members, as required by law.

At 12 o'clock the House was called, and forty-four members being pre-

sent, the order of the day was read, the door was locked, and the draft as directed by statute, of twenty-three members, from which to strike a select committee, was proceeded on, and the following names were drawn.

George. Rolph, Matthews, Ewing, Bethune, Buell, Dickson, Kilborn, Lyons, Wilkinson, M'Donald, Randal, Smith, Longley, Morris, Dalton, Perry, Blacklock, M'Call, Henderson, Woodruff, Lockwood, Lafferty, and Terry—23.

The following members were then respectively chosen as nominees by the parties.

For the petitioners, John Rolph, Esq.

For the sitting member, Archibald M'Lean, Esq.

At one o'clock, the counsel for the parties, together with Mr. David Jardine, clerk to the committee retired.

Mr. John Willson brought up the petition of John Chisholm, Esq. collector at Burlington Bay, which was laid on the table.

Mr. Perry brought up the petition of Cynthia Vandycke, of the Township of Fredericksburgh, in the Midland District; which was laid on the table.

Captain Matthews brought up the petition of George Ward, and others, of the Township of Mosa, in the District of London; which was laid on the table.

Captain Matthews brought up the petition of Thomas M'Call and others, of the Township of Dunwich, in the London District; which was laid on the table.

At a quarter past one o'clock, the clerk to the select committee for the trial of the York controverted election, delivered to the clerk of the House a return of the names of the nine members remaining, which is as follows:

Names of members remaining on the committee for the contested election of the Town of York.

1. Blacklock. 2. Buell. 3. Ewing. 4. Kilborn. 5. Lockwood. 6. M'Call. 7. M'Donald. 8. Terry. 9. Woodruff.

D. JARDINE,

Clerk to the Committee.

The said nine members and the nominees were then severally sworn at the table by the clerk, according to law.

Mr. Hamilton, seconded by Mr. John Willson, moves, that the said select committee do meet on to-morrow, at eleven o'clock.

Which was ordered.

Agreeably to the order of the day, the petition of John David Smith, Esq. and eleven others, of Port Hope, praying to be incorporated for the purpose of constructing a harbour and wharf at Port Hope—the petition of W. W. Philau, and two hundred and fifty-six others, of the Townships of Yarmouth and Southwold, praying in behalf of Francis Collins—the petition of Hiram Nelson, and two hundred and ninety-eight others, praying that the counties of Hastings and Prince Edward may be erected into a separate District—and the petition of J. C. Lewis, and 73 others, inhabitants of Sandwich, and its vicinity, praying for alteration in the law relative to the recovery of debts from Barristers, Attorneys, and others of the legal profession, were read.

Mr. Wilkinson, seconded by Mr. Fothergill, moves, that the petition of J. C. Lewis, and others, of the Township of Sandwich, and its vicinity, be referred to a select committee, composed of Messrs. Dickson and Thomson, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Hopkins, moves, that the petition of Malcolm Wright, and others, of Scarboro, complaining of the present state of certain courts, in this Province, be referred to a select committee, with power to send for persons and papers and to report by bill or otherwise, and that Messrs. Randal and Ketchum, do compose said committee.

Which was ordered.

Mr. Samson, seconded by Mr. Morris, moves, that the petition of the inhabitants of the county of Hastings, and the adjoining townships, be referred to a select committee, with power to send for persons and papers, and to report thereon by bill or otherwise, and that the said committee be composed of Messrs. Radenhurst and Lockwood.

Which was ordered.

Mr. John Rolph, seconded by Mr. Lockwood, moves, that the several petitions respecting the imprisonment of Francis Collins, be referred to the same committee to which was referred the petition of Francis Collins.

Which was ordered.

Doctor Baldwin from the select committee to whom was referred so much of the petition of grievances, as relates to the case of Mr. Justice Willis, and the administration of Justice, seconded by Mr. Radenhurst, moves, that Messrs. Blacklock and M'Donald, be added to the said Committee.

Which was ordered.

Agreeably to notice, Mr. George Rolph, seconded by Mr. Ketchum, moves, that a select committee be appointed to enquire into the expediency of opening the Governor's road, leading from Dundas to the town plot in London, through Oxford, and the best means of doing it; and that the said committee consist of Messrs. Hornor, Hopkins, Hamilton, and Matthews.

Which was ordered.

Agreeably to notice, Mr. Fothergill, seconded by Mr. Wilkinson, moves, that that part of the Journals of last session of Parliament, which relates to the appropriation of £500 to the improvement of the roads, in each District, be now read.

Which was carried, and the Journals were read as follows:

"Resolved, That the sum of £500 be granted to the several Districts of this Province, respectively for the improvement of the highways therein."

Mr. Fothergill, seconded by Mr. Wilkinson, moves for leave to bring in a bill to appropriate the sum of £500, to the improvement of the roads in each and every District of this Province, pursuant to the foregoing resolution.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Mr. Speaker reported to the House that James Burke, and others, petitioning against the election and return of John David Smith, Esq. member representing the county of Durham, had not entered into the recognizances required by law in such cases.

Mr. Hamilton, seconded by Mr. Wilkinson, moves, that the order of the House, for taking into consideration the petition of James Burke, and others, complaining of the undue election and return of John David Smith, Esq.

sitting member of this House, be discharged, and that the petitioners have leave to withdraw their petition.

Which was ordered, and that part of the order of the day was discharged, and leave granted accordingly.

Agreeably to the order of the day, the House resumed the debate on the question of privilege.

Mr Thomson, seconded by Mr. Blacklock, moves, that the debate on privilege be adjourned until Monday next.

Which was carried.

Mr. John Rolph, from the committee to wait on His Excellency the Lieutenant Governor, with the address of this House, requesting His Excellency to cause to be laid before them certain Accounts of Casual and Territorial Revenue, &c. reported delivering the same, and that His Excellency had been pleased to answer the address in the following manner:

GENTLEMEN,

The Accounts of the Receipts and Expenditure of the Casual and Territorial Revenue of the Crown, cannot, I find, be laid before the House of Assembly without reference to His Majesty's Ministers; but, I have reason to believe, that instructions will soon be transmitted to me on this subject, and that some uniform system, with respect to such Accounts, will be generally adopted.

The statements applied for, respecting the University, shall be laid before the House.

The Master in Chancery brought down from the Honorable the Legislative Council, the bill entitled, "An Act directing the proceedings against forcible entry and detainer," which that Honorable body had passed, and requested the concurrence of this House thereto.

The bill sent down from the Honorable the Legislative Council, entitled, "An Act directing the proceedings against forcible entry and detainer," was then read a first time.

Mr. John Rolph, seconded by Mr. Ketchum, moves, that the bill, entitled, "An Act directing the proceedings against forcible entry and detainer," be referred to a select committee, composed of Messrs. Morris, Cawthra, Hornor, and Brouse, to report thereon.

Which was carried.

Agreeably to notice, Mr. Lefferty, seconded by Mr. Hornor, moves for leave to bring in a bill to superintend the payment of Taxes on Lands granted by the Government to the family of the late Sir Isaac Brock.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the House went into committee on the Loan bill.

Mr. G. Rolph was called to the chair.

The House resumed.

Mr. Rolph reported progress, and obtained leave to sit again to-morrow. Agreeably to the order of the day, the Cobourg Harbour Company bill was read the second time, and committed to the whole House.

Mr. Longley was called to the chair.

The House resumed.

Mr. Longley reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

The Master in Chancery brought down from the Honorable the Legislative Council, a message, and having delivered the same to the Clerk, retired.

The message was then read by the Speaker, as follows:

Mr. Speaker,

The Legislative Council concurs in the resolutions adopted by the Commons House of Assembly, and transmitted to this House on the 23th instant.

Legislative Council Chamber, }  
29th January, 1829.

J. BABY,  
Speaker.

Mr. John Rolph, seconded by Mr. McDonald, moves, that Messrs. Thomson, Hornor, Fraser, Perry, and Peterson, be a committee exclusive of the mover, to superintend the contingencies of the present session, and to report on the same.

Which was carried.

Mr. Mackenzie gives notice, that he will, on to-morrow, move an address to His Excellency the Lieutenant Governor, to communicate to this House certain information concerning the Receiver General's income, duties, and sureties.

Adjourned.

*Friday, 30th January, 1829.*

The House met.

Prayers were read.

The minutes of yesterday were read.

Agreeably to the order of the day, the petition of George Beard, and 179 others, praying that no act may pass, authorising the erection of a second market—and the petition of Edward McBride, Esquire, of the Town of Niagara, praying the House to take his case into consideration, and grant to him such relief as the merits of his case and the ancient privileges, of Parliament demand, were read.

Mr. Dickson, seconded by Mr. Terry, moves, that the petition of Edward McBride, be referred to a select committee, consisting of Messrs. Morris and John Willson, with power to send for persons and papers, and to report thereon by bill or otherwise.

Which was ordered.

Mr. Morris, seconded by Mr. McDonald, moves, that the House do now adjourn till three o'clock this day.

Which was carried, and the House adjourned accordingly.

At three o'clock the House met pursuant to adjournment.

Mr. John Willson, seconded by Mr. Shaver, moves, that the petition of John Wilkes, and others, praying for an act of incorporation, for the improvement of the navigation of the Grand River, be referred to a select committee, and that Messrs. Hamilton, Fothergill, Baby & Henderson, do compose the said committee.

Which was ordered.

Mr. John Willson, seconded by Mr. Lefferty, moves, that the petition of

sundry inhabitants of the Town of York, praying that another market may not be granted, be referred to the committee to whom was referred the petition of Jordan Post, and others, of the Town of York, praying for another market.

Which was ordered.

Mr. John Willson from the committee to which was referred the petition of Samuel Theal, of the District of Niagara, 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 please receive the same.

The report was ordered to be received, and the bill was read a first time and ordered for a second reading to-morrow.

Mr. John Rolph, seconded by Mr. Malcolm, moves, that an address of thanks be sent to His Excellency for his messages of yesterday, and that Messrs. Hopkins and Brouse, be a committee to draft and report the same.

Which was ordered.

Mr. Secretary Mudge brought down from His Excellency the Lieutenant Governor, several messages and documents, and having delivered the same to the Speaker, retired.

The Speaker then reported to the House that Mr. Mudge, Private Secretary, to His Excellency the Lieutenant Governor, had delivered into his hands, several messages, which he read as follows:

J. COLBORNE,

The Lieutenant Governor, transmits to the House of Assembly a copy of the report of the arbitrator appointed on behalf of this Province, under the provisions of the Canada Trade Act, for agreeing upon the proportion of the duties levied upon Imports at Quebec, to be paid to Upper Canada, for the four years commencing on the 1st July, 1828, and accompanying documents.

The House will perceive that as the negotiation appears to have been conducted with zeal and ability by the arbitrator from this Province, a suitable remuneration should be made to him.

Government House, }  
30th January, 1829.

J. COLBORNE,

The Lieutenant Governor, acquaints the House of Assembly that it appears desirable that such alteration should be made in the acts which relate to the militia, as would render this constitutional force, efficient and respectable, without occasioning to the individuals who serve in it, greater interruption in their occupations than they have experienced under the present Statutes.

By the existing laws, the militia can be called out four times during the year; and the Lieutenant Governor understands that the system adopted, creates inconvenience and irregularities, while it does not increase the means of defence of the Province.

He suggests, therefore, that the militia should be assembled, three or four times a year in corps, or in less divisions; that no Militia man shall be required to move more than twelve miles from his home; that lads of 16 or 18 instead of going out with their corps, should be assembled for instruction near their homes, in small divisions ten times the first year, and eight times the second.

His Majesty's Government would supply the whole with arms, provided the men who received them were made responsible for them, and for keeping them in good repair.

Government House, }  
30th January, 1829.

The Clerk then read the award of the arbitrators, as follows:

[COPY.]

Whereas, in pursuance of a certain act of the Parliament of the United Kingdom of Great Britain and Ireland, made and passed in the third year of His present Majesty's reign, entitled, "an act to regulate the trade of the Provinces of Upper and Lower Canada and for other purposes relating to the said Provinces," the Hon. John Richardson, was duly appointed by commission under the great seal of the Province of Lower Canada, bearing date 17th day of September, 1828, Arbitrator on the part of the said Province of Lower Canada, for ascertaining the proportion to be paid to Upper Canada, for the four years next succeeding the 1st day of July, 1828, of duties levied in the said Province of Lower Canada, under the authority of any act or acts passed or to be passed therein, upon goods, wares, and commodities, imported therein by sea. And whereas in pursuance of the said act of the Parliament of the said United Kingdom, the Honorable George Herchmer Markland, was duly appointed by commission under the great seal of the Province of Upper Canada, bearing date 16th day of September, 1828, Arbitrator on the part of the said Province of Upper Canada, for ascertaining the said proportion of duties herein before mentioned; and whereas the said John Richardson, and George Herchmer Markland, Arbitrators as aforesaid, did meet at Montreal, in Lower Canada, on the 4th day of this instant, month of October, in the said year 1828, and on the seventh day of the said month, by an instrument under their hands and seals, did appoint William Maitland, Esq'r. of the city of London, now at Montreal, to be the third Arbitrator, pursuant to the said act of the Parliament of the United Kingdom. And whereas the said three Arbitrators, that is to say, the said John Richardson, the Arbitrator on the part of Lower Canada, the said George Herchmer Markland, the Arbitrator on the part of Upper Canada, and the said William Maitland, the third Arbitrator, met at Montreal, in Lower Canada, on the 5th day of this instant, month of October, and proceeded to take into consideration the matter referred to them. Now therefore, we, the said John Richardson, George Herchmer Markland, and William Maitland, Arbitrators as aforesaid, do hereby, in further pursuance of the said act of the Parliament of the said United Kingdom, make and certify our award in the premises, in manner following, that is to say, we do award and determine, that for the four years next succeeding the 1st day of July, 1829, one-fourth part of the duties levied in the Province of Lower Canada, under the authority of any act or acts passed or to be passed therein, upon Goods, Wares, and Commodities, imported therein by Sea, shall be paid to the said Province of Upper Canada, as the proportion of the same duties, arising and due to the said Province of Upper Canada.

In witness whereof, we have herunto set our hands and seals, at Mon-

treas, in Lower Canada, this 8th day of October, in the year of our Lord one thousand eight hundred and twenty-eight.

(Signed) JOHN RICHARDSON,  
GEORGE H. MARKLAND,  
WILLIAM MAITLAND.

A true Copy. Z. MUDGE.

REPORT, &c.—(SEE APPENDIX.)

Mr. Leftery, from the committee to draft an address to His Excellency the Lieutenant Governor, thanking him for his messages of the 27th instant, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed, and read a third time this day.

Mr. Cawthra, from the committee to which was referred the petition of Henry Hamilton and others, of the Town of 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.

The report was ordered to be received, and was read by the Clerk as follows:

Report on Parliament Buildings.—(See Appendix.)

Mr. McLean, seconded by Mr. Hamilton, moves, that the message of His Excellency the Lieutenant Governor, relating to the militia laws, be referred to a committee of the whole House on Wednesday next.

Which was carried.

Mr. Hopkins, from the committee to draft an address to His Excellency the Lieutenant Governor, thanking him for his messages of this day, reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Cawthra, seconded by Mr. Mackenzie, moves, that this House do resolve itself into a committee of the whole on Monday next, to take into consideration the report of the select committee on the Parliament Buildings.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, thanking him for his messages of the 27th instant, was read the third time, passed and signed, and is as follows:

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

May it please your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, desire to return your Excellency our sincere thanks for your messages of the 27th instant, transmitted to this House.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
30th January, 1829. } Speaker.

Mr. John Willson, seconded by Mr. Fothergill, moves, that Messrs. Leftery and Hamilton be a committee to wait upon His Excellency the Lieutenant Governor with the address of this House, thanking him for his messages of the 27th instant.

Which was ordered.

Mr. Fothergill gives notice, that he will, to-morrow, move for leave to bring in a bill for the more complete extermination of Wolves in the settled Townships of this Province, and to repeal the former act on this subject.

Agreeably to notice, Mr. Mackenzie, seconded by Mr. Dalton, moves, that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause the proper officer to lay before this House, so far as it may be deemed compatible with the public interest, a copy of the Commission, Letters Patent, or other authority, under which the Receiver General holds his appointment; also, copies of all instructions from His Majesty's Government relating to the taking of sureties for the faithful performance of the several duties of his office as such Receiver General, and the safe keeping of the treasure placed in his custody; as also, the names of his securities in this Province or in England; with a statement of the amount for which they are severally responsible; the manner of the responsibility, and how far it extends to the funds of the Province, the revenue arising from customs, duties inclusive; copies of all despatches received from His Majesty's Government during Sir Peregrine Maitland's administration, concerning the question of allowing the Receiver General a Salary in lieu of poundage; any opinions of the Crown Officers, which may have been given on the same subject; and as to his sureties; together with a detailed statement of his income and contingencies from what sources soever derived, and how paid, for the year ending the 31st ultimo; and that Messrs. Kilborn, and Buell be a committee to draft an address pursuant to the foregoing resolution.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, thanking him for his messages of this day, was read the third time.

Mr. McLean, seconded by Mr. Hamilton, moves, that the following words be added to the address, "and we beg to assure your Excellency, that we shall take the same into our serious consideration."

Which was carried.

Mr. Kilborn, from the committee to draft an address to His Excellency the Lieutenant Governor on the subject of the Receiver General's appointment, &c. reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Hopkins, from the select committee to which was referred the petition of W. J. Sumner, 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 ordered to be received, and was read by the Clerk as follows:

REPORT.—(SEE APPENDIX.)

The address to His Excellency the Lieutenant Governor, thanking him for his messages of this day, was then read the third time, passed and signed, and is as follows:

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank your Excellency for your messages of this day.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
30th January, 1829. } Speaker.

Mr. John Rolph, seconded by Mr. Malcolm, moves, that Messrs. Blacklock and George Rolph be a committee to wait upon His Excellency, to learn when he will be pleased to receive the address and to present the same.

Which was ordered.

The House then adjourned till 4 o'clock, P. M. to-morrow.

Saturday, 31st January, 1829.

The House met at 4 o'clock, P. M. pursuant to adjournment.

Prayers were read.

The minutes of yesterday were read.

Mr. Fothergill brought up the petition of R. Henry, and others, of the District of Newcastle; which was laid on the table.

Mr. Mackenzie brought up the petition of William Cornell, and others, of the Home District; which was laid on the table.

Mr. Hornor brought up the petition of George Reynolds, and others, of the Township of Blenheim; which was laid on the table.

Mr. Mackenzie brought up the petition of Peter McCallum, and others, of the Home District; which was laid on the table.

Agreeably to the order of the day, the Cobourg Harbour bill was read the third time.

Mr. Thomson, seconded by Mr. Brouse, moves, that the bill do not now pass, but, that it be recommitted on Monday next.

Which was carried.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, relative to the Receiver General's Salary, Sureties, &c. &c. was read a third time, passed and signed, and is as follows:

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

May it please Your Excellency,

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, humbly request your Excellency will be pleased to direct the proper officer to lay before this House, so far as it may be deemed compatible with the public interest, a copy of the commission, letters patent, or other authority, under which the Receiver General of this province, holds his appointment; also, copies of all instructions from His Majesty's Government, relating to the taking of sureties for the faithful performance of the duties of his office, as such Receiver General, and the safe keeping of the Treasure committed to his charge; as also, the names of his securities in this Province or in England; with a statement of the amount for which they are severally responsible, the nature of the responsibility, and how far it extends to the funds of this Province; the revenue arising from customs, duties included, copies of all despatches to and from the Colonial Department during the administration of Sir Peregrine Maitland, concerning the question of allowing the Receiver General a salary in lieu of poundage; any opinions of the Crown Officers, which may have been given on the same subject; and also as to his sureties; together with a detailed statement of his income and contingencies, from what sources soever derived, and how paid, for the year ending the thirty-first ultimo.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
31st January, 1829. } Speaker.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that Messrs. Fraser, and George Rolph, be a committee to present the address to His Excellency.

Which was ordered.

Agreeably to the order of the day, the petition of John Chisholm, collector at Burlington Bay, praying that a sufficient sum of money may be granted for the erection of a warehouse at the Burlington Canal—the petition of Cynthia Vandyke, of the Township of Fredericksburg, praying for an act to enable her to sell a certain lot of land—the petition of George Ward, and fifty others, of the Township of Mosa, in the London District, praying that their petition may be taken into consideration; and the petition of D. McCall, and eight others, of the Township of Dunwich, in the London District, praying for pecuniary assistance in making a road across a certain swamp—were read.

Mr. Thomson from the committee appointed to examine and report on the contingent accounts of the present session, informed the House that the committee had agreed to a first report which he was ready to submit.

The report was ordered to be received, and was read as follows:

The committee appointed to superintend the contingencies of the present session, beg leave, respectfully, to make their first report.

Your committee have received from the clerk sundry accounts for services performed during the recess, viz.



Clerk's Office, - - - - -	215	14	3
John Carey, for printing, - - - - -	209	19	3
W. L. Mackenzie, - - - - -	155	10	9
Peter McPhail, - - - - -	10	13	9
Francis Collins, - - - - -	123	13	3
£	715	11	3

As the examination of the above accounts will necessarily occupy some time, your committee recommend the immediate payment of the following sums:—

To the Clerk, - - - - -	150	0	0
John Carey, - - - - -	125	0	0
W. L. Mackenzie, - - - - -	125	0	0
Francis Collins, - - - - -	100	0	0
Peter McPhail, - - - - -	10	13	9
£	510	13	9

All which is respectfully submitted.

Committee Room, House of Assembly, }  
31st January, 1829. }

H. C. THOMSON,  
Chairman.

Mr. Thomson, seconded by Mr. Fraser, moves, that it be resolved, that the Speaker do pay out of the monies now in his hands for the purpose of defraying, in part, the contingencies of the present Session, in accordance with the report of the select committee just read, the following sums:

To the Clerk, - - - - -	150	0	0
John Carey, - - - - -	125	0	0
W. L. Mackenzie, - - - - -	125	0	0
Francis Collins, - - - - -	100	0	0
Peter McPhail, - - - - -	10	13	9
£	510	13	9

Which was carried.

Mr. John Willson, seconded by Mr. Hamilton, moves, that the petition of William Chisholm, Esquire, be referred to the committee of supply.

Which was carried.

Adjourned.

Monday, 2d February, 1829.

The House met.

Prayers were read.

The minutes of Saturday were read.

Mr. Lyons brought up the petition of Benjamin Whitney, and others, inhabitants of Upper Canada, which was laid on the table.

Mr. James Wilson brought up the petition of Ziba Marcus Phillips, of the Township of Augusta, Esquire; which was laid on the table.

Mr. Hornor brought up the petition of Jeremiah Cowin, and others, of the Township of Blenheim; which was laid on the table.

Agreeably to notice, Mr. Fothergill, seconded by Mr. Smith, moves for leave to bring in a bill for the construction of a harbour and wharf at Port Hope, in the Newcastle District.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

The House then adjourned till 4 o'clock, P. M.

The House met at 4 o'clock, P. M. pursuant to adjournment.

Agreeably to the order of the day, the Quakers' evidence bill was read the second time, and referred to a committee of the whole House.

Mr. Malcolm was called to the chair.

The House resumed, the black rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill entitled, "An Act to make valid certain marriages heretofore contracted, and to provide for the future solemnization of matrimony in this Province," which they had passed, with some amendments, to which amendments, 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 make valid certain marriages heretofore contracted, and to provide for the future solemnization of matrimony in this Province," were read the first time, as follows:

Press. 2, line 10—after "oath" insert "or affirmation," (as the case may be.)

" " " 12 " "swear," insert "or affirm," (as the case may be.)

" " " 21 " "oath," insert "or affirmation,

" 3 after 8th line, add, "Provided always that nothing in this act contained, shall extend, or be construed to extend, to make valid any marriage illegally solemnized, when the parties to such illegal marriage, or either of them shall have subsequently contracted matrimony, according to law," and ordered for a second reading to-morrow.

The House went again into committee on the Quakers' evidence bill.

Mr. Malcolm in the chair.

The House resumed.

Mr. Malcolm reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed, and read a third time to-morrow.

Agreeably to the order of the day, the Northumberland registry bill, was read a second time and referred to a committee of the whole house.

Mr. Dalton was called to the chair.

The House resumed.

Mr. Dalton reported progress, and obtained leave to sit again to-morrow.

Adjourned.

Tuesday, 3d February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Henderson brought up the petition of Alexander McMillan, Esq. and others, of the county of Grenville; which was laid on the table.

Mr. Wilkinson brought up the petition of George J. Goodhue, Chairman to the committee appointed to superintend the construction of a bridge across the River Thames; which was laid on the table.

Mr. James Wilson brought up the petition of Henry Weeks, of Elizabeth Town; which was laid on the table.

Mr. Hamilton brought up the petition of Richard Beasley, and others, Justices of the Peace, for the Gore District; which was laid on the table.

Mr. Hamilton brought up the petition of Charles Prior, Esquire, and others, of the Gore District; which was laid on the table.

Mr. Perry brought up the petition of Francis Collins, of the Town of York, Printer; which was laid on the table.

The House then adjourned till 4 o'clock, P. M.

At four o'clock the House met pursuant to adjournment.

Mr. Fraser from the committee to wait on His Excellency the Lieutenant Governor, with the address of this House, relative to the income, sureties, &c., of the Receiver General, reported delivering the same, and that His Excellency had been pleased to answer the same as follows:

GENTLEMEN,

Copies of the several documents required in this address relative to the appointment, securities, &c., of the Receiver General, as far as it may be deemed compatible with the public interest, shall be laid before the House of Assembly.

Mr. Secretary Mudge brought down from His Excellency the Lieutenant Governor, several messages and documents, and having delivered the same to the Speaker, retired.

The Speaker then read the messages as follows:

J. COLBORNE,

The Lieutenant Governor, transmits to the House of Assembly a statement of the payments stipulated to be made by the Canada Company to His Majesty's Government, and of the Appropriation of the same towards the civil service of Upper Canada, by the Lords Commissioners of His Majesty's Treasury.

Government House, }  
3d February, 1829. }

J. COLBORNE,

The Lieutenant Governor, transmits for the consideration of the House of Assembly, an extract from a report made to him by the commissioners of Forfeited Estates.

Government House, }  
3d February, 1829. }

The Clerk then read the documents as follows:

A STATEMENT of the Appropriation of the Annual Payments to His Majesty's Government, by the Canada Company, as directed by the Lords Commissioners of His Majesty's Treasury.

	£	s.	d.
To the payment of the Civil Establishment of Upper Canada, formerly provided for by vote of the Imperial Parliament,	8150	0	0
Towards the Building of a College in Upper Canada,	1000	0	0
Salary to the Roman Catholic Bishop,	400	0	0
To the Roman Catholic Priests,	750	0	0
To the Presbyterian Ministers, in Communion with the Church of Scotland,	750	0	0
Pension to Colonel Talbot,	400	0	0
Annual Compensation for seven years to Officers of the Land Granting Department,	2566	3	8
Sterling,	£ 14016	3	8

A True Copy.

Z. MUDGE.

STATEMENT of Annual Payments to be made to His Majesty's Government, by the Canada Company, under an agreement concluded on the 23d of May, 1826.

	STERLING.
In the year commencing 1st July, 1826, and ending 1st July, 1827,	£ 20,000 0 0
In the year ending 1st July, 1828,	15,000 0 0
do. do. 1829,	15,000 0 0
do. do. 1830,	15,000 0 0
do. do. 1831,	16,000 0 0
do. do. 1832,	17,000 0 0
do. do. 1833,	18,000 0 0
do. do. 1834,	19,000 0 0
do. do. 1835,	20,000 0 0

And thereafter the sum of £20,000 annually, until sixteen years shall have expired from 1st July, 1826.

A true Copy.

Z. MUDGE.

Extract from a Report of the Commissioners of forfeited Estates to His Excellency Sir John Colborne, Lieutenant Governor, dated—

"17th JANUARY, 1829.

"The Commissioners beg to represent, that, in several instances, lots of land have been erroneously confiscated and sold, the purchasers of which are willing to relinquish them, and accept in lieu the lands intended to have been proceeded against; but, that such arrangements, although expedient and just in the opinion of the Board, can only be carried into effect under the sanction of a Legislative enactment.

"The Board respectfully add, that the want of this authority alone prevents the close of the Commission."

The Master in Chancery brought down from the Honorable the Legislative Council, the bill entitled, "An Act to provide for the more summary punishment of certain trespassers," which they had passed, and to which they requested the concurrence of this House.

The bill sent down from the Honorable the Legislative Council, entitled, "An Act to provide for the more summary punishment of certain trespassers," was then read the first time.

Mr John Rolph, seconded by Mr. Perry, moves, that an humble address be sent to His Excellency, thanking him for his messages of this day, and that Messrs. Perry and Thomson be a committee to draft and report the same.

Which was ordered.

Mr. Perry, from the committee appointed to draft an address to His Excellency the Lieutenant Governor, thanking him for his messages of this day, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to the order of the day, the Quakers' evidence bill was read a third time.

On the question for its passing—

Mr. Mackenzie, seconded by Mr. Perry, moves, in amendment, that the bill be recommitted.

Which was lost.

On the question for passing the bill, the House divided, and the Yeas and Nays being taken were as follows:—

YEAS—Messrs. Attorney General, Berczy, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hornor, Ketchum, Lafferty, Lockwood, Longley, Lyons, M'Donald, Mackenzie, McLean, Malcolm, Morris, Peterson, George Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Wilson, and Woodruff—33.

NAYS—Messrs. Matthews, Perry, Randal, John Rolph, and James Wilson—5.

The question was carried in the affirmative by a majority of twenty-eight, and the bill was signed.

Mr. Attorney General, seconded by Mr. Shaver, moves, that the bill be entitled, "An Act to provide for the admission of the evidence of Quakers, Menonists, Tunkers, and Moravians, in criminal cases."

Which was carried, and Messrs. Attorney General and Morris were ordered by the Speaker to carry the bill, entitled, "An Act to provide for the admission of the evidence of Quakers, Menonists, Tunkers, and Moravians, in criminal cases," up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day the address to His Excellency the Lieutenant Governor, thanking him for his messages of this day, was read the third time, passed and signed, and is as follows:

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank your Excellency for your messages of this day.

Commons House of Assembly,  
3d February, 1829.

MARSHALL S. BIDWELL,  
Speaker.

Mr. John Rolph, seconded by Captain Matthews, moves, that Messrs. Brouse and Lockwood be a committee to wait upon His Excellency, to learn when he will be pleased to receive the address, and to present the same.

Which was ordered.

Mr. Perry, seconded by Captain Matthews, moves, that a select committee be appointed to enquire relative to the distribution of the Maps of the Rideau Canal, with power to send for persons and papers, and leave to report thereon; and that Messrs. Matthews, Rolph, Thomson and Fraser do compose the said committee.

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

YEAS—Messrs. Blacklock, Brouse, Cawthra, Dalton, Fothergill, Hamilton, Hornor, Ketchum, Lafferty, Lockwood, Lyons, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Randal, John Rolph, George Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, and James Wilson—27.

NAYS—Messrs. Attorney General, Berczy, Buell, Fraser, Henderson, Longley, McLean, Morris, Samson, John Willson, and Woodruff—11.

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

Adjourned.

Wednesday, 4th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Lafferty brought up the petition of Julius Morgan; which was laid on the table.

Mr. Mackenzie brought up the petition of J. B. Warren, and others, of the Home District; which was laid on the table.

Mr. Ketchum brought up the petition of Leonard Wilcox, of the Town of York, Carpenter; which was laid on the table.

Agreeably to the order of the day, the petition of R. Henry, and one thousand and nine others, of the District of Newcastle, praying that the site for the Gaol and Court House in said District may not be altered—the petition of William Cornell, and seventeen others, praying that a bridge may be erected across the River Rouge, in the Township of Scarborough—the petition of George Reynolds, and 4 others, of the Township of Blenheim, praying the House to investigate their grievances relative to a survey

of their lands, and pass a bill for their relief—the petition of Peter McCollum, and thirteen others, of the Home District, praying that a sum of money may be granted for the purpose of repairing the Roads and Bridges in said District—the petition of Benjamin Whitney, and two hundred and twenty-one others, of Upper Canada, praying that a Canal may be cut across the Isthmus of Murray, to connect the waters of the Bay of Quinte with those of Lake Ontario—the petition of Ziba Marcus Phillips, Esquire, of the Township of Augusta, praying for pecuniary aid in consequence of wounds received during the late war with the United States of America—and the petition of Jeremiah Cowin, and forty-six others of the Township of Blenheim, praying that a bounty may be given for the scalps of Wolves—were read.

The House then adjourned till 4 o'clock, P. M.

At 4 o'clock, P. M. the House met pursuant to adjournment.

Mr. Thomson, seconded by Mr. Brouse, moves, that the resolutions of this House on the subject of appointing Commissioners, be transmitted to His Excellency the Lieutenant Governor with an humble address, requesting His Excellency to forward the same to His Excellency Sir James Kempt, in order that they may be communicated to the Legislature of Lower Canada, and that Messrs. Perry and Peterson be a committee to draft and report the said address.

Which was ordered.

Mr. Perry, from the committee to draft an address to His Excellency the Lieutenant Governor on the subject of transmitting certain resolutions to His Excellency Sir James Kempt, reported a draft, which was received, and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. James Wilson, seconded by Mr. Mackenzie, moves, that the petition of Ziba Marcus Phillips, be referred to a select committee, and that Messrs. Attorney General, McLean, Longley, and Henderson, do compose the same, with power to send for persons and papers and to report by bill or otherwise.

Which was ordered.

Mr. Hornor, seconded by Mr. Randal, moves, that the petition of Jacob Sheepe, and others be referred to a select committee, composed of Messrs. Mackenzie, and George Rolph, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Mr. Lyons seconded by Mr. Kilborn, moves, that the petition of Benjamin Whitney, and others, be referred to the select committee, to whom was referred the report of the Commissioners for internal navigation, for constructing a canal between the Bay of Quinte and the Presque Isle.

Which was ordered.

Mr. Perry, seconded by Mr. Peterson, moves, that 1000 copies of the statement of the appropriation of the annual payments to His Majesty's Government by the Canada Company, as directed by the Lords Commissioners of His Majesty's Treasury, transmitted to this House by His Excellency the Lieutenant Governor, in compliance with its address, be printed for the use of members.

Which was carried nem. con.

PRESENT—Messrs. Baby, Baldwin, Berczy, Blacklock, Brouse, Buell, Cawthra, Ewing, Fothergill, Fraser, Hamilton, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Longley, Lyons, M'Donald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Randal, G. Rolph, J. Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, James Wilson, and Woodruff.

Agreeably to the order of the day, the House went into committee on the Cobourg harbour bill.

Mr. James Wilson was called to the chair.

The House resumed.

Mr. Wilson reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed, and read a third time to-morrow.

Mr. Dalton from the committee to which was referred the petition of F. Collins, informed the House that the committee had agreed to a second report which he was ready to submit whenever the House would please receive the same.

The report was ordered to be received, and was read by the Clerk.

REPORT—(SEE APPENDIX.)

Mr. Dalton, seconded by Mr. Hornor, moves, that the report of the committee on the petition of Francis Collins, just read, be referred to the committee of privilege.

Which was ordered.

Mr. Samson from the committee to which was referred the petition of Hiram Nelson, and others, reported a bill, which was received and read the first time.

On the question for the second reading of the bill being proposed.

In amendment, Mr. Peterson, seconded by Mr. Brouse, moves, that the bill be read a second time this day three months.

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

YEAS—Messrs. Blacklock, Brouse, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hornor, Ketchum, Lafferty, Lockwood, Lyons, Mackenzie, Malcolm, Matthews, Perry, Peterson, Randal, John Rolph, George Rolph, Shaver, Smith, Terry, Thomson, James Wilson, and Woodruff—26.

NAYS—Messrs. Attorney General, Berczy, Buell, Hamilton, Longley, McLean, Samson, Wilkinson, and John Willson—9.

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

Mr. Hamilton, seconded by Mr. John Willson, moves that this House do resolve itself into a committee of privilege, to take into consideration a most flagrant and unprecedented outrage, committed at Hamilton in the Gore District, intending to bring into contempt the person of His Majesty's Representative, administering the Government of this Province, and that it be the first item on the order of the day.

Which was carried.

Mr. Attorney General gives notice, that he will move, to-morrow, that the House do go into a committee of the whole, upon the answer of His Excellency the Lieutenant Governor, to an address of this House, during the present session, requesting to know whether any information has been received from His Majesty's Government, respecting the payment of losses sustained during the late war, with the United States of America.

Mr. Peterson gives notice, that he will, to-morrow, move for the appoint-

ment of a select committee to enquire into the state of the commission of the Peace, in this Province.

Mr. George Rolph gives notice, that he will, to-morrow, move for the appointment of a select committee to examine the laws relating to the opening and laying out roads, in this Province, with power to report thereon by bill or otherwise.

Adjourned.

Thursday, 5th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Fothergill brought up the petition of Joseph Shepherd, and others, proprietors of the Farmer's Store House, in York; which was laid on the table.

Mr. George Rolph brought up the petition of John Brant, and others, living on the lake road between Burlington Bay Canal, and York; which was laid on the table.

The House then adjourned till 3 o'clock, P. M.

At three o'clock P. M. the House met pursuant to adjournment.

Agreeably to the order of the day, the Cobourg Harbour company bill was read the third time and passed.

Mr. Lyons, seconded by Mr. Ewing, moves, that the bill be entitled "An Act to incorporate certain persons therein mentioned under the style and title of 'the Cobourg Harbour Company.'"

Which was carried, and Messrs. Lyons and Ewing were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and request their concurrence thereto.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of transmitting resolutions to the Government of Lower Canada, was read the third time, passed and signed, and is as follows:

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

May it please your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request, that your Excellency will be pleased to transmit the accompanying resolutions, which have been adopted by this House, and concurred in by the Honorable the Legislative Council, on the subject of the appointment of Commissioners to the Government of Lower Canada, in order that they may be communicated to the Legislature of that Province, now in Session.

Commons House of Assembly, }  
5th February, 1829. }

MARSHALL S. BIDWELL,  
Speaker.

Mr. George Rolph, seconded by Mr. Brouse, moves, that Messrs. Pery and Peterson be a committee to wait upon His Excellency the Lieutenant Governor, to learn when His Excellency will be pleased to receive the address of this House, and to present the same.

Which was ordered.

Agreeably to the order of the day, the petition of Alexander McMillan, Esquire, and one hundred and fifty-four others, of the county of Grenville, in the Johnstown District, praying for pecuniary aid to open a road of communication from the River Saint Lawrence, to the Rideau Canal, the petition of Roswell Mount, and two others of the committee appointed to superintend the erection of the Delaware bridge, praying for £87 11s. to enable them to pay off the debt incurred in building said bridge—the petition of Henry Weeks, of Elizabethtown, praying for relief in the premises—the petition of Richard Brasley, and nine others, Justices of the Peace, in the Gore District, praying for an act empowering them to impose an additional tax of one penny on the pound on all assessments in the said District, amounting to £50, or upwards, for two years, to be appropriated towards the expense to be incurred in finishing the Gaol and Court House in said District—the petition of Charles Prior, Esquire, and thirty-seven others, of the Gore District, praying for extension of the Gaol limits of said District—and the petition of Francis Collins, complaining of wrongs, and praying for remuneration—were read.

Mr. James Wilson, seconded by Mr. Dalton, moves, that the petition of Henry Weeks, be referred to the committee to whom was referred the petition of Samuel Swan, with power to send for persons and papers, and to report thereon by bill or otherwise.

Which was ordered.

Mr. Henderson, seconded by Mr. Longley, moves, that the petition of Alexander McMillan, Esquire, and others, of the county of Grenville, be referred to the committee of supply.

Which was carried.

Mr. Wilkinson, seconded by Mr. Hamilton, moves, that the petition of Roswell Mount, and others, be referred to a select committee, composed of Messrs. Matthews, Berczy, Horuor and McCall, to report thereon.

Which was ordered.

Mr. Hamilton, seconded by Mr. Fothergill, moves, that the petition of the Magistrates of the Gore District be referred to a select committee, composed of Messrs. Hopkins, George Rolph, Wilkinson, and John Willson, with power to report by bill or otherwise.

Which was ordered.

Mr. Hamilton, seconded by Mr. Fothergill, moves, that the petition of the Magistrates, Grand Jury, and others, respecting the enlargement of the Gaol limits and extension of the Town of Hamilton, in the Gore District, be referred to a select committee, to be composed of Messrs. John Willson and Wilkinson, with power to report by bill or otherwise.

Which was ordered.

Mr. Secretary Mudge brought down from His Excellency the Lieutenant Governor, several messages and documents, and having delivered the same to the Speaker, retired.

The Speaker then read the messages as follows:

J. COLBORNE,

The Lieutenant Governor, transmits for the consideration of the House of Assembly, a petition from the Mississaga Indians, settled on the River Credit, and recommends that an act may be made to protect the fishery at that place

Government House, }  
5th February, 1829. }

J. COLBORNE,

The Lieutenant Governor, transmits to the House of Assembly, copies of documents respecting the extent of the responsibility attached to the Office of the King's Receiver, and an account of his salary and contingencies.

The correspondence which refers to a proposed salary, instead of the per centage allowed the Receiver General by the Provincial Statute 42 Geo. 3d, the Lieutenant Governor is not authorized to forward to the House.

Government House, }  
5th February, 1829. }

The letter was then read by the Clerk as follows:

Receiver General's Office, }  
York, 4th February, 1829. }

SIR,

I have the honor to acquaint you, for the information of His Excellency the Lieutenant Governor, that I hold the appointment of Receiver General of Upper Canada, under the Great Seal of England, by letters patent. I have, agreeably to that patent, lodged a security with the King's Remembrancer in England, which was previously accepted by the Right Honorable Lords Commissioners of His Majesty's Treasury, for the sum of £10,000 Sterling; and I have also entered into a personal Bond, in this Province for £10,000, for the due execution of my office. I take leave here to remark, that, should this security be considered insufficient, I hold myself ready to afford such additional security as may be judged reasonable to secure the public property from time to time in my charge.

I have the honor to be,

SIR,

Your most obedient servant,  
JOHN H. DUNN,  
R. G.

To

Z. MUDGE, ESQUIRE,  
Secretary to His Excellency,  
&c. &c. &c.

DOCUMENTS.—(SEE APPENDIX.)

Doctor Baldwin, seconded by Mr. Woodruff, moves, that the petition of the Mississaga Indians, be entered on the Journals, and referred to a select committee, with power to send for persons and papers, and with leave to report by bill or otherwise, and that Messrs. James Wilson, Lockwood, and Peterson, do form such committee.

Which was carried, and is as follows:

The Petition of the Mississaga Indians, settled at the River Credit, to our Great Father, Sir John Colborne, K. C. B. Lieutenant Governor of Upper Canada, &c. &c. &c.

FATHER,

Your children who now petition to you are a remnant of the great nations who owned and inhabited the country in which you now live, and make laws; the ground on which you and your children stand, covers the bones of our fathers, of many generations. When your fathers came over the great waters, we received them as friends, and gave them land to live upon. We have always been friends to our great father, the King, and his white children. When the white men came, they made us sick and drunken; and as they increased, we grew less and less, till we are now very small. We sold a great deal of land to our great father, the King, for very little, and we became poorer and poorer. We reserved all the hunting and fishing ground, but the white men soon grew so many that they took all; when all the rest was gone, we kept the (Anzahkewayyogk) Sixteen-mile-Creek, (Asquasingk) Twelve-mile-Creek, and the (Mahzenahkaseph) River Credit. The two first are gone from us, but we are wishing to keep the Credit. We reserved one mile on each side of the Credit, where we now live. About four years ago the Great Spirit sent to us good men with the Great Word, the Gospel of our Saviour, Jesus Christ, and we became a new people; we have thrown away our sins; we live in houses in a Village where we worship the Great Spirit, and learn his word and keep his Sabbaths; our children and young men learn to read, and many of our people from a distance have joined us. We now want the fish in our River, that we may keep our children at home to go to School, and not to go many miles back to hunt for provisions. We also catch Salmon, and sell them very cheap to industrious white men, who bring us flour, and other provisions, and cattle; and they say it is much better than to fish themselves. But now, Father, we will tell you how wicked white men have used us—These are almost all lazy drunken white men, who will not work. They come in the Fall and Spring, and encamp for many weeks close by our Village—they burn and destroy our fences and boards in the night—they watch the Salmon, and take them as fast as they come up—they swear and get drunk, and give a very bad example to our young people; and try to persuade them to be wicked like themselves, and particularly on the Sabbath—their wicked ways give us much trouble, and make our hearts sorry. Others go to the mouth of the River and catch all the Salmon—they put the ossals of Salmon in the mouth of the River to keep the fish from passing up, that they may take them with a seine near the mouth of the River in the Lake; and often in the dark they set gill-nets in the River, and stop all the fish. By these means we are much injured, and our children are deprived of bread.

Now, Father, once all the fish in those Rivers and those Lakes, and all the deer in these woods, were ours; but your red Children only ask you to cause laws to be made to keep these bad men away from our fishery at the River Credit, from Mr. Racoy's line to the mouth of the River, and along



the Lake shore one mile on each side of the River, as far as our Land extends—and to punish those who attempt to fish here. We will not fish on Saturday night, Sunday night, and Sunday, but will let the fish pass up to our white brothers up the River

And we, your children, as in duty bound, will ever pray.

River Credit, — }  
31st January, 1829.

(SIGNED)

James Adjitance	George Henry, jun.	James Youngs
Peter Jones	James Johnson	Joseph Dodge
Joseph Sawyer	William Keshegoo	Peter Beaver
John Jones	John Keshegoo	John Thomas
John Crane	Thomas Smith	Funch Souegoo
Peter Olds	Saml. Wabancebe	William Souegoo
John Quenebenau	George Finger	William Jackson
John M'Collum	John Secord	Jacob Harkemer
William Harkemer	Moses Johns	John Johnson
Lawr. Harkemer	John Tobecoo	William Tobecoo
John Campbell	Jacob Brant, jun.	Ingersol Olds
Peter Jacobs	Thomas M'Gee	John Sawyer
George Keshegoo	John Jackson, sen.	William Crane
Thomas Adjitance	George Beaver	George King
James Keshegoo	John Chief	Samuel Finger
Alex. Jackson	George Henry, sen.	William W. Johns
David Sawyer	Samuel Jacobs	Jacob Jackson
John Wesley	James Ootahwau	M. Pantahquongk.

Mr. Hamilton, seconded by Mr. John Willson, moves, that an address be presented to His Excellency the Lieutenant Governor, thanking him for his several messages of this day, and that Messrs. M'Call, and Baby be a committee to draft the same.

Which was ordered.

Agreeably to the order of the day, the House went into committee of privilege on the outrage committed at the village of Hamilton.

Mr. Hamilton, seconded by Mr. John Wilson, moves, that it be resolved, that this House has learned with equal astonishment and indignation, that some evil disposed persons did, on the night of the twenty-ninth of last month, at the town of Hamilton, in the Gore District, wantonly and maliciously exhibit a libellous representation of our present Lieutenant Governor, thereby endeavouring to bring into disrepute his exalted character, and to throw odium on the measures of his administration.

On which debates ensued.

The previous question was then moved, namely, shall the question be now put.

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

YEAS—Messrs. Attorney General, Berczy, Bethune, Buell, Fothergill, Fraser, Hamilton, Henderson, Kilborn, Lafferty, Longley, M'Call, M'Lean, Samson, Shaver, Wilkinson, and John Willson—17.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Hornor, Ketchum, Lockwood, Lyons, Mackenzie, Matthews, Perry, Peterson, Randal, George Rolph, John Rolph, Smith Terry, James Wilson, and Woodruff—21.

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

Mr. John Rolph, seconded by Mr. Perry, moves, that it be resolved, that George Burnett be summoned to the bar of this House, forthwith, to prove the statements made in his paper, called the Gore Gazette, respecting the Hamilton outrage, and threatened release of Francis Collins, by force, as well as Mr. Strowbridge and Mr. Mann, for the same purpose, and that the Speaker do issue summonses to summon them.

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

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Fothergill, Fraser, Hornor, Kilborn, Lafferty, Lyons, M'Call, Malcolm, Matthews, Perry, Peterson, Randal, G. Rolph, J. Rolph, Shaver, Smith, Terry, James Wilson, and Woodruff—26.

NAYS—Messrs. Attorney General, Berczy, Hamilton, Henderson, Ketchum, Lockwood, Longley, Mackenzie, M'Lean, Samson, Wilkinson, and John Willson—12.

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

Adjourned.

Friday, 6th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Shaver brought up the petition of Charles Dix, and others, of the Township of Matilda, which was laid on the table.

Mr. Lafferty brought up the petition of John Brant, Esqr. Superintendent Indian Department, which was laid on the table.

Mr. Mackenzie brought up the petition of Jacob Hollingshead, and others, of the Home District, which was laid on the table.

Mr. Shaver brought up the petition of Lot Richardson, and others, of the Township of Edwardsburg, which was laid on the table.

Mr. M'Lean brought up the petition of Mahlon Burwell, Esquire, of Port Talbot, which was laid on the table.

Mr. Hamilton brought up the petition of Frederick Yeoward, of Mount Pleasant, which was laid on the table.

Agreeably to the order of the day, the petition of Julius Morgan, praying for a grant of £70 1 6d. being the amount of loss sustained by him, in the erection of a bridge across the river Thames, at Delaware, in the London District—the petition of J. B. Warren, and 74 others, of the Home District, praying the House to make enquiry, as to the situation of the road below York, leading to Kingston, and to grant such sum for the repair of the same,

as in their wisdom shall seem meet—and the petition of Leonard Wilcox, of the Town of York, Carpenter, praying that his case may be taken into consideration, and such relief granted as may seem meet, were read.

Mr. Ketchum, seconded by Mr. Randal, moves, that the petition of Leonard Wilcox, be referred to a select committee, with power to send for persons and papers, and that Messrs. Hamilton and Cawthra, be such committee.

Which was ordered.

At 11 o'clock A. M. the House adjourned for one hour.

At 12 o'clock the House met pursuant to adjournment.

Mr. Blacklock, Chairman of the committee appointed to try the matter of the petitions of Thomas D. Morrison, Esquire, and of Thomas Stoyell, and others, of the Town of York, complaining of the undue election and return of John Beverly Robinson, Esquire, to represent the said Town of York, in the present Parliament, reported to the House that the committee had met at eleven o'clock A. M. pursuant to adjournment; when it was reported that Joseph N. Lockwood, Esq. a member of the committee, was sick, that the committee waited in their room an hour, and that honorable member not having arrived, they adjourned till eleven o'clock to-morrow.

Mr. Ewing then stated in his place, that he was a fellow lodger with Mr. Lockwood, and that that Honorable member was so much indisposed as to be incapable of attending his duty on that committee this day.

Mr. McLean, seconded by Captain Matthews, moves, that it be resolved, that the reason assigned for the absence of Joseph N. Lockwood, Esquire, from the committee on the trial of the York contested election, at its meeting this day, is satisfactory to this House.

Which was carried.

Mr. Lafferty, seconded by Mr. Wilkinson, moves, that the petition of Julius Morgan be referred to the committee to whom was referred the petition of Roswell Mount, and others.

Which was ordered.

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that the Speaker issue his summons to summon William Munson Jarvis, Sheriff of the Gore District, to appear at the bar of this House to give evidence upon the Hamilton outrage, and to produce the effigy connected therewith, or such parts thereof as are in his possession.

On which the House divided, and the Yeas and Nays were taken as follows:—

YEAS—Messrs. Blacklock, Brouse, Buell, Ewing, Fraser, Hamilton, Hornor, Kilborn, Lafferty, Longley, Lyons, M'Donald, Malcolm, Matthews, Perry, Peterson, Radenhurst, Randal, George Rolph, John Rolph, Shaver, Terry, Wilkinson, and Woodruff—24.

NAYS—Messrs. Berczy, Henderson, Ketchum, M'Lean, and John Willson—5.

The question was carried in the affirmative by a majority of nineteen, and it was resolved accordingly.

Mr. Hornor, seconded by Mr. Malcolm, moves, that the petition of Jeremiah Cowan, and others, be referred to a select committee, composed of Messrs. Fothergill and M'Call, with power to send for persons and papers, and to report thereon by bill or otherwise.

Which was ordered.

Mr. John Rolph, from the committee to whom was referred the petition of Henry White, and others, of the Counties of Middlesex and Oxford, reported, as their first report, an address to His Excellency the Lieutenant Governor, which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Fraser, from the committee to which was referred the expediency of putting a roof on the walls of the old Parliament House, &c. presented a report, which was received and read.

REPORT.—(SEE APPENDIX.)

Mr. Lafferty, from the committee to which was referred the petition of John Decow, 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 it.

The report was ordered to be received and the bill was read the first time and ordered for a second reading to-morrow.

Mr. Baby from the committee appointed to draft an address to His Excellency the Lieutenant Governor, thanking him for his messages of yesterday, reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Buell, from the committee appointed to enquire into the present state of education in this Province, &c., reported as their first report, an address to His Excellency, on that subject, which was received, and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that His Excellency's message of yesterday, concerning the Receiver General's securities, salary, and contingencies, together with the documents therewith transmitted to this House, be referred to a select committee, to be composed of Messrs. Baldwin, Malcolm, Dalton and Randal, with power to report by bill or otherwise.

Which was ordered.

Agreeably to the order of the day, the Unitarian relief bill, was read a second time and referred to a committee of the whole.

Mr. Lafferty was called to the chair.

The House resumed.

Mr. Lafferty reported the bill without amendment.

On the question for receiving the report, the House divided, and the yeas and nays were taken as follows:

YEAS—Messrs. Berczy, Blacklock, Brouse, Buell, Cawthra, Ewing, Fraser, Hamilton, Henderson, Hornor, Ketchum, Kilborn, Lafferty, Longley, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Randal, George Rolph, John Rolph, Shaver, Terry, Wilkinson, and Woodruff—27.

NAYS—Messrs. Bethune, Radenhurst, and Samson—3.

The question was carried in the affirmative by a majority of twenty-four, and the bill was ordered to be engrossed, and read a third time to-morrow.

Agreeably to the order of the day, the House went into committee of the whole on Printer's claims.

Mr. Kilborn was called to the chair.

The House resumed.

Mr. Kilborn reported that the committee had agreed to two resolutions which he was directed to submit for the adoption of the House.

On the question for receiving the report, the House divided, and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing Henderson, Hornor, Ketchum, Kilborn, Lafferty, Lyons, Call, McDonald, Malcolm, Matthews, Perry, Peterson, Randal, George Rolph, John Rolph, Shaver, Smith Terry, and Woodruff—27.

NAYS—Messrs. Attorney General, Berczy, Bethune, Longley, Raden-  
hurst, and Samson—6.

The question was carried in the affirmative by a majority of twenty one, and the resolutions were put and carried as follows:

Resolved—That it is expedient to pass a bill exclusively providing for the payment of the principal and interest due to the printers, for their unpaid services, during last Parliament, pursuant to the votes of this House.

Resolved—That the chairman be instructed to move the appointment of a select committee to draft and report a bill pursuant to the resolution.

Mr. Kilborn, seconded by Captain Matthews, moves, that Messrs. Baby and Randal be a committee to draft and report a bill, pursuant to the resolution, in favor of certain printers.

Which was carried.

Mr. Baby from the committee to draft a bill pursuant to the resolution in favor of certain printers, reported a draft which was received, and read a first time.

Mr. John Rolph, seconded by Captain Matthews, moves, that the bill for the relief of certain printers, be now read a second time, and that the 41st rule be dispensed with so far as said bill is concerned.

Which was carried, and the bill was read the second time, and committed to the whole House.

Mr. Kilborn was called to the chair.

The House resumed.

Mr. Kilborn reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed, and read a third time to-morrow.

Mr. Speaker reported to the House, that he had received a letter from Mr. Gurnett, which he read as follows:

Ontario House, York, }  
February 6th, 1829. }

SIR,

Having understood that an order of the Honorable the Provincial House of Assembly, has been issued, requiring my attendance before it, I beg to inform you of my arrival in town, and to add, that I am ready to appear at the bar of the House, at any time that it may please to direct.

I have the honor to be,

Sir,

Your most obedient

And most humble servant.

GEORGE GURNETT.

To  
The Honorable the Speaker  
Of the House of Assembly.

Mr. Perry, seconded by Captain Matthews, moves, that the statement of the appropriation of the annual payment to His Majesty's Government by the Canada Company, as directed by the Lords Commissioners of His Majesty's Treasury, communicated to the House by message, be referred to a committee of the whole House, to-morrow.

Which was carried.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Samson, moves, that the House do resolve itself into a committee of the whole, on the message of His Excellency the Lieutenant Governor, respecting losses sustained by the inhabitants of this Province, during the late war with the United States of America.

Which was carried.

Mr. Radenhurst was called to the chair.

The House resumed.

Mr. Radenhurst reported progress, and obtained leave to sit again to-morrow.

Adjourned.

Saturday, 7th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Ewing brought up the petition of Joseph Keeler, and others, of the broken front of the Township of Haldimand, in the Newcastle District; which was laid on the table.

Mr. Cawthra brought up the petition of Samuel Lount, and others, of the Home District; which was laid on the table.

The House then adjourned till 3 o'clock, P. M.

At three o'clock P. M. the House met pursuant to adjournment.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for information relative to Otter Creek, was read the third time, passed and signed, and is as follows:

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

May it please your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request your Excellency to inform this House, what reservation of land has been made, and to what extent at the mouth of Otter Creek, for public purposes, to whom the land adjacent to the mouth of the said Creek, to the extent of a mile therefrom on each side, was originally granted, and what crown and clergy reserves, within the compass of four miles east and west of the mouth of the said creek, and from thence to the source of the said creek, within

two miles on each side of its course, remain unsold, to whom any of such lots have been leased, how many years remain on each lease unexpired, what improvements have been made upon them and what rent is payable and due upon each, so far as it may be in your Excellency's power to communicate such information.

Commons House of Assembly, }  
7th February, 1829. }

MARSHALL S. BIDWELL,  
Speaker.

Mr. John Rolph, seconded by Captain Matthews, moves, that it be resolved, that Messrs. Blacklock and Buell be a committee to wait upon His Excellency to learn when he will be pleased to receive the said address, and to present the same.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, thanking him for his several messages of the 5th instant, was read a third time, passed and signed, and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to thank your Excellency for your messages of the 5th instant.

Commons House of Assembly, }  
7th February, 1829. }

MARSHALL S. BIDWELL,  
Speaker.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, reported by the committee on Education, was read the third time, passed and signed, and is as follows:

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

May it please your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request your Excellency to inform this House, the extent of Land reserved for Schools in the several Townships of this Province; the number of Lots sold; to whom, and at what price; the sums paid, and the sums yet due thereon; and how such funds have been appropriated.

Commons House of Assembly, }  
7th February, 1829. }

MARSHALL S. BIDWELL,  
Speaker.

Mr. John Rolph, seconded by Captain Matthews, moves, that Messrs. Hornor and Malcolm be a committee to wait upon His Excellency to know when he will be pleased to receive the address last read, and to present the same.

Which was ordered.

Mr. Perry, seconded by Captain Matthews, moves, that Messrs. Hamilton and John Willson be a committee to wait upon His Excellency with the address of thanks, and present the same.

Which was ordered.

Agreeably to the order of the day, the Unitarian relief bill was read the third time, passed and signed.

Captain Matthews, seconded by Mr. John Rolph, moves, that the bill be entitled, "An Act to enable the denomination of Christians, called Unitarians, to hold Land for certain purposes therein mentioned."

Which was carried, and Messrs. Matthews and Perry were ordered by the Speaker to carry up the bill, entitled, "An Act to enable the denomination of Christians, called Unitarians, to hold Land for certain purposes therein mentioned," to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Printer's remuneration bill, was read the third time.

On the question for passing, the House divided, and the Yeas and Nays were taken as follows:—

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fraser, Henderson, Hornor, Ketchum, Kilborn, Lafferty, Lockwood Lyons, M'Call, McDonald, Malcolm, Matthews, Perry, Randal, G. Rolph, J. Rolph, Shaver, Smith, Terry, and Woodruff—28.

NAYS—Messrs. Berczy, Fothergill, Hamilton, Longley, M'Lean, Raden-  
hurst, Samson, and Wilkinson—8.

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

Mr. John Rolph, seconded by Mr. Brouse, moves, that the bill be entitled, "An Act to grant a certain sum of money to His Majesty for the remuneration of the persons therein mentioned."

Which was carried, and Messrs. John Rolph, and Matthews were ordered by the Speaker to carry up the bill entitled, "An Act to grant a certain sum of money to His Majesty for the remuneration of the persons therein mentioned," to the Honorable the Legislative Council, and request their concurrence thereto.

Agreeably to the order of the day, the petition of Joseph Shepard, and 36 others, proprietors of the Farmer's Store House, in York, praying for an act of incorporation—and the petition of John Brant, and 143 others, living on the Lake road between Burlington Bay and York, praying for a grant of money to enable them to make the said road good—were read.

Mr. Samson, seconded by Mr. Berczy, moves, that the resolution adopted yesterday, authorising the honorable the Speaker of this House, to issue his summons for the attendance of the Sheriff of the Gore District, at the bar of this House, to give evidence upon the Hamilton outrage, and to

produce the effigy connected therewith, or such parts thereof, as are now in his possession, be expunged from the Journals of this House.

In amendment, Mr. John Rolph, seconded by Captain Matthews, moves, that all be expunged after the word "moves" and the following words inserted, "that the Hamilton outrage, and the alleged conspiracy to rescue Francis Collins, be referred to a select committee composed of Messrs. Blacklock, Baldwin, Perry, and Brouse, with power to send for persons and papers, and report thereon, and that the committee of privilege, be discharged from the same.

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

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Hornor, Leflerty, Lockwood, Lyons, M'Call, M'Donald, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Smith, Terry, James Wilson, and Woodruff—24.

NAYS—Messrs. Attorney General, Berczy, Bethune, Ewing, Fothergill, Fraser, Hamilton, Henderson, Ketchum, Kilborn, Longley, Mackenzie, M'Lean, Randal, Samson, Shaver, Wilkinson, and John Willson—18.

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

The original question as amended was then put and carried.

Mr. Dalton gives notice, that he will, to-morrow, move, that an address be presented to His Excellency, the Lieutenant Governor, requesting him to require the Treasurers of all the Districts, of the Province to furnish an account of all monies they have received on account of assessments on lands, from the passing of the act in 1819, till the present time, together with an account of the appropriation of the same, and that the same be laid before this House.

Mr. Mackenzie, seconded by Mr. Randal, moves, that the petition of Jacob Hollingshead, and others, of the Townships of King and Markham, praying for a statutory regulation in respect to stray cattle, be referred to a select committee to be composed of Messrs. Cawthra and Ketchum, with power to report by bill or otherwise.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Randal, moves, that the petition of Captain M'Collum, and others, praying for the improvement of Dundas Street, be referred to a select committee, to be composed of Messrs. Ketchum and George Rolph, to report thereon.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Randal, moves, that the petition of John B. Warren, Esquire, of Whitby, and the petition of Messrs. Cornell McEnry, and others, praying for the erection of a bridge over the Rouge, and the improvement of the highway to Kingston below York, be referred to a select committee to be composed of Messrs. Ketchum and Smith, to report thereon.

Which was ordered.

Adjourned till ten o'clock A. M. on Monday next.

Monday, 9th February, 1829.

The House met.

Prayers were read.

The minutes of Saturday were read.

Mr. Peterson brought up the petition of Allan Van Alstine, of the township of Marysburg, in the Midland District: which was laid on the table.

Mr. Woodruff brought up the petition of E. Parker, and others, inhabitants of the Village of St. Catherines, in the Niagara District: which was laid on the table.

Agreeably to the order of the day, the petition of Charles Dix, and one hundred and seventeen others, of the township of Matilda, in the Johnstown District, praying that a tax may be levied on a line of stages, running thro' said township, and the proceeds be appropriated towards the repair of the roads through the same, and the petition of Lot Richardson, and 99 others, of the township of Edwardsburgh, praying as above—the petition of John Brant, Esquire, Superintendent of the Indian Department, praying that dams may not be erected across the River Ouse, or Grand River, to the injury of the Indians,—the petition of Jacob Hollingshead, and 13 others, of the Home District, praying that an act may be passed, enabling people more readily to recover strayed cattle—the petition of Mahlon Burwell, Esquire, praying that an act may be passed, authorising the construction of a harbour at the mouth of big Otter Creek, on Lake Erie—and the petition of Frederick Yeoward, of Mount Pleasant, praying to be employed as a copying Clerk, in the office of the Clerk of Assembly—were read.

Mr. Fothergill, seconded by Mr. Wilkinson, moves, that the petition of Joseph Shepard, and others, be referred to a select committee with power to send for persons and papers and to report by bill or otherwise, and that Messrs. Ketchum, Smith, Ewing, and Malcolm, do compose the same.

Which was ordered.

Mr. Shaver, seconded by Mr. Brouse, moves, that the petition of Simon Fraser, and others, and the petition of Charles Dix, and others, be referred to a select committee, to be composed of Messrs. Perry and Peterson, with power to report thereon by bill or otherwise.

Which was ordered.

Mr. Leflerty, seconded by Mr. Terry, moves, that the petition of John Brant, be referred to a select committee to be composed of Messrs. John Rolph and Hamilton, with power to send for persons and papers, and to report thereon.

Which was ordered.

At eleven o'clock, A. M. the House adjourned for one hour.

At twelve o'clock, M. the House met pursuant to adjournment.

Agreeably to the order of the day, the House went into committee on the Light House bill.

Mr. M'Lean was called to the chair.

The House resumed.

Mr. M'Lean reported the bill as amended.

On the question for receiving the report, the House divided, and the Yeas and Nays were taken as follows:—

YEAS—Messrs. Attorney General, Baby, Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Dalton, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hornor, Ketchum, Kilborn, Leflerty, Lockwood, Longley, Lyons, M'Call, M'Donald, Malcolm, Perry, Radenhurst, Randal, George Rolph, John Rolph, Smith, Wilkinson, John Willson, and Woodruff—33.

NAY—Mr. Mackenzie—1.

The question was carried in the affirmative by a majority of thirty-two, and the bill was ordered to be engrossed and read a third time to-morrow.

Mr. Woodruff, from the committee to which was referred the two several petitions from the Trustees of the Grantham Academy, informed the House, that the Committee had agreed to make their first 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 ordered to be received, and the bill was read the first time, and ordered for a second reading to-morrow.

Mr. Leflerty, from the committee to which was referred the petition of John Eastwood and Colin Skinner, Paper-makers, informed the House, that the committee had agreed to a report, which he was directed to submit whenever the House would please to receive the same.

The report was ordered to be received, and was read.

REPORT.—(SEE APPENDIX.)

Agreeably to the order of the day, the House went into committee of the whole on the answer of His Excellency the Lieutenant Governor to the address of this House on losses.

Mr. Radenhurst was called to the chair.

The House resumed.

Mr. Radenhurst reported progress, and obtained leave to sit again to-morrow.

Adjourned.

Tuesday, 10th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Longley brought up the petition of W. T. Jones, and others, of the Counties of Grenville and Leeds, in the Johnstown District; which was laid on the table.

Mr. Leflerty brought up the petition of Joseph Brown, and others, of the Town and Township of Niagara; which was laid on the table.

Agreeably to the order of the day, the Light House bill was read the third time.

Mr. Wilkinson, seconded by Mr. M'Call, moves, that the Light House bill be amended by expunging the word "finishing," in press. 2, line 2, and inserting the word "furnishing," in its place.

Which was carried, and the bill amended accordingly.

Mr. Wilkinson, seconded by Mr. M'Call, moves, that the amendment be now read a second time.

Which was carried, and the amendment was read a second time.

Mr. Wilkinson, seconded by Mr. M'Call, moves, that the amendment be not committed, but be now read a third time.

Which was carried, and the amendment was read a third time, and the bill was passed.

Mr. Wilkinson, seconded by Mr. M'Call, moves, that the bill be entitled, "An Act to provide for the erection of a Light House on Long Point, in Lake Erie."

Which was carried, and Messrs. M'Call and Wilkinson were ordered by the Speaker to carry up the bill entitled, "An Act to provide for the erection of a Light House on Long Point, in Lake Erie," to the Honorable the Legislative Council, and request their concurrence thereto.

Agreeably to the order of the day, the petition of Joseph Keeler, and fifty-two others, of the broken front of the Township of Haldimand, in the Newcastle District, praying for alteration in the Provincial Statute, 59 Geo. 3d, relative to Surveys—and the petition of Samuel Lount, and two hundred and seventy-five others, inhabitants of the Home District, praying that an Act may be passed authorizing the lowering of the water in Lake Simcoe to the depth of seven or eight feet, in order to drain upwards of fifty thousand acres of Land, now inundated by the same—were read.

Mr. Perry, seconded by Mr. Lockwood, moves, that the petition of Francis Collins, praying for remuneration, be referred to the committee for superintending the Printing.

Which was ordered.

Mr. Ewing, seconded by Mr. Smith, moves, that the petition of Joseph Keeler, and others, of the Township of Haldimand, be referred to a select committee, with power to report by bill or otherwise, and that Messrs. Fothergill and John Willson do compose the same, and that the 40th rule of this House be dispensed with as far as it relates to this petition.

Which was ordered.

The House then adjourned till 4 o'clock, P. M.

At 4 o'clock, P. M. the House met pursuant to adjournment.

Agreeably to the order of the day, the bill for the relief of Phillip Ferguson Hall, was read the second time, and referred to a committee of the whole House.

Mr. Lockwood was called to the chair.

The House resumed.

Mr. Lockwood reported progress, and obtained leave to sit again this day three months.

Mr. Hornor, from the committee to wait on His Excellency the Lieutenant Governor, with the address of this House, reported by the committee on Education, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

The information solicited in this address shall be laid before the House of Assembly.

Mr. Dalton, seconded by Mr. Perry, moves, that three hundred copies of the Public Accounts be printed for the use of members.

Which was carried.

Adjourned.

Wednesday, 11th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. M'Donald brought up the petition of Charles Waters, and others, Justices of the Peace for the Ottawa District; which was laid on the table.



Mr. McDonald brought up the petition of Alexander Grant, and others, of the Ottawa District; which was laid on the table.

Mr. McDonald brought up the petition of Simeon Cass, and others, of the Township of Hawkesbury, in the Ottawa District; which was laid on the table.

Captain Matthews brought up the petition of M. White, and others, of Lobo, in the London District; which was laid on the table.

Captain Matthews brought up the petition of John Dingman, of the Township of Westminster, in the London District; which was laid on the table.

Agreeably to the order of the day, the petition of Allan Vanalstine, praying for an Act appointing a Guardian to his brother, Peter Vanalstine, (an idiot), that certain undivided property vested in him may be disposed of for his benefit—and the petition of E. Parkins, and thirty-three others, of the Village of Saint Catharines, in the Niagara District, praying for an Act of Incorporation—were read.

Mr. Woodruff, seconded by Mr. Smith, moves, that the petition of E. Parkins, and others, of the Village of Saint Catharines, be referred to a select committee, composed of Messrs. Hamilton and McDonald, with power to report by bill or otherwise.

Which was ordered.

Mr. Peterson, seconded by Mr. Brouse, moves, that the petition of Allan Vanalstine, be referred to a select committee, to report thereon, and that the said committee be composed of Messrs. Baldwin and McLean.

Which was ordered.

Mr. Blacklock, from the committee to wait upon His Excellency the Lieutenant Governor, with the Address of this House, requesting information relative to the Lands adjacent to Otter Creek, on Lake Erie, reported delivering the same, and that His Excellency had been pleased to give the following answer.

GENTLEMEN,

The information which is solicited in this address, as far as it may be in my power to obtain it, shall be laid before the House of Assembly.

The House then adjourned till 2 o'clock P. M.

At 2 o'clock P. M. the House met pursuant to adjournment.

Mr. Mackenzie, from the committee to examine and report on the state of the Post Office Department in Upper Canada, informed the House that the committee had agreed to their first report, which he was ready to submit whenever the House would be pleased to receive the same.

The report was ordered to be received and was read.

#### REPORT.—(SEE APPENDIX.)

Captain Matthews seconded by Mr. Mackenzie, moves, that the report of the select committee on the Post Office Department be read a second time to-morrow.

Which was carried.

Agreeably to the order of the day, the House went into committee on His Excellency's answer to the address of this House relative to claims.

Mr. Radenburt in the chair.

The House resumed.

Mr. Radenburt reported progress and obtained leave to sit again on Friday next.

Captain Matthews, seconded by Mr. John Rolph, moves, that the House do now adjourn till ten o'clock on Friday morning next.

Which was carried, and the House adjourned till Friday accordingly.

#### *Friday, 13th February, 1829.*

The House met.

Prayers were read.

The minutes of Wednesday were read.

Mr. Hopkins brought up the petition of Charles Biggar, and others, of the Township of Trafalgar; which was laid on the table.

Mr. Perry brought up the petition of Jethro Jackson, and others, of the Midland District; which was laid on the table.

Mr. John Rolph brought up the petition of A. McIntosh, and others, of the Counties of Oxford and Middlesex, in the London District; which was laid on the table.

Mr. Dickson brought up the petition of John Crooks, and others, of the Town and District of Niagara; which was laid on the table.

Mr. Dickson brought up the petition of John Crooks, T. Butler, and others, of the Town of Niagara and its vicinity; which was laid on the table.

Agreeably to the order of the day, the petition of W. T. Jones, and three hundred and thirty-two others, of the counties of Grenville and Leeds, in the Johnstown District, praying for pecuniary aid to repair the road leading from the River Rideau to the River Saint Lawrence; and the petition of Joseph Brown, and 41 others, of the Town and Township of Niagara, praying that no act may pass authorising the stopping up of a certain highway, commonly known as the west line road—were read.

Mr. Longley, seconded by Mr. Kilborn, moves, that the petition of Wm. T. Jones, and others, of the District of Johnstown, be referred to the committee of supply.

Which was carried.

Mr. Blacklock, chairman of the committee appointed to try the merits of the petitions of Thomas D. Morrison, Esquire, and Thomas Stoyell, and others, electors of the Town of York, complaining of the undue election and return of John Beverly Robinson, Esquire, as a member to serve for the Town of York, in the present Parliament, reported to the House, that the committee had met yesterday, pursuant to adjournment, that Mr. Kilborn one of the members representing the County of Leeds, a member of the committee, was absent; that the committee waited an hour, when the absent member not appearing, the committee adjourned till eleven o'clock this day.

In excuse, Mr. Kilborn, stated in his place, that understanding that the election committee were to meet on yesterday, as a matter of form only, and unexpected circumstances having detained him till after the hour to which the committee had adjourned, he thought his attendance at the committee room could be of no avail, and that under the circumstances his absence would be excused by the House.

Mr. McLean, seconded by Mr. Henderson, moves, that it be resolved, that this House being satisfied with the explanation given by John Kilborn,

Esquire, for his absence from the committee on the York contested election, at its meeting of yesterday, do excuse his non-attendance.

Which was carried.

The House then adjourned till 2 o'clock, P. M.

At 2 o'clock, P. M. the House met pursuant to adjournment.

Mr. John Rolph, seconded by Mr. Perry, moves, that it be resolved, that the fifth rule of this House be so far rescinded as that—be a quorum, for reading the minutes, bringing up, reading, and referring petitions; and for receiving and reading messages from His Excellency, and the Legislative Council, and for receiving and reading reports from select committees, but not for acting on them; and for introducing and first reading of bills; but that for all other matters there be a quorum of twenty-five members, including the Speaker, and that the House do not enter on the other orders of the day, till the hour of twelve o'clock, and that this regulation be in force during the residue of this session.

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

YEAS—Messrs. Blacklock, Hornor, McCall, Perry, Peterson, George Rolph, John Rolph, and James Wilson—8.

NAYS—Messrs. Attorney General, Baby, Berczy, Bethune, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Ketchum, Kilborn, Leftery, Lockwood, Longley, McDonald, Mackenzie, McLean, Malcolm, Radenburt, Randal, Samson, Shaver, Smith, Terry, Wilkinson, John Willson, and Woodruff—32.

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

Agreeably to the order of the day, the House went into committee on His Excellency's answer to the address of this House, relative to the losses sustained by certain inhabitants of this Province, during the late war with the United States of America.

Mr. Radenburt was called to the chair.

The Speaker resumed the chair, on a question for order.

The Speaker left the chair.

The chairman resumed the chair.

The House resumed.

The chairman reported progress, and obtained leave to sit again to-morrow.

The House adjourned.

#### *Saturday, 14th February, 1829.*

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Fothergill brought up the petition of James Benson, and others, of the Township of Darlington; which was laid on the table.

Mr. Fothergill brought up the petition of Alexander Fletcher, and others, of the Township of Darlington; which was laid on the table.

Mr. Fothergill brought up the petition of Robert Fairbairn, and others, of the Townships of Darlington and Clarke; which was laid on the table.

Mr. McLean brought up the petition of Staats Sager, and others, of the Township of Tyendenaga; which was laid on the table.

Agreeably to the order of the day, the petition of Charles Waters, and 4 others, Justices of the Peace, in the Ottawa District, praying for a law to alter the times of holding the Quarter Sessions in said District—the petition of Alex. Grant, and twenty-three others, of the Township of Hawkesbury, in the Ottawa District, praying for pecuniary aid, to repair the road leading from point Fortune to the Western boundary of west Hawkesbury—the petition of Simon Cass, of the Township of Hawkesbury, in the Ottawa District, praying for an act of incorporation to hold ground for a school house—the petition of M. White, and 59 others, of the township of Lobo, in the London District, praying for £100 to enable them to perfect a road through said Township—and the petition of John Dingman, praying for remuneration, for losses sustained during the late war with the United States of America—were read.

Mr. Fothergill, seconded by Mr. Smith, moves, that the petitions of James Benson and Alexander Fletcher, relative to the survey of the first concession of the Township of Darlington, be now read, and that the 13d rule of this House be dispensed with, for that purpose, so far as it relates to those petitions.

Which was carried, and the petitions of James Benson and twenty-four others, and Alexander Fletcher, Esq. and forty-four others, of the Township of Darlington, in the Newcastle District, relative to a Survey—were read.

Mr. Fothergill, seconded by Mr. Smith, moves, that the petitions of James Benson, and Alexander Fletcher, be referred to a select committee, with power to send for persons and papers, and to report by bill or otherwise, and that Messrs. Hamilton, John Willson, Ewing, and Smith, do compose the same.

Which was ordered.

Mr. McDonald, seconded by Mr. Blacklock, moves, that the petition of Alexander Grant, Esquire, and others, be referred to the committee of supply.

Which was ordered.

Mr. Cawthra, seconded by Mr. Ketchum, moves, that the petition of Samuel Lount, and others, be referred to a committee consisting of the Attorney General, and Mr. John Rolph, with power to send for persons and papers, and to report thereon.

Which was ordered.

Mr. George Rolph, seconded by Mr. Brouse, moves, that the petition of John Brant and one hundred forty-three others, living on the Lake road between Burlington Bay Canal and York, be referred to a select committee composed of Messrs. Hamilton, John Willson, and Hopkins, to report thereon by bill or otherwise.

Which was ordered.

The House then adjourned till 3 o'clock, P. M.

At 3 o'clock P. M. the House met pursuant to adjournment.

The Speaker informed the House that agreeably to its order, the Clerk had prepared and laid on the table, a tabular statement of all petitions presented to the House during the present and two last sessions of the Provincial Legislature, praying for pecuniary aid for the purpose of making and repairing of roads, building bridges, &c. &c., for the use of members.

Agreeably to the order of the day, the Thorold Glass Company bill, was read the second time, and referred to a committee of the whole.

Mr. Hornor was called to the chair.

The House resumed.

Mr. Hornor reported progress, and obtained leave to sit again on Monday next.

Doctor Baldwin from the committee to which was referred the matter of the Hamilton Outrage and threatened release of Francis Collins by force, presented a first report, which was received and read as follows :

*REPORT in part by the Select Committee of the Commons House of Assembly, to which was referred the enquiry into the Hamilton Outrage.*

Your committee beg leave to report to your Honorable House, that Allan McNab, of the District of Gore, Esquire, Barrister, having been called before them, the following questions were put to him, and to which questions he refuses to answer.

Have you seen the petition in favour of Francis Collins? Refuses to answer.

Have you any idea what circumstances gave rise to the hanging of Sir John Colborne, in effigy?—No.

Is the remark of Mr. Gurnett, in his paper of the 24th January last, relative to the petitioners correct?—I am not bound to answer that question, as I was not summoned for that purpose.

Will you, or will you not answer this question?

I wish it to be understood perfectly respectable towards the committee, and with all deference, I do not think I am bound to answer that question.

Have you any reason to believe that there are any feeling of indignation with the people against Mr. Gurnett for his publication of the 24th January last?

The same answer as before, I am not called to say any thing relative to Mr. Collins nor Mr. Gurnett.

Did you understand that Mr. Gurnett's effigy was hung before that of Sir John Colborne?

I understood it was: but I do not conceive I am bound to answer that question.

All which is respectfully submitted.

(Signed)

W. W. BALDWIN,  
Chairman, Pro. tem.

Committee Room,  
February 14th, 1829.

Dr. Baldwin, seconded by Mr. Perry, moves, that it be resolved, that Allan McNab, Esquire, having refused to answer questions put to him by the select committee appointed to enquire into the Hamilton outrage, and the alleged threatened release of Francis Collins, by force, with power to send for persons and papers, and otherwise demeaning himself before the committee, has been guilty of a high contempt and breach of the privileges of this House.

On which debates ensued.

On the previous question being moved for, viz: shall the question be now put?

The House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, M'Call, M'Donald, Mackenzie, Malcolm, Perry, Peterson, Randal, John Rolph, Shaver, Smith, Terry, Thomson, and Woodruff—25.

NAYS—Messrs. Attorney General, Berczy, Bethune, Ewing, Fothergill, Fraser, Hamilton, Henderson, Longley, Radenurst, Samson, Wilkinson, and John Willson—13.

The question was carried in the affirmative by a majority of twelve, and Dr. Baldwin's question was put.

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

YEAS—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, M'Call, M'Donald, Mackenzie, Malcolm, Perry, Peterson, Randal, J. Rolph, Shaver, Smith, Terry, Thomson, and Woodruff—25.

NAYS—Messrs. Attorney General, Berczy, Bethune, Ewing, Fothergill, Fraser, Hamilton, Henderson, Longley, Radenurst, Samson, Wilkinson, and John Willson—13.

The question was carried in the affirmative by a majority of twelve, and it was resolved accordingly.

Dr. Baldwin, seconded by Mr. Perry, moves, that it be resolved and ordered, that the Speaker do issue his Warrant, directed to the Sergeant at Arms, or his deputy, to apprehend the said Allan McNab forthwith, and bring him to the bar of this House, on Monday next, to answer for such contempt and breach of privilege.

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

YEAS—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, M'Call, M'Donald, Mackenzie, Malcolm, Perry, Peterson, Randal, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, and Woodruff—26.

NAYS—Messrs. Attorney General, Berczy, Bethune, Ewing, Fothergill, Fraser, Hamilton, Henderson, Longley, Radenurst, Samson, Wilkinson, and John Willson—13.

The question was carried in the affirmative by a majority of thirteen, and it was resolved accordingly.

Adjourned till Monday next.

Monday, 16th February, 1829.

The House met.

Prayers were read.

The minutes of Saturday were read.

Mr. Thomson brought up the petition of Bryan Spike and others, of the township of Portland; which was laid on the table.

Captain Matthews brought up the petition of Donald M'Naughton and others, of the township of Aldborough; which was laid on the table.

Captain Matthews brought up the petition of Ira Scofield and others, of the county of Middlesex; which was laid on the table.

Agreeably to the order of the day, the petition of Charles Biggar, and four others, of the township of Trafalgar; the committee appointed for improvement of 16 Mile Creek, praying for further pecuniary aid to enable them to

complete the cutting down the hill and building the bridge over said creek, the petition of Jethro Jackson and one hundred and fifty-three others, of the Midland district praying against any alteration in the Police laws of the Town of Kingsten, the petition of A. M'Intosh and two hundred and forty-six others of the counties of Oxford and Middlesex, in the London district praying that a law may be passed authorising the erection and construction of a harbour at the mouth of Big Otter Creek on Lake Erie, the petition of Thomas M'Cormick and thirty-seven others of the township and district of Niagara, praying that the representatives of towns may receive wages, as well as the representatives of counties; and the petition of John Crooks, T. Butler and thirty-three others, of the Town of Niagara, and its vicinity, praying the House to address His Excellency the Lieutenant Governor, on the subject of persons holding public and responsible situations, who are not residents of the county town, in order that relief may be obtained, were read.

Mr. Perry, seconded by Mr. Thomson moves, that the petition of Jethro Jackson, and others of the Midland district, be referred to the committee of the whole House on the Kingston Police amendment bill.

Which was ordered.

Mr. Lefferty seconded by Mr. Terry moves, that the petition of John Crooks and others of the Town of Niagara respecting the residence of certain district officers, be referred to a select committee; to be composed of Messrs. Dickson and Woodruff, with power to report thereon.

Which was ordered.

Mr. John Rolph seconded by Captain Matthews, moves that the petition of A. M'Intosh and others, be referred to the committee to which was referred the improvement of Otter Creek.

Which was ordered.

Captain Matthews seconded by Mr. M'Call, moves that the petition of George Ward and others, be referred to a select committee consisting of Messrs. Wilkinson, Baby and Berczy, to report thereon.

Which was ordered.

Captain Matthews seconded by Mr. M'Call, moves that the petition of M. White and others, be referred to the select committee to which was referred the petition of Roswell Mount and others.

Which was ordered.

Mr. Woodruff seconded by Mr. Brouse, moves that the petition of Thomas M'Cormick and others, for the payment of Town Members wages, be referred to a select committee composed of Messrs. Terry and Ewing, with power to report by bill or otherwise.

Which was ordered.

Captain Matthews seconded by Mr. Wilkinson, moves that the petition of Joseph Sifton, of the county of Middlesex, be referred to the committee of privileges.

Which was ordered.

The Serjeant at Arms reported that in obedience to the orders of the House, he had taken Allan McNab into custody, and that he was now at the bar.

At eleven o'clock the House adjourned for one hour.

At two o'clock the House met.

Doctor Baldwin, seconded by Mr. Perry, moves that it be resolved, that the report in part of the select committee appointed to enquire into the Hamilton Outrage, and the resolution of the House thereon, be read to Allan McNab, Esquire, now at the bar, and that the Speaker do ask him what he has to say in his defence.

Which was carried, and the report and resolution were read, by the Clerk, as follows:—

*REPORT in part by the Select Committee of the Commons House of Assembly, to which was referred the enquiry into the Hamilton Outrage.*

Your committee beg leave to report to your honorable house, that Allan McNab of the District of Gore, Esquire, Barrister, having been called before them, the following questions were put to him; and to which questions he refused to answer.

Have you seen the petition in favour of Francis Collins?—Refuses to answer.

Have you any idea what circumstances gave rise to the hanging of Sir John Colborne in effigy?—No.

Is the remark of Mr. Gurnett, in his paper of the 24th January last, relative to the petitioners correct?—I am not bound to answer that question, as I was not summoned for that purpose.

Will you, or will you not answer this question?—I wish to be understood perfectly respectable towards the committee, and with all deference, I do not think I am bound to answer that question.

Have you any reason to believe that there are any feelings of indignation with the people against Mr. Gurnett for his publication of the 24th January last?—The same answer as before; I am not called to say any thing relative to Mr. Collins nor Mr. Gurnett.

Did you understand that Mr. Gurnett's effigy was hung before that of Sir John Colborne?—I understood it was; but I do not conceive I am bound to answer that question.

All which is respectfully submitted,

(Signed)

W. W. BALDWIN,  
Chairman, Pro. tem.

Committee Room,  
February 14th, 1829.

Dr. Baldwin, seconded by Mr. Perry, moves that it be resolved, that Allan McNab, Esquire, having refused to answer questions put to him by the select committee appointed to enquire into the Hamilton Outrage and the alleged threatened release of Francis Collins, by force, with power to send for persons and papers, and otherwise demeaning himself before the committee, has been guilty of a high contempt and breach of the privileges of this House.

The Speaker then demanded of the prisoner, Allan McNab, Esquire, what he had to say in his defence.

Mr. McNab, read his defence.

Dr. Baldwin, seconded by Mr. Perry, moves, that it be resolved, that the answer of Allan McNab, Esquire, given at the bar of this House, be taken down in writing by the Clerk, and entered on the Journals.

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

YEAS—Messrs. Attorney General, Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamil-

ton, Henderson, Hopkins, Hornor, Kilborn, Leferty, Lockwood, Longley, McCall, McDonald, M'Lean, Malcolm, Matthews, Perry, Peterson, Radenhurst, Randal, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, and Woodruff—38.

**NAYS**—Messrs. Cawthra, Ketchum, Mackenzie, and James Wilson—4.

The question was carried in the affirmative by a majority of thirty-four, and the defence of Mr. McNab was taken down by the Clerk, and entered on the Journals, as follows:

**MR. SPEAKER:**

I have perused the warrant under which I am brought to the bar of this Honorable House, and (without being understood to admit the legality of my arrest and detention) I beg to observe, that from the process, I only learn in general terms that I have been adjudged guilty of a high contempt and breach of the privileges of this Honorable House, in having refused to answer questions, put to me by the select committee appointed to enquire into what is termed the Hamilton outrage, and the alleged threatened release of Francis Collins, by force, and in otherwise mistreating myself before the said committee.

Under such circumstances, I cannot but complain of being prematurely judged, without enjoying a right inviolably secured by our glorious constitution to the meanest felon, whenever arraigned before a tribunal of Justice.

As long as the resolutions, which it seems were passed against me, in my absence, on Saturday evening, remain recorded on the journals of this Honorable House, I cannot but feel myself accused, tried and convicted, not only unheard, but without notice or intimation, upon the exparte representations of my accusers, and under such circumstances, I am impelled to regard the doors closed against reply or explanation.

Even were the resolutions rescinded, I am constrained respectfully to remark, that I could not, with a confidence equal to the justice of my case, and the innocence of my conduct, cheerfully answer in a place in which I had been once so hastily condemned.

I am in the power of this Honorable House, but I trust still under the shelter of the British Laws. Against the decrees of this Honorable body, I, an humble, and let me add an unoffending individual, am ill able to contend; but my fate to-day may be the fate of another to-morrow, and of hundreds in time to come: the public, whose liberties are dear to them, are as much, nay, more concerned than I am, in this unusual proceeding. To that public I can appeal for vindication; I have no other alternative. To my country I shall turn with confidence; but, whether sustained by its voice or not, there is a spirit of patriotism inflaming my breast, as a British subject, a native of Canada, and an innocent man, that forbids me submissively to yield to the infraction of the best rights and privileges of the people, in my person.

With all due deference and respect to this Honorable House, I most respectfully claim protection, Sir, as a subject of my most gracious Sovereign: I claim the birthright privileges of a Canadian inhabitant, under the sacred auspices of the English Law, dispensed in the spirit of British justice.

Doctor Baldwin, seconded by Mr. George Rolph, moves, that it be resolved, that the answer made by Allan McNab, Esquire, at the Bar of this House, is a further breach of the privileges of this House.

In amendment, Mr. M'Lean, seconded by Mr. Wilkinson, moves, that after the word "that" in the original motion, the whole be expunged, and the following inserted, "the whole of the proceedings in relation to the outrage said to have been committed at Hamilton, in the District of Gore, be expunged from the Journals; and that the select committee appointed to investigate the same, be discharged from the consideration thereof."

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

**YEAS**—Messrs. Berczy, Bethune, Dickson, Hamilton, Henderson, Longley, M'Lean, Radenhurst, Wilkinson, and John Willson—10.

**NAYS**—Messrs. Attorney General, Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hopkins, Hornor, Ketchum, Kilborn, Leferty, Lockwood, M'Call, M'Donald, Mackenzie, Matthews, Perry, Peterson, Randal, G. Rolph, J. Rolph, Shaver, Smith, Terry, Thomson, James Wilson, and Woodruff—32.

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

On the original question the House divided, and the yeas and nays were taken as follows:

**YEAS**—Messrs. Baldwin, Brouse, Hopkins, Hornor, Malcolm, Peterson, George Rolph, and Woodruff—8.

**NAYS**—Messrs. Attorney General, Baby, Berczy, Bethune, Blacklock, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Ketchum, Kilborn, Leferty, Lockwood, Longley, M'Call, M'Donald, Mackenzie, M'Lean, Matthews, Perry, Radenhurst, Randal, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, and James Wilson—35.

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

Doctor Baldwin, seconded by Mr. George Rolph, moves, that Mr. McNab be discharged.

In amendment, Mr. Mackenzie, seconded by Mr. Ketchum, moves, that Mr. McNab be committed to the Gaol of York, under Warrant of the Speaker of this House, directed to the Sergeant at Arms, during the pleasure of this House.

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

**YEAS**—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Hopkins, Hornor, Ketchum, Leferty, Lockwood, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Randal, George Rolph, John Rolph, Shaver, Smith, Thomson, James Wilson, and Woodruff—21.

**NAYS**—Messrs. Attorney General, Berczy, Bethune, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Longley, M'Lean, Peterson, Radenhurst, Terry, Wilkinson, and John Willson—16.

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

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

Doctor Baldwin, seconded by Mr. George Rolph, moves, that Mr. McNab be committed to the Gaol of York under warrant of the Speaker of this House, directed to the Sergeant at Arms, during the pleasure of this House.

Mr. Thomson gives notice, that he will, on to-morrow, move for leave to bring in a bill to make good certain monies advanced by His Excellency the Lieutenant Governor in compliance with the address of this House.

Mr. Perry, seconded by Mr. Mackenzie, moves, that Allan McNab, Esq. be, for his said contempt and breach of privilege, committed to the common Gaol of the Home District, during the pleasure of this House; and that the Speaker do issue his warrant, directed to the Sergeant at Arms, or his Deputy, and the Sheriff or Gaoler of the Home District, authorizing and requiring the Sergeant at Arms, or his Deputy, to take the said Allan McNab to the said Gaol, and the said Sheriff, or Gaoler, to receive the said Allan McNab, and him safely keep in said Gaol, during the pleasure of this House.

Which was carried.

Mr. M'Lean gives notice, that he will, on Wednesday next, move for leave to bring in a bill to enable the magistrates of the Eastern District to borrow a sum of money not exceeding £4000, for the building of a Gaol and Court House in the said District.

Mr. M'Lean, seconded by Mr. Berczy, moves, that the Sergeant at Arms be directed to furnish Allan McNab, Esquire, with a copy of the warrant by virtue of which he has been arrested and brought to the bar of this House.

Which was ordered.

Mr. Mackenzie gives notice, that on to-morrow he will move that it be resolved, that no petition complaining of the election or 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.

Mr. Mackenzie gives notice, that on to-morrow, he will move, that it be resolved, that no petition complaining of the undue election or return of any member returned to serve in this present Parliament, shall be received by this House, unless it be presented within fourteen days from the date; and that no petition complaining of the election or return of any member who may be hereafter returned to serve in this present Parliament, shall be received by this House, unless presented within fourteen days after the said member shall have taken his seat.

Mr. Hamilton, seconded by Mr. M'Lean, moves, that 500 copies of the first report of the select committee on the Hamilton outrage, together with the proceedings and votes thereon, be printed for the use of members.

In amendment, Mr. Ketchum, seconded by Mr. Mackenzie, moves, that the following words be added, "together with the several motions and resolutions on the Hamilton outrage."

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

**YEAS**—Messrs. Berczy, Buell, Dickson, Ewing, Hamilton, Henderson, Ketchum, Longley, Mackenzie, M'Lean, Randal, and Wilkinson—12.

**NAYS**—Messrs. Baldwin, Blacklock, Brouse, Cawthra, Hopkins, Hornor, Leferty, Lockwood, M'Call, M'Donald, Malcolm, Perry, Peterson, George Rolph, Shaver, Smith, Terry, John Willson, and Woodruff—19.

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

On the original question the House divided, and the Yeas and Nays were taken as follows:

**YEAS**—Messrs. Berczy, Buell, Dickson, Ewing, Hamilton, Longley, Mackenzie, Wilkinson, and John Willson—9.

**NAYS**—Messrs. Baldwin, Blacklock, Brouse, Cawthra, Hopkins, Hornor, Ketchum, Leferty, Lockwood, M'Call, M'Donald, Malcolm, Perry, Peterson, Radenhurst, George Rolph, Shaver, Smith, Terry, and Woodruff—20.

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

Mr. Mackenzie, seconded by Mr. Cawthra, moves, that besides the usual quantity for the Journals, there be now printed, for the use of members, 50 copies of the report of the select committee on the Post Office Department.

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

**YEAS**—Messrs. Baldwin, Berczy, Blacklock, Brouse, Buell, Cawthra, Ewing, Hopkins, Hornor, Ketchum, Lockwood, Longley, McDonald, Mackenzie, Perry, Peterson, Randal, George Rolph, Shaver, and Woodruff—20.

**NAYS**—Messrs. Leferty, M'Call, Malcolm, Smith, and Terry—5.

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

The Speaker then read the warrant for the commitment of Allan McNab to the common Gaol of the Home District, which was approved, and signed by the Speaker, and put into the hands of the Sergeant at Arms for execution; which warrant is as follows:

The Speaker of the House of Assembly in Session at York, this sixteenth day of February, in the year of our Lord one thousand eight hundred and twenty-nine—

To the Sergeant at Arms attending the said House of Assembly, or his deputy, and to the Sheriff of the Home District, or his Gaoler.

WHEREAS the House of Assembly has resolved and adjudged, that Allan McNab having refused to answer questions put to him by the select committee appointed to enquire into the Hamilton outrage, and the alleged threatened release of Francis Collins, by force, with power to send for persons and papers, and otherwise mistreating himself before the said committee, has been guilty of a high contempt and breach of the privileges of the said House of Assembly, and has thereupon ordered me to issue my warrant directed to the Sergeant at Arms, or his deputy, and the Sheriff, or his gaoler, of the Home District, authorizing and requiring the Sergeant at Arms, or his deputy, to take the said Allan McNab to the said Gaol, and the said Sheriff or Gaoler, to receive the said Allan McNab, and him safely keep in said Gaol, during the pleasure of the House, for his said contempt and breach of privilege. This is therefore to command you, the said Sergeant at Arms, or your deputy, to take the said Allan McNab, and deliver him into the custody of the Sheriff of the Home District, or his Gaoler, and the said Sheriff or his Gaoler to receive the said Allan McNab into his custody, and him safely keep during the pleasure of the House.

Given under my hand and seal at York, in the Home District, this sixteenth day of February, in the year of our Lord, 1829.

(Signed) MARSHALL S. BIDWELL, [L. S.]  
Speaker.

Adjourned.



Tuesday, 17th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Mackenzie brought up the petition of Rueben Alward, of the Town of York; which was laid on the table.

Mr. Mackenzie brought up the petition of Charles McIntosh, and others, of the Town of York. (Jurors.) which was laid on the table.

Mr. Lefferty brought up the petition of John Chisholm, and John Brant, of the Township of Flamboro; which was laid on the table.

Mr. Dickson brought up the petition of John Martindale, of the Town of Dalhousie, in the County of Lincoln; which was laid on the table.

Mr. Dickson brought up the petition of Alexander McDonell, and others, of the Eastern District; which was laid on the table.

Agreeably to the order of the day, the petition of Robert Fairbairn, and eighty-eight others, of the Townships of Darlington, and Clarke, praying for a law to protect more effectually the Salmon fishery—and the petition of Staats Sager, and twenty-nine others, of the Township of Tyendinaga, praying that the said Township may be detached from the county of Hastings, and annexed to the county of Lennox, were read.

Mr. Hopkins, seconded by Mr. Woodruff, moves, that the petition of Charles Biggar, and others, be referred to a select committee, composed of Messrs. Longley, Hamilton, George Rolph, and Hornor, with power to send for persons and papers, and to report thereon.

Which was ordered.

Captain Matthews, seconded by Mr. John Rolph, moves, that the petition of Mr. McCall, and others, of the Township of Dunwich, praying for pecuniary aid to make a road over a certain swamp in said Township, be referred to the committee of supply.

Which was ordered.

Captain Matthews, seconded by Mr. John Rolph moves that the petition of Charles Perkins, be referred to the committee of supply.

Which was ordered.

Captain Matthews, seconded by Mr. Wilkinson, moves, that the petition of John Dingman be referred to the committee of Supply.

Which was ordered.

Mr. Dickson, seconded by Mr. Terry moves, that the petition of Edward McBride, be referred to a select committee consisting of Messrs. John Rolph, and Thomson, with power to send for persons and papers, and to report thereon by bill or otherwise, and that the select committee, heretofore appointed thereon be discharged therefrom.

Which was ordered.

The House then adjourned till 3 o'clock, P. M.

At 3 o'clock P. M. the House met pursuant to adjournment.

Mr. Mackenzie, seconded by Captain Matthews, moves, that it be resolved, that the Edinburgh Review, the Quarterly review, Blackwood's Edinburgh Magazine, the New London Monthly Magazine, Bell's Weekly Messenger, the Journals of the House of Commons, the Westminster Review, the North American Review, the Royal Calendar, the Irish Almanack, the Edinburgh Almanack, Silliman's Journal of the Arts and Sciences, the Statutes of Great Britain and Ireland, the Statutes of New Brunswick, the Statutes of Nova Scotia, and the Statutes of Lower Canada, beginning with the first numbers or volumes, for 1828, be added to the Library, and continued for the use of the Legislature from year to year; and that the expense be paid out of the contingent fund.

In amendment, Mr. Woodruff, seconded by Mr. Malcolm, moves, that all after the word "moves," in the original motion be expunged, and the following inserted; "that a select committee be appointed to enquire and report to this House whether it is expedient to augment the Library, and that Messrs. Terry, Dickson, and Lefferty, compose this committee."

Which was lost.

In amendment to the original motion, Mr. Dickson, seconded by Mr. Blacklock, moves, that after the word "moves," the whole be expunged, and the following be inserted, "that a conference be requested with the Honorable the Legislative Council, on the subject of increasing the library of the two Houses of the Legislature."

Which was carried.

The original question as amended, was then put and carried.

Mr. Mackenzie, seconded by Captain Matthews, moves, that a conference be requested with the honorable the Legislative Council, on the subject of increasing the library of the two Houses of the Legislature.

Agreeably to the order of the day, the House went into committee of the whole, on the petition of Joseph Cawthra, and one thousand six hundred and twenty-eight others, of the Home District.

Mr. Brouse was called to the chair.

The committee rose on a question of order.

The Speaker resumed the chair,

The Speaker left the chair.

The chairman resumed the chair of the committee.

The House resumed.

Mr. Brouse reported progress, and obtained leave to sit again to-morrow.

Mr. Mackenzie, seconded by Doctor Baldwin, moves, that the committee of the whole on the petition of Joseph Cawthra, and one thousand six hundred and twenty-eight others, inhabitants of the Home District, be the first item on the order of the day, to-morrow.

Which was ordered.

Adjourned.

Wednesday, 18th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Wilkinson brought up the petition of A. A. Rapelje, and others, of the county of Norfolk, in the London District; which was laid on the table.

Mr. Attorney General brought up the petition of Lieutenant Colonel By, Royal Engineers, and others, of the Townships of Nepean, Gloucester, Osgoode, North Gower, Marlborough, Goulbourn, March, Huntley, Torbolton, Fitzroy, Pakenham, McNab, and Horton, in the Districts of Bathurst, Johnstown, and Ottawa, which was laid on the table.

Agreeably to the order of the day, the petition of Bryant Spike, and fifty-nine others, of the Township of Portland, in the Midland District, praying for pecuniary aid to make passable a road leading from Camden through the Townships of Portland and Kingston—the petition of Donald McNaughton, and sixty-two others, of the Township of Aldborough, in the London District, complaining of the manner in which the Post Office Department is conducted in Upper Canada—and the petition of Ira Schofield, and four hundred and forty-two others, of the County of Middlesex, in the London District, praying for £500 to be appropriated and expended in opening a Road from the Town of London to the Township of Oxford—were read.

Mr. Thomson, seconded by Mr. Perry, moves, that the petition of Bryant Spike, and others, be referred to the committee of supply.

Which was ordered.

Captain Matthews, seconded by Mr. Mackenzie, moves, that the petition of Donald McNaughton, and others, be referred to the select committee on the Post Office enquiry.

Which was ordered.

At 11 o'clock, A. M. the House adjourned till 3 o'clock, P. M.

At 3 o'clock, P. M. the House met pursuant to adjournment.

Mr. Thomson, seconded by Mr. Dickson, moves, that Allan McNab, Esquire, now in the Gaol of the Home District, be forthwith discharged.

On which the House divided, and the Yeas and Nays were taken as follows:—

YEAS—Messrs. Attorney General, Berczy, Bethune, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Longley, McLean, Terry, Thomson, Wilkinson, and John Willson—15.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Randal, G. Rolph, J. Rolph, Shaver, Smith, James Wilson, and Woodruff—26.

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

Doctor Baldwin, from the committee to which was referred the matter of the Hamilton Outrage, and alleged threatened release, by force, of Francis Collins, presented a second report, in part, which was received and read as follows:

*SECOND REPORT, in part, of the Committee appointed to enquire into the Hamilton Outrage.*Committee Room,  
February 18th, 1829. }PRESENT—W. W. BALDWIN, Esquire—Chairman.  
PETER PERRY, Esquire.  
GEORGE BROUSE, Esquire.

Henry John Boulton, Esquire, Solicitor General, called as a witness:

Question—Do you know any thing relative to the Hamilton Outrage?—

Answer—I wish to know whether I am called on by the committee as a matter of right, or as of civility on my part, to answer? Q. I wish to know this from the committee?—A. The committee reply, that we call on you as a matter of right.—A. I respectfully protest against the legality of thus calling upon me to answer; the thirty-first of the late King, which is our constitution, in my opinion, confers no such authority, and therefore I deem it illegal; nevertheless, I submit to the decision of the House, and trust they will see that no improper use will be made of the power now exercised.

Mr. Boulton here expressed himself thus—I should be glad to be informed by the Chairman at whose instance or suggestion a summons was issued requiring me to attend this committee?

A. The committee reply—that in the course of the examination of John Erwin, he, John Erwin, made use of the Solicitor General's name, and said he was at Hamilton about the time of the outrage—that he saw him at the Sheriff's door, and that he probably knew something of the matter.

Q. The Solicitor General adds—I wish to know from the committee whether they will allow me the privilege of appealing to the House from their decision, as to the legality of their thus calling upon me to answer, as I wish to be heard at the bar of the House in opposition to the authority thus exercised, nevertheless, if the committee insist upon my answering any question, I am willing to do so?

A. The committee reply that they do not feel that they have any power to grant or refuse any privilege to any person.

The committee are but the delegates of the House of Assembly to a certain object, and the witness now present protesting against the authority of the committee, in this particular—the committee state to him—that they will not propound any question whatever under the unconstitutional objection raised by him, that they will report this proceeding to the House for its consideration and judgment.

W. W. BALDWIN,  
Chairman, Pro. tem.

Mr. Secretary Mudge brought down from His Excellency the Lieutenant Governor a message, with other documents, and, having delivered the same to the Speaker, retired.

The Speaker then, read the message as follows:

J. COLBORNE,

The Lieutenant Governor, transmits for the information of the House of Assembly, a statement of the Funds which have been received and set apart, for the erection of an University in this Province, in compliance with the address of that House.

Government House,  
18th February, 1829.

The Documents were then read by the Clerk.

DOCUMENTS.—(SEE APPENDIX.)

Mr. John Rolph seconded by Captain Matthews, moves, that an address of thanks be presented to His Excellency, to thank him for his message of this day and that Messrs. Brouse and Perry, be a committee to draft and report the same.

Which was ordered.

Agreeably to notice Mr. Thomson seconded by Mr. Perry, moves, for leave to bring in a bill to make good certain monies advanced by His Excellency the Lieutenant Governor, in compliance with the address of this House.

Which was granted and the bill read and ordered for a second reading to-morrow.

Agreeably to the order of the day, the House went into committee of the whole on the petition of Joseph Cawthra and others.

Mr. Brouse was called to the chair.

The committee rose on a question of order.

The Speaker resumed the chair.

The Speaker left the Chair.

The Chairman resumed the chair of the committee.

The House resumed.

Mr. Brouse reported progress and obtained leave to sit again to-morrow.

Mr. Mackenzie, seconded by Captain Matthews, moves, that the committee of the whole on the Petition of Joseph Cawthra and others be the first article on the order of the day for to-morrow.

Which was lost

Mr. Perry, from the committee appointed to draft an address to His Excellency the Lieutenant Governor, thanking him for his message of this day reported a draft which was received and read twice, concurred in and ordered to be engrossed and read a third time this day

Mr. Attorney General gives notice, that he will move, to-morrow for leave to bring in a bill to restrain the sale of spirituous liquors to Indians

Mr. Buell, gives notice, that he will on to-morrow move, certain resolutions in relation to the freedom of Elections.

Adjourned

Thursday, 19th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Woodruff brought up the petition of John Decow, and others, of the Township of Thorold in the District of Niagara; which was laid on the table

Captain Matthews brought up the petition of Daniel Malcolm, and others, of the Township of Bayham, in the London District; which was laid on the table.

Mr. Peterson brought up the petition of John Tripp, and others, Inhabitants of the Maitland District; which was laid on the table.

Mr. Lefferty brought up the petition of Captain John Putnam, of the Township of Bertie, in the Niagara District; which was laid on the table.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, thanking him for his message of yesterday, was read the third time, passed and signed and is as follows:

To His Excellency SIR JOHN COLBORNE, Knight  
Commander of the Most Honorable Military Order of  
the Bath, Lieutenant Governor of the Province of Up-  
per Canada, and Major General commanding His Ma-  
jesty'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 message of yesterday, respecting the funds reserved  
for the University in this Province.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
19th February, 1829. } Speaker.

Mr. John Rolph, seconded by Mr. McCall, moves, that Messrs. Captain  
Matthews and Cawthra be a committee to wait upon His Excellency to  
learn when he will be pleased to receive the address, and to present  
the same

Which was ordered.

Agreeably to the order of the day, the petition of Reuben Alward, of  
the Town of York, praying for arrears of pension—the petition of Charles  
McIntosh, and six others, of the town of York, praying for redress of griev-  
ances sustained by them while in the execution of the duty of petit Jurors,  
at the late Quarter Sessions, for the Home District—the petition of John  
Chisholm, and John Brant, of the township of Flamboro, in the District of  
Gore praying for compensation for losses sustained by them, by removal of  
the outlet of Burlington Bay—the petition of John Martindale, of the Town  
of Dalhousie, in the county of Lincoln, praying for remuneration for his  
lands erroneously sold by the commissioners of forfeited estates—and the  
petition of Alexander McDonnell and one thousand one hundred and seventy  
one others, inhabitants of the Eastern District, praying that an act may be  
passed authorising the District Court, and Court of General Quarter Ses-  
sions, to be holden alternately in every county throughout the Province, and  
that Gaols, and Court Houses, may be erected in the said counties, at such  
place in each county, as the majority of the magistrates of each District, or  
disinterested commissioners to be appointed for that purpose, may consider  
most convenient for the inhabitants—were read

The House then adjourned till 3 o'clock, P. M.

At 3 o'clock, P. M. the House met pursuant to adjournment.

Mr. Dickson, seconded by Mr. Ewing, moves, that the petition of John  
Martindale, be referred to a select committee, composed of Messrs. Ter-  
ry, and Woodruff, with power to send for persons and papers, and to re-  
port thereon by bill or otherwise.

Which was ordered.

Dr. Baldwin, seconded by Mr. James Wilson, moves, that it be resolved,  
that the conduct of Henry John Boulton, Esquire, Solicitor General, as  
reported by the select Committee upon the Hamilton outrage, is a high  
contempt and breach of the privileges of this House.

In amendment, Mr. Radenburst, seconded by Mr. Longley, moves, that  
after the word "resolved," the whole be expunged and the following in-  
serted, "that Henry John Boulton be summoned to the Bar of this House,  
to answer an alleged breach of the privileges of this House."

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

YEAS—Messrs. Attorney General, Berczy, Bethune, Dickson, Fraser,  
Henderson, Longley, McLean, Radenburst, and Terry—10.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dal-  
ton, Ewing, Fothergill, Hornor, Ketchum, Kilborn, Lockwood, McDon-

aid, Mackenzie, Malcolm, Matthews, Perry, Peterson, Randal, George  
Rolph, John Rolph, Shaver, Thomson, James Wilson, and Woodruff—26.

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

The Master in chancery brought down from the Honorable the Legisla-  
tive Council, the bill entitled "An Act to provide for the erection of a  
Light House, on Long Point, in Lake Erie," and the bill entitled "An  
Act to provide for the a mission of the evidence of Quakers, Menonists,  
Tunkers, and Moravians, in criminal cases;" both of which the Honorable  
the Legislative Council had passed without amendment.

In amendment to the original question, Mr. Mackenzie, seconded by Mr.  
Ketchum, moves, that after the word "resolved," the whole be expunged  
and the following words added, "that the questions put to Mr. Boulton by  
the select committee were fit and proper, and that he (Mr. Boulton) be  
again brought before the said committee, and that they receive his testi-  
mony, if they think fit to do so."

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

YEAS—Messrs. Attorney General, Berczy, Bethune, Dickson, Fraser,  
Henderson, Ketchum, Kilborn, Longley, Mackenzie, McLean, Radenburst,  
Terry, and Wilkinson—14.

NAYS—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton,  
Ewing, Fothergill, Hamilton, Hopkins, Hornor, Lefferty, Lockwood, McCall,  
McDonald, Malcolm, Matthews, Perry, Peterson, Randal, George Rolph,  
John Rolph, Shaver, Thomson, James Wilson, John Willson, and Wood-  
ruff—27.

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

The Master in Chancery brought down from the Honorable the Legisla-  
tive Council a message, and, having delivered the same to the Clerk,  
retired

The Speaker then read the message as follows:

MR. SPEAKER:

The Legislative Council accedes to the request of the House of As-  
sembly for a conference on the subject of increasing the Library of the  
two Houses, and have appointed a committee of two of its members who  
will be ready to meet a committee of the House of Assembly in the joint  
committee room to-morrow at twelve o'clock at noon.

Legislative Council Chamber, } J. BABY,  
19th day of February, 1829. } Speaker.

Doors closed.

Doors opened.

On the original question of Doctor Baldwin, the House divided, and the  
Yeas and Nays were taken as follows:

YEAS—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton,  
Ewing, Fothergill, Hopkins, Hornor, Lefferty, Lockwood, McCall, Mc-  
Donald, Malcolm, Matthews, Perry, Peterson, Randal, George Rolph,  
John Rolph, Shaver, Thomson, James Wilson, and Woodruff—25.

NAYS—Messrs. Attorney General, Berczy, Bethune, Dickson, Fraser,  
Hamilton, Henderson, Ketchum, Kilborn, Longley, Mackenzie, McLean,  
Terry, Wilkinson, and John Willson—16.

The question was carried in the affirmative by a majority of nine, and  
it was resolved, that the conduct of Henry John Boulton, Esquire, Solicitor  
General, as reported by the select committee upon the Hamilton outrage,  
is a high contempt and breach of the privileges of this House.

Doctor Baldwin, seconded by Mr. James Wilson, moves, that it be re-  
solved, that the Speaker do issue his Warrant to the Sergeant at Arms,  
or his deputy, to take into custody Henry John Boulton, Esquire, Solicitor  
General, for his high contempt and breach of the privileges of this House,  
in his conduct before the select committee appointed to inquire into the  
Hamilton outrage, and to bring him up to-morrow to the bar of this House,  
to answer for his said contempt.

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

YEAS—Messrs. Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton,  
Ewing, Fothergill, Hopkins, Hornor, Lefferty, Lockwood, McCall, Mc-  
Donald, Malcolm, Matthews, Perry, Peterson, Randal, George Rolph, John Rolph,  
Shaver, Thomson, James Wilson, and Woodruff—25.

NAYS—Messrs. Attorney General, Berczy, Bethune, Dickson, Fraser,  
Hamilton, Henderson, Ketchum, Kilborn, Longley, Mackenzie, McLean,  
Radenburst, Terry, Wilkinson, and John Wilson—16.

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

Mr. Wilkinson, seconded by Mr. McCall, moves, that Messrs. Attorney  
General, Thomson, Fothergill, and Dickson, be a committee to meet a  
committee of the Honorable the Legislative Council, in the joint committee  
room, to-morrow at 12 o'clock at noon, to confer on the subject of in-  
creasing the Library of the two Houses.

Which was ordered.

Adjourned.

Friday, 20th February, 1829.

The House met.

Prayers were read.

The minutes of Yesterday were read.

Mr. John Rolph brought up the petition of Doyle McKenny and Henry  
Fisher, of the County of Middlesex; which was laid on the table.

Mr. Fraser brought up the petition of Duncan Cameron, Esquire, and  
others, of the county of Glengarry, in the Eastern District; which was laid  
on the table.

Mr. Hopkins brought up the petition of Archibald Fletcher, of Trafalgar;  
which was laid on the table.

Agreeably to the order of the day, the petition of A. A. Rapelje, and  
nineteen others, of the County of Norfolk, in the London District, praying  
for pecuniary aid for the purpose of opening a road from thence to the Gore  
and Niagara Districts—and the petition of Lieutenant Colonel By, of the  
Royal Engineers; and nine hundred and ninety-four others, of the Town-  
ships of Nepean, Gloucester, Osgoode, North Gower, Marlborough, Goul-  
bourn, March, Huntly, Torbolton, Fitzroy, Packenham, McNab, and Horton  
in the Districts of Johnstown, Bathurst, and Ottawa, praying that the be-  
fore mentioned Townships may be formed into a separate District, and that  
Bytown may be made the District Town for such New District—were read.

Mr. Thomson, from the committee appointed to report on the Laws about to expire, presented the following report:

The Committee appointed to report to your Honorable House what Laws have expired since the last Session of the Provincial Legislature, and what Laws are about to expire, beg leave to report as follows:

An Act passed in the fourth year of His Majesty's reign, entitled, "An Act to repeal part of, and continue and amend, the Laws now in force imposing a duty on Licences to Inn-keepers within this Province;" and an Act passed in the same year, entitled, "An Act to continue and amend an Act passed in the fifty-eighth year of his late Majesty's reign, entitled, 'An Act to continue the Laws now in force for granting an additional duty on Shop Licences, and to require persons selling spirituous liquors by wholesale to take out a Licence for that purpose,'" will expire at the end of the present Session.

All which is respectfully submitted.

Committee Room,  
February 18th, 1829. }

H. C. THOMSON,  
Chairman,

Mr. Wilkinson, seconded by Mr. Fothergill, moves, that the petition of A. A. Rapelje, and others, be referred to a select committee composed of Messrs. Hamilton and M'Call, to report thereon by bill or otherwise.

Which was ordered.

Mr. George Rolph, seconded by Mr. Blacklock, moves, that the petition of Ira Schofield, and others, of the London District, be referred to a select committee, composed of Messrs. Hornor, Hopkins, Hamilton and Matthews, to report thereon by bill or otherwise.

Which was ordered.

Mr. Lefferty, seconded by Mr. Terry, moves, that the petition of John Chishalm and John Brant, be referred to the committee to whom was referred the petition of John Brant, and others, with power to send for persons and papers, and to report thereon.

Which was ordered.

Adjourned till 1 o'clock. P. M.

At 1 o'clock, P. M. the House met pursuant to adjournment.

The Sergeant at Arms reported that he had taken into custody Henry J. Boulton, Esquire, and that he was at the bar of the House.

Doctor Baldwin, seconded by Mr. James Wilson, moves, that the second Report in part of the Select Committee appointed to enquire into the Hamilton Outrage, and the resolutions thereon, be read to Henry John Boulton, now in custody at the bar, and that the Speaker do thereupon ask him what he has to say in his defence.

Which was carried, and the report and resolutions were read by the Clerk.

Mr. Speaker then demanded of the prisoner what he had to say in his defence.

Mr. Boulton then made his defence verbally.

Doctor Baldwin, seconded by Mr. Woodruff, moves, that the reply of the prisoner at the bar, be taken down in writing by the Clerk, and entered on the Journals.

Which was carried, and is as follows:

"When I was before the select committee appointed to enquire into the Hamilton Outrage, I had no intention of committing any breach of the privileges of this House, or of offering the committee any disrespect. I merely expressed my honest conscientious opinion upon what I considered a legal question, which, I thought, as a British Subject, I had a right to do. If, however, my opinion was overruled, I stood ready to answer, as I now do, if the House desire it; and I must, unequivocally deny that I meant any offence either to the House or to the committee; neither had I any intention of disobeying their orders."

Mr. John Rolph, seconded by Doctor Blacklock, moves, that Henry John Boulton, Esquire, be admonished by the Speaker, and discharged, on payment of fees to the Sergeant at Arms.

In amendment, Doctor Baldwin, seconded by Mr. James Wilson, moves, that all be expunged in the original motion, after the word "move," and the following added, "that the apology made to this House by Henry J. Boulton, the prisoner at the Bar, is not satisfactory."

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

YEAS—Messrs. Baldwin, Randal, and James Wilson—3.

NAYS—Messrs. Attorney General. Baby, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, M'Call, M'Donald, Mackenzie, M'Lean, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Terry, Thomson, Wilkinson, John Willson, and Woodruff—32.

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

In amendment to the original question, Mr. John Willson, seconded by Captain Matthews, moves, that the words "upon payment of fees to the Sergeant at Arms," be expunged.

Which was carried.

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

YEAS—Messrs. Attorney General. Baby, Baldwin, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, M'Call, M'Donald, M'Lean, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Terry, Thomson, John Willson, and Woodruff—36.

NAYS—Messrs. Hamilton, Mackenzie, and Wilkinson—3.

The question was carried in the affirmative by a majority of thirty-three, and it was ordered, that Henry John Boulton, Esquire, be admonished by the Speaker, and discharged.

The Speaker then admonished the prisoner, and ordered the Sergeant at Arms to discharge him.

Mr. Secretary Mudge brought down from His Excellency several messages and documents, and having delivered the same to the Speaker, retired.

The Speaker then read the messages as follows:

J. COLBORNE,

The Lieutenant Governor transmits for the information of the

House of Assembly, copies of returns of the population, and of the rateable property, in the several Districts in this province, which have been received.

Government House,  
20th February, 1829. }

J. COLBORNE,

The Lieutenant Governor, transmits for the information of the House of Assembly, a copy of a report made to him by the President of the General Board of Education, together with copies of all reports of the trustees of the public District Schools, and of the District Boards of Education, which have been received.

Government House,  
20th February, 1829. }

J. COLBORNE,

The Lieutenant Governor, transmits to the House of Assembly, copies of such accounts of District Treasurers as have been received since the last session of the Legislature.

Government House,  
20th February, 1829. }

J. COLBORNE,

The Lieutenant Governor, transmits for the consideration of the House of Assembly, the copy of a letter which he has received from the Lieutenant Governor of New-Brunswick, forwarding the report of a Canal Committee, respecting a proposed Canal to connect the Saint Lawrence with the Bay of Fundy.

Government House,  
20th February, 1829. }

Population Returns,  
Assessment Returns,  
District School Reports,  
Common School Reports,  
President of General Board's Report.  
Letter from Sir Howard Douglas to His Excellency.

(For above see Appendix.)

Mr. John Willson, seconded by Captain Matthews, moves, that an address be presented to His Excellency the Lieutenant Governor, thanking him for His several messages of this day, and that Messrs. Terry and Fraser be a committee to draft and report said address.

Which was ordered.

Doctor Baldwin, seconded by Mr. John Rolph, moves, that the admonition of the Honorable the Speaker to Henry John Boulton, Esquire, previous to his discharge from the Bar, be entered on the minutes of the House.

Which was carried, *nem. con.*—PRESENT—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Terry, Thomson, John Willson, and Woodruff—and is as follows:

HENRY JOHN BOULTON, Esquire,

It gives me great pain to be called upon to address you in the language of reproof; for I cannot forget your standing, your acknowledged legal acquirements and talents, your high office, and the relation which, in consequence of that office, you sustain to another Branch of the Legislature. These indeed are considerations which materially aggravate the offence of which the House has pronounced you guilty, as they leave it without excuse, and render its consequences more dangerous.

The privileges of the House of Assembly, which you have questioned, have been given to it by the Constitution; and for wise and useful purposes. They are necessary for the preservation of its rights, and the performance of its most important duties. It is the Grand Inquest of the Province. It is not merely allowed, but bound, to inquire into all grievances and abuses, and to remedy them; especially those which, from the rank, influence, or number of delinquents, or from any other circumstance, the ordinary tribunals of justice cannot fully or promptly redress. These privileges, therefore, are necessary for the protection of the people, and the welfare of the Country.

It is to the spirit and firmness with which the House of Commons in England has upon all occasions asserted and maintained its privileges against the King and the House of Lords, and when necessary against popular prejudice, that our parent country owes her liberties, and the best principles of her constitution. They must be as necessary for the protection of the subject and the preservation of liberty in this Province, as they ever have been in England. They should be guarded and supported therefore with the same vigilance and resolution here as they have been in that Country; whose example it is our pride and duty to follow.

It is true that these are large and important powers; but they are dangerous and terrible only to such as have an interest to conceal and continue abuses, which they would be the means of exposing and correcting. They are not without checks, for they can be exercised only under a responsibility which is not merely nominal, or dormant, or which can only be enforced upon the spontaneous motion of an individual, at great expense and hazard, and with much trouble, but which is actually and unavoidably brought into full operation by the people. (for whose benefit these powers are given to the House, and who alone can suffer from their abuse,) at every dissolution of a Parliament, either by the expiration of the limited term, or by the Royal Proclamation.

By every member of the community, a ready and cheerful respect should be shown towards the House of Assembly, who represent the people of the Province; whom the constitution has entrusted with important privileges for the benefit of their constituents, and who are amenable to them for all that they do. But it might in a peculiar degree have been expected



of you, whose duty it is to enforce submission to the laws, and respect for the institutions of the country.

If it be a contempt to resist the execution of the orders of the House, it is doubly so in a person of your character and standing, by a denial of its authority, deliberately to justify such resistance; and by example, and the expression of opinion to induce and encourage others, whenever their interest or feelings might concur, to dispute its rights and to despise its commands.

It is no offence certainly in any one to form an opinion upon political or constitutional questions, or to express it in a temperate and decent manner and upon a proper occasion, but your opinion was offered gratuitously, and in opposition to that of the House, who had decided upon the subject by authorising the committee to examine witnesses and to compel them to attend and give evidence, as well as still more recently and expressly, by punishing the contumacy of another witness before the same committee.

If the House should suffer this formal and gratuitous denial of its authority, made through one of its own committees to itself, in opposition to its own express decisions, to pass unnoticed, how could it punish another who relied upon your opinion, and presumed upon your escape, to justify his contempt of its orders? When could the evil afterwards be checked without punishment! and how could punishment justly be inflicted upon any one, for that, which had been tolerated in others! It is important, therefore, that by its proceedings against you, a warning should be given, before others are led by the influence of your sentiments and conduct, to dispute an authority which the House is bound to vindicate and enforce.

It is necessary that it should go thus far; but it gives me great satisfaction to observe, that its duty does not compel, nor its inclination induce it, in your case, to go any farther than is requisite to obtain this object; and finding from your answer, that you are now disposed to treat its privileges with just and becoming respect, and to defer your own private opinion to the judgment of that body whose constitutional right it is to decide upon its own privileges, it is willing to dismiss you with no other punishment than this admonition from its Speaker. This moderation, is a proof that these privileges have been safely lodged by the constitution in its hands, and that they will never be used in a wanton or oppressive manner. It is by the order and in the name of the House, that I thus admonish you; and direct that the Serjeant at Arms do now discharge you from custody.

Mr. Woodruff from the committee to which was referred the petition of Thomas M'Cormick, and others, of the town and District of Niagara, 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 ordered to be received, and the bill was read the first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the House went into committee on the petition of Joseph Cawthra, and one thousand six hundred and twenty-eight others, of the Home District.

Mr. Brouse was called to the chair.

The House resumed.

Mr. Brouse reported that the committee had agreed to two resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was ordered to be received, leave was granted, and the resolutions were adopted as follows:

Resolved—That it is expedient to address His Excellency to learn who form the council under the constitutional act, the 31st Geo. 3d, c. 31, to advise His Excellency on the affairs of this Province.

Resolved—That the chairman be instructed to move for the appointment of a select committee, to draft an address to His Excellency grounded on the foregoing resolution.

Mr. Brouse, seconded by Mr. Lockwood, moves, that Messrs. Matthews, and Woodruff, be a committee to draft and report an address to His Excellency grounded on the foregoing resolutions.

Which was ordered.

Mr. Fraser from the committee to draft an address to His Excellency the Lieutenant Governor, thanking him for his messages of this day, reported a draft which was received and read twice, concurred in and ordered to be engrossed and read a third time this day.

Captain Matthews from the committee appointed to draft an address to His Excellency the Lieutenant Governor, founded on a resolution reported by the committee of the whole, on the petition of Joseph Cawthra, and others, reported a draft which was received, read twice, concurred in, and ordered to be engrossed, and read a third time this day.

Mr. Perry, from the committee to wait on His Excellency the Lieutenant Governor, with the address of this House, requesting His Excellency to transmit certain resolutions to the Government of Lower Canada, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

I shall lose no time in forwarding to His Excellency the Administrator in Chief, the address and resolutions of the House of Assembly, for the information of the Legislature of Lower Canada.

Agreeably to notice, Mr. Dickson, seconded by Mr. Terry moves for leave to bring in a bill to repeal an act passed in the fortieth year of the reign of the late King, entitled "an act for the more summary conviction of persons selling spirituous liquors without licence," and by enactment to make a more effectual and ample provision for convicting offenders and recovering the penalties.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Adjourned.

Saturday, 21st February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Bethune brought up the petition of the Directors of the Catarqui Bridge Company; which was laid on the table.

Mr. Ewing brought up the petition of Charles Rubridge, and others, of

the county of Northumberland, in the Newcastle District; which was laid on the table.

Mr. Thomson brought up the petition of Jonathan Ogden, of Port Hope, in the Newcastle District; which was laid on the table.

Mr. McLean brought up the petition of Joshua Adams, of the Township of Bathurst, in the Bathurst District; which was laid on the table.

Adjourned till 2 o'clock, P. M.

At 2 o'clock, P. M. the House met pursuant to adjournment.

Doctor Baldwin, seconded by Captain Matthews, moves, that one thousand copies of the second report in part of the select committee appointed to inquire into the Hamilton outrage, with the resolution of the House, and subsequent proceedings thereon, and the admonition of the Honorable the Speaker, be printed for the use of members.

In amendment, Mr. McLean, seconded by Mr. Henderson, moves, that after the word "that," the whole of the original motion be expunged, and the following inserted, "five hundred copies of the two reports of the select committee appointed to enquire into the Hamilton outrage, with the resolutions and proceedings of the House thereon, and the admonition of the Honorable the Speaker to Henry John Boulton, Esquire, be printed for the use of members."

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

YEAS—Messrs. Bethune, Blacklock, Buell, Dickson, Ewing, Fraser, Henderson, Longley, McDonald, Mackenzie, McLean, Malcolm, Radenurst, John Rolph, Terry, and John Wilson—16.

NAYS—Messrs. Attorney General, Baby, Baldwin, Berczy, Brouse, Cawthra, Hopkins, Hornor, Ketchum, Lockwood, McCall, Perry, Peterson, Shaver, Thomson, and Woodruff—16.

The question was carried in the affirmative by the casting vote of the Speaker.

The original question as amended was then put and carried.

Mr. Thomson, seconded by Mr. Perry, moves, that the Clerk of this House be directed to procure from Messrs. Neilson & Cowan, of Quebec, for the use of the members of the Legislature, two hundred copies of the report and evidence of the committee of the British House of Commons, on the Civil Government of the Canadas, and that the expense of the same be charged in the contingent account.

Which was carried.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, thanking him for his messages of yesterday, was read the third time, passed and signed, and is as follows:

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to thank your Excellency for your several messages of yesterday.

Commons House of Assembly,  
21st February, 1829.

MARSHALL S. BIDWELL,  
Speaker.

Mr. John Willson, seconded by Mr. Baby, moves, that Messrs. Terry and Ewing 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, thanking him for his several messages of yesterday, and to present the same.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for information relative to his Constitutional advisers, was read the third time, passed and signed, and is as follows:

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

May it please your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request your Excellency to inform this House who form the Council appointed under the Constitutional Act of the 31st Geo. 3d, Chap. 31, to advise your Excellency upon the affairs of this Province.

Commons House of Assembly,  
21st February, 1829.

MARSHALL S. BIDWELL,  
Speaker.

Mr. John Rolph, seconded by Doctor Baldwin, moves, that Messrs. Perry, and Hornor be a committee to wait upon His Excellency to learn when he will be pleased to receive their address, and to present the same.

Which was carried.

Mr. Perry, seconded by Mr. Hornor, moves, that a message be sent to the Honorable the Legislative Council, requesting that the Honorable William Allan may be permitted to attend and give evidence before the committee to whom was referred the petition of John Gough.

Which was ordered.

Mr. Berczy, seconded by Mr. Hornor, moves, that the papers handed by Julius Morgan to the committee appointed to enquire into the petition of Roswell Mount, and others, be returned to the said Julius Morgan.

Which was carried.

Agreeably to the order of the day, the petition of John Decow, and forty-two others, of the Township of Thorold, praying that certain embankments formed by the Welland Canal Company, may be removed—the petition of Daniel Malcolm, and fifty-four others, of the Township of Bayham, in the London District, complaining of the conduct of Joseph Desfield, a magistrate of said District, and praying the House to address His Excel-

lency on the subject—the petition of John Tripp, and twenty-one others, inhabitants of the Midland District, praying against any alteration in the Kingston Police Laws—the petition of Captain John Putman, of the Township of Bertie, in the District of Niagara, praying to be remunerated for his services during the late war with the United States of America—and the petition of Doyle McKenny, and Henry Fisher, complaining of the Post Office Department, were read.

Mr. McLean, seconded by Mr. Attorney General, moves, that the petition of Joshua Adams be now read, and that the forty-first rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the petition of Joshua Adams, of the Township of Bathurst, in the Bathurst District, praying that the petition of Samuel Swan may not be answered, was read.

Mr. McLean, seconded by Mr. Attorney General, moves, that the petition of Joshua Adams, together with the documents accompanying the same, be referred to the select committee appointed to take into consideration and report upon the petition of Samuel Swan.

Which was ordered.

Mr. Attorney General, seconded by Mr. Berczy, moves, that the petition of Robert Stephens, Esquire, and others be referred to a select Committee, with power to send for persons and papers, and to report by bill or otherwise, and that such committee do consist of Messrs. Radenhurst, McDonald and McLean.

Which was ordered.

Captain Matthews, seconded by Mr. Peterson, moves, that the petition of Doyle McKenny, and Henry Fisher, be referred to the committee on Post Office affairs.

Which was ordered.

Captain Matthews, seconded by Mr. Peterson, moves that the petition of certain inhabitants of the township of Dunwich, complaining of the conduct of Joseph Defield, Esquire, a Justice of the Peace, for the District of London, be referred to a select Committee consisting of Messrs. J. Rolph, and Hornor.

Which was ordered.

Mr. Woodruff, seconded by Mr. Perry, moves, that the petition of John Decow, and others, be referred to a select committee composed of Messrs. Lafferty and Dickson, with power to report by bill or otherwise.

Which was ordered.

Mr. Fraser, seconded by Mr. McLean, moves for leave to withdraw the petition of Duncan Cameron, Esquire, and others, of the county of Glengarry.

Which was ordered.

Mr. Attorney General from the committee to confer with a committee of the Honorable the Legislative Council, on the subject of the Library, presented a report which was received, and read as follows:

The joint committee of conference, on the subject of the Library, met on Friday, the 20th February, 1829, in the joint committee room.

The conferees on the part of the House of Assembly, proposed that it be recommended, to carry into effect the resolution of the joint committee appointed in the session of 1826-7.

And that before any bill is introduced for that purpose, some mode should be suggested by the joint committee for making the selection of Books to be procured, and also the necessary measures for procuring them. To this end they propose that a free conference be arranged for the purpose of discussing the matters last mentioned.

JOHN B. ROBINSON,  
Chairman Committee  
of Assembly.

Joint Committee Room, }  
February 20th, 1829. }

Mr. Hopkins, seconded by Mr. George Rolph, moves, that the report of the select committee on the petition of William J. Sumner, be referred to the committee of supply.

Which was carried.

Agreeably to notice, Mr. Attorney General, seconded Mr. McLean, moves, for leave to bring in a bill for restraining the sale spirituous liquors to Indians.

Which was granted and the bill read and ordered for a second reading to-morrow.

Mr. Dickson, gives notice, that he will on Monday next move, for leave to bring in a bill, to repeal part of and amend the 20th clause of An Act passed in the second year of the reign of the present King, entitled "An Act to repeal part of and amend the laws now in force, respecting the practice of the Court of King's Bench in this Province."

Adjourned till 10 o'clock A. M. on Monday next.

Monday, 23d February, 1829.

The House met.

Prayers were read.

The minutes of Saturday were read.

Mr. Perry brought up the petition of Walter Boswell, and others, of the District of Newcastle; which was laid on the table.

Mr. Perry brought up the petition of T. Beattie, and others, of the Township of Percy, in the District of Newcastle; which was laid on the table.

Mr. Thomson brought up the petition of Mrs. Mary Lawrence; which was laid on the table.

Agreeably to the order of the day, the petition of Archibald Fletcher, of the Township of Trafalgar, in the Gore District praying that he may be remunerated for his time and labor spent and loss sustained in cutting away the Northern Bank of the Twelve mile Creek and building a bridge over said Creek, agreeably to his contract, for that purpose, was read.

Mr. Bethune, seconded by Mr. Dalton, moves, that the message of His Excellency the Lieutenant Governor, respecting the light house on the False Duck's Island, be referred to a select committee, with power to send for persons and papers, and that it do consist of Messrs. Attorney General, Thomson and Longley, and that they have leave to report thereon by bill or otherwise.

Which was carried and ordered.

Doctor Baldwin from the committee to which were referred the Parish and Town Officers bill, and the Jury bill, reported that the committee had agreed to amend the said bills, which bills as amended, he was ready to

submit, whenever the House would be pleased to receive the same.

The report was ordered to be received.

The House then adjourned till 3 o'clock, P. M.

At 3 o'clock P. M. the House met pursuant to adjournment.

The Parish and Town Officers' bill, as amended, was read the first time and ordered for a second reading to-morrow.

The Jury bill as amended by the select committee, was read the first time, and ordered for a second reading to-morrow.

Mr. Hornor, seconded by Mr. McCall, moves, that the name of Mr. Randal be struck off the committee, on the petition of William Forsyth, and the name of Mr. Mackenzie inserted.

Which was ordered.

Doctor Baldwin, gives notice, that he will to-morrow ask leave to bring in a bill to declare the duties of Headborough.

Mr. Hornor from the committee to which was referred the petition of Francis Collins, presented a third report in part; which was received and read.

Third Report of Francis Collins.—(SEE APPENDIX.)

The Master in Chancery brought down from the Honorable the Legislative Council, two messages, and the bill entitled "An Act to repeal an Act passed in the forty-fourth year of George the third, entitled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof." Which they had passed without amendment; and having delivered the same to the Clerk, withdrew.

The messages were then read by the Speaker as follows:

MR. SPEAKER,

The Legislative Council requests a conference with the Commons House of Assembly, on the subject matter of the bill entitled "An Act to incorporate certain persons therein mentioned, under the style and title of the Cobourg Harbour Company," and have appointed a committee of two members, who will be ready to meet a committee of the Commons House of Assembly for that purpose, in the joint committee room on Tuesday next at 12 o'clock, at noon.

Legislative Council Chamber, }  
20th day of February, 1829. }

J. BABY,  
Speaker.

MR. SPEAKER:

The Legislative Council acquaints the Commons House of Assembly, that they have adopted the report of the committee of conference on the subject of increasing the Library of the two Houses of the Legislature.

Legislative Council Chamber, }  
20th day of February 1829. }

J. BABY,  
Speaker.

Mr. McCall, seconded by Mr. Hornor, moves, that this House do accede to the request of the Honorable the Legislative Council, for a conference on the bill entitled, "An Act to incorporate certain persons therein mentioned under the style and title of the Cobourg Harbour Company," and that Messrs. Peterson, Thomson, Perry, and Fothergill, be a committee to meet the conferees of the Honorable the Legislative Council upon the said bill, at the time and place appointed, and that a message be sent to that Honorable House to acquaint them of the same.

Which was ordered.

Doctor Baldwin, of the committee on the Hamilton Outrage, seconded by Mr. Perry, moves that a message be sent to the Honorable the Legislative Council, requesting their permission for the Honorable Charles Jones Esq. one of their members, to attend the said committee as a witness.

Which was carried, and Messrs. Perry, and McCall were ordered by the Speaker to carry up the message to the Honorable the Legislative Council.

Mr. Dalton from the committee to which was referred the petition of Francis Collins, presented a fourth report in part, which was received and read.

Fourth Report on Francis Collins.—(SEE APPENDIX.)

Agreeably to the order of the day, the bill to make good certain monies issued and advanced on addresses of the House of Assembly, was read the second time and referred to a committee of the whole.

Mr. Hopkins was called to the chair.

The House resumed.

Mr. Hopkins reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Mr. Dickson, seconded by Mr. Thomson, moves, that the message of His Excellency the Lieutenant Governor, to this House, on the subject of the report from the Commissioners for forfeited Estates, together with the report of the said Commissioners, be referred to the same committee to whom was referred the petition of John Martindale.

Which was ordered.

Agreeably to notice, Mr. Fothergill, seconded by Mr. Henderson, moves, for leave to introduce a bill regulating the sale of drugs and medicine, and the Education of young practitioners.

Which was granted and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Perry, seconded by Mr. Peterson, moves, for leave to bring in a bill for the regulation of Line or division fences.

Which was granted and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Perry seconded by Mr. McCall, moves, that this House go into committee of the whole on settlement duty.

Which was carried and Doctor Baldwin, was called to the chair.

The House resumed.

Doctor Baldwin reported progress, and obtained leave to sit again to-morrow.

Mr. Dickson gives notice, that he will on Wednesday next, move for leave to bring in a bill to regulate and establish stated hours for business in certain offices, where individuals hold civil appointments from the Executive Government and establish those offices in the County Town of each District respectively.

Adjourned.

Tuesday, 24th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. George Rolph brought up the petition of Manuel Overfield, and others, of the Township of Waterloo; which was laid on the table.

Agreeably to the order of the day, the bill to make good certain monies issued and advanced on account contingencies, was read the third time, and passed.

Mr. Thomson, seconded by Mr. Dickson, moves that the bill be entitled "An Act to make good certain monies issued and advanced in pursuance of the addresses of the Commons House of Assembly, at the last and present sessions of Parliament."

Which was carried, and the bill signed, and Messrs. Thomson, and Dickson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of Charles Rubridge, and one hundred and forty-three others, of the county of Northumberland in the District of Newcastle, praying for pecuniary aid to enable them to make a good road from Pier Point on the Rie Lake to Peterborough—the petition of the Directors of the Catarqui Bridge Company, praying for an extension of the time allowed by law for completing said Bridge and the petition of Jonathan Ogden of Port Hope, praying for £500 to enable him to repair the roads between York and Kingston, and build a bridge across the River Rouge, were read.

Mr. Thomson, seconded by Mr. Radenhurst, moves, that the petition of Jonathan Ogden, be referred to the committee of supply.

Which was carried.

Mr. Dickson, seconded by Mr. Woodruff, moves, that the committee to whom was referred the petition of Wm. M. Ball, be dissolved, and that the said petition be referred to a select committee, consisting of Messrs. Perry and Hamilton, with power to send for persons and papers and to report thereon by bill or otherwise.

Which was ordered.

Mr. Hopkins, seconded by Mr. Peterson, moves, that the petition of Alexander Fletcher, be referred to a select committee composed of Messrs. George Rolph, Hornor, Woodruff and Buell, with power to send for persons and papers, and report thereon by bill or otherwise.

Which was ordered.

Mr. Ewing, seconded by Mr. Lockwood, moves, that the petition of Chas. Rubridge, and others, of the county of Northumberland, be referred to a select committee to report thereon, and that Messrs. Fothergill, and Woodruff do compose said committee.

Which was ordered.

Adjourned till 2 o'clock, P. M.

At 2 o'clock, P. M. the House met pursuant to adjournment.

Mr. Bethune, seconded by Mr. Thomson, moves for leave to bring in a bill founded on the petition of the Directors of the Catarqui Bridge company.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the House went into committee on settlement duty.

Doctor Baldwin was called to the chair.

The House resumed, the Black Rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council two messages, and having delivered them to the Clerk, retired.

The Speaker then read the messages as follows:

MR. SPEAKER:

The Legislative Council accedes to a free conference on the subject of the Library, as recommended by the committee of conference, and have appointed two of its members, to manage the same on the part of this House, who will be ready to meet a committee of the House of Assembly, for that purpose on Thursday next, at eleven o'clock, in the forenoon, in the joint committee room.

JAMES BABY.

Legislative Council Chamber, }  
24th February, 1829. }

Speaker.

MR. SPEAKER:

The Honorable William Allan, a member of this House, has leave to go to the select committee of the House Assembly, as desired by their message of this day, if he thinks fit.

JAMES BABY.

Legislative Council Chamber, }  
24th February, 1829. }

Speaker.

The Speaker left the Chair.

Doctor Baldwin resumed the chair of the committee.

The House resumed.

Doctor Baldwin reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

Mr. John Willson, seconded by Mr. Fothergill, moves, that the report of the committee of the whole on Settlement Duty, be received on to-morrow.

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

YEAS—Messrs. Attorney General, Baldwin, Berczy, Bethune, Buell, Cawthra, Fothergill, Ketchum, Kilborn, McLean, Wilkinson, and John Willson—12.

NAYS—Messrs. Baby, Blacklock, Brouse, Dickson, Ewing, Hamilton, Henderson, Hopkins, Hornor, Lafferty, Lockwood, Longley, McCall, Mackenzie, Malcolm, Perry, Peterson, Radenhurst, George Rolph, Shaver, Thomson, James Wilson, and Woodruff—23.

The question was decided in the negative by a majority of eleven, and the report was received.

The first resolution was then put as follows:

Resolved—That the settlement duties required to be performed on Lands granted to the Sons and Daughters of U. E. Loyalists, agreeably to the orders in Council of the 20th October 1818, have not answered the object evidently anticipated.

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

YEAS—Messrs. Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dickson, Ewing, Fothergill, Hamilton, Henderson, Hopkins, Hornor, Lafferty, Lockwood, Longley, McCall, Mackenzie, McLean, Malcolm, Perry, Peterson, Radenhurst, George Rolph, Shaver, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—31.

NAYS—Messrs. Attorney General, Ketchum, and Kilborn—3.

The question was carried in the affirmative by a majority of twenty-eight and it was resolved accordingly.

The second resolution was then put as follows:

Resolved—That the requiring settlement duties, agreeably to the order in Council, of the 20th October, 1818, on lands granted to the sons and daughters of U. E. Loyalists, and other claimants, equally entitled to obtain gratuitous grants, imposes greater burthens on them, than were imposed previous to the date of the aforesaid orders.

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

YEAS—Messrs. Baby, Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dickson, Ewing, Fothergill, Hamilton, Henderson, Hopkins, Hornor, Lafferty, Lockwood, Longley, McCall, Mackenzie, McLean, Malcolm, Perry, Peterson, Radenhurst, George Rolph, Shaver, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—32.

NAYS—Messrs. Attorney General, Ketchum, and Kilborn—3.

The question was carried in the affirmative by a majority of twenty-nine, and it was resolved accordingly.

The third resolution was then put as follows:

Resolved—That in a great majority of cases where settlement duties have been performed according to the orders in council on lands, they have not had a tendency to facilitate the settlement or improvement of the Townships, or the Province in general.

On which the House divided, and the Yeas and Nays were taken as follows:—

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dickson, Hamilton, Henderson, Hopkins, Hornor, Lafferty, Lockwood, Longley, McCall, Mackenzie, McLean, Malcolm, Perry, Peterson, George Rolph, Shaver, Thomson, Wilkinson, James Wilson, and Woodruff—26.

NAYS—Messrs. Attorney General, Berczy, Bethune, Ewing, Fothergill, Ketchum, Kilborn, Radenhurst, and John Wilson—9.

The question was carried in the affirmative by a majority of seventeen and it was resolved accordingly.

The fourth resolution was then put as follows:

Resolved, That in the opinion of this House the order in Council of the 20th October 1818, in justice, ought to be rescinded, so that the sons and daughters of U. E. Loyalist, and other claimants equally entitled to obtain gratuitous grant, who may have received, or may hereafter receive orders for lands, should be enabled to receive their deeds without performing settlement duty.

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

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dickson, Ewing, Hamilton, Henderson, Hopkins, Hornor, Lafferty, Lockwood, Longley, McCall, Mackenzie, McLean, Malcolm, Perry, Peterson, Radenhurst, George Rolph, Shaver, Thomson, Wilkinson, James Wilson and Woodruff—28.

NAYS—Messrs. Attorney General, Berczy, Bethune, Fothergill, Ketchum, Kilborn and John Willson—7.

The question was carried in the affirmative by a majority of twenty-one, and it was resolved accordingly.

The fifth resolution was then put and carried as follows:

Resolved—That the chairman be instructed to move, that an humble address be presented to His Excellency pursuant to the foregoing resolutions; praying that His Excellency will be pleased to cause the orders in Council of the 20th October 1818, to be rescinded, and to take such further steps as may enable the above description of persons, who have received or may hereafter receive orders for land to receive a Deed or Deeds for the same, without performing such settlement duties.

Doctor Baldwin, seconded by Mr. Dickson, moves, that Messrs. Perry and Peterson, be a committee to draft and report an address pursuant to the foregoing resolutions.

Which was ordered.

Mr. Fothergill from the joint committee of conference with the Honorable the Legislative Council, on the subject matter of the bill entitled "An Act to incorporate certain persons therein mentioned under the style and title of the Cobourg Harbour Company," reported as follows:

REPORT of the Committee appointed to meet a Committee of the Honorable the Legislative Council, to confer on the subject of the "Cobourg Harbour and Wharf Company."

On meeting the committee of conference, appointed by the Honorable the Legislative Council, your committee was informed, that the Honorable the Legislative Council could not accede to the bill for incorporating a company to construct a harbour and wharf at Cobourg, in its present shape. The bill being defective, in as much, as, in the first clause the powers granted are unlimited, and may be extended to authorise banking; and that in the 18th clause, the word "resumed" is inserted in place of "assumed," which is taken to be a clerical error; and in the same clause, the usual accounting provision is omitted.

CHARLES FOTHERGILL,

Joint Committee Room, }  
Feb. 24th, 1829. }

Chairman Committee  
Of Conference.

Mr. Perry from the committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, requesting to be informed who were the constitutional advisers of the crown, reported, delivering the same, and that His Excellency had been pleased to give the following answer:

GENTLEMEN,

The information required by this address shall be laid before the House of Assembly.

Mr. Attorney General, seconded by Mr. Dickson, moves, that the request



of the Honorable the Legislative Council for a free conference on the subject of the Library, be acceded to.

Which was carried.

Mr. Dickson, seconded by Mr. Attorney General, moves, that the members of the committee appointed to confer with the committee of the Legislative Council upon the subject of the Library, do compose the committee to manage, on the part of this House, the free conference upon the same subject.

Which was ordered.

Mr. Attorney General, seconded by Mr. Dickson, moves, that a message be sent to the Honorable the Legislative Council, to acquaint them that this House has acceded to their request for a free conference on the subject of the Library, and has appointed a committee for that purpose, who will meet the committee of the Honorable the Legislative Council, at the time and place appointed.

Which was ordered.

Mr. Perry gives notice, that he will on to-morrow, move for leave to bring in a bill to render the Navigation of Lake Ontario more safe, by the construction of a Harbour at Cobourg.

Mr. Buell gives notice, that he will on to-morrow move for leave to bring in a bill to allow felons the benefit of full defence by Counsel.

Adjourned till four o'clock P. M. to-morrow.

Wednesday, 25th February, 1829.

The House met pursuant to adjournment.

Prayers were read.

The minutes of yesterday were read.

Mr. Hamilton brought up the petition of John Willson Esq. a member, representing the County of Wentworth; which was laid on the table.

Mr. Fothergill brought up the petition of Robert Carter, and others, of the Newcastle District; which was laid on the table.

Mr. Fothergill brought up the petition of Thomas Carfrae, and others, of the Town of York; which was laid on the table.

Mr. Terry brought up the petition of Alexander Stewart, and others, of the Town and Township of Niagara; which was laid on the table.

Mr. Samson brought up the petition of Stephen Williams and others, of the Township of Tyendinaga; which was laid on the table.

Mr. Perry brought up the petition of Barnabas Beach and others, of the Midland District; which was laid on the table.

Mr. Lyons brought up the petition of Jeremiah B. Gillet and others, of the Township of Haldimand, which was laid on the table.

Mr. Lyons brought up the petition of William Beamish of the Newcastle District; which was laid on the table.

Agreeably to the order of the day, the petition of Walter Boswell and eight hundred and thirty-five others, of the Newcastle District, praying that the site for the New Gaol and Court House for said District, may be fixed at Cobourg; the petition of T. Beattie and thirty-one others, of the Township of Percy, in the Newcastle District, praying the same; and the petition of Mary Lawrence; praying that a law may be passed enabling her to claim and recover certain lands ordered in Council, to be granted to her Grand-father the late John Lawrence of the Township of Etobicoke; were read.

Mr. Thomson, seconded by Mr. G. Rolph, moves, that the petition of Mary Lawrence, be referred to a select committee to consist of Messrs. Lef-ferty and Dickson, with power to send for persons and papers, and leave to report thereon by bill or otherwise.

Which was ordered.

Mr. Fothergill, seconded by Mr. Wilkinson, moves, that the petition of Thomas Carfrae, junior, and upwards of 200 Freeholders, of the Town of York, relative to the liberation of Allan McNabb, be now read, and that the 43d rule of this House be suspended, so far as relates to said petition.

Which was carried, and the petition of Thomas Carfrae junior, and others, of the Town of York, was read.

Mr. Mackenzie, seconded by Mr. Malcolm, moves, that a message be sent to the Honorable the Legislative Council, requesting that that House will be pleased to permit the Honorable John Henry Dunn, to attend a select committee appointed by this House, to take into consideration and report upon the salary, contingencies, income, surties, &c., of the Receiver General of this Province.

Which was carried.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that the messages of His Excellency the Lieutenant Governor, accompanying population and assessment returns, together with the documents, be referred to a select committee to consist of Messrs. Hornor and Cawthra.

Which was ordered.

Mr. Fothergill, seconded by Mr. Wilkinson, moves for leave to withdraw the paper signed by Thomas Carfrae, junior, and others, mis-called a petition.

In amendment, Mr. John Rolph, seconded by Mr. Lef-ferty, moves, that all after the word "moves," be expunged, and the following words inserted, "that the complaint against the proceedings of this House, purporting to be a petition about Allan McNabb, and presented by Charles Fothergill, Esquire, is a breach of the privileges of this House.

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

YEAS—Messrs. Baldwin, Blacklock, Hornor, Ketchum, Lef-ferty, M'Donald, Mackenzie, Malcolm, G. Rolph, and John Rolph—10.

NAYS—Messrs. Attorney General, Bethune, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Hamilton, Hopkins, Kilborn, Lockwood, Lyons, M'Call, McLean, Perry, Peterson, Radenhurst, Samson, Shaver, Terry, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—26.

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

The original question was then put and carried.

Mr. Fothergill, seconded by Mr. John Willson, moves, that it be resolved, that Allan McNabb Esquire, having been committed to Gaol during the pleasure of this House, for a breach of its privileges, this House being satisfied with having asserted its privileges and maintained its rights, that the said Allan McNabb, Esq. be discharged.

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

YEAS—Messrs. Attorney General, Bethune, Dalton, Dickson, Ewing, Fothergill, Hamilton, Kilborn, M'Call, Mackenzie, McLean, Radenhurst,

Samson, Terry, Thomson, Wilkinson, John Willson, and James Wilson—18.  
NAYS—Messrs. Baldwin, Blacklock, Brouse, Cawthra, Hopkins, Hornor, Ketchum, Lef-ferty, Lockwood, Lyons, M'Donald, Malcolm, Perry, Peterson, John Rolph, George Rolph, Shaver, and Woodruff—18.

The question was decided in the negative by the casting vote of the Speaker.

Mr. Perry, seconded by Mr. Lyons, moves, that the petition of T. Beattie, and others, of the township of Percy, and the petition of Walter Boswell, and others, of the District, of Newcastle, be referred to the committee of the whole House, on the Newcastle District Gaol and Court House Bill.

Which was ordered.

Mr. Woodruff from the committee to which was referred the petition of E. Parkin, and others, of the village of St. Catharines, in the Niagara District, 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 please receive the same.

The report was ordered to be received, and the bill read, and ordered for a second reading to-morrow.

Doctor Baldwin gives notice, that he will, to-morrow, move an humble address to His Excellency requesting he may be pleased to direct the proper officer to lay before this House, a detailed account of the Still Licences issued in this Province, since the year 1820, inclusive, with the names of the persons obtaining such licences, and the amount paid for each.

Adjourned till 4 o'clock, P. M. to-morrow.

Thursday, 26th February, 1829.

The House met pursuant to adjournment.

Prayers were read.

The minutes of yesterday were read.

Mr. Dickson brought up the petition of Henry John Boulton Esq. and others of the Town of York; which was laid on the table.

Mr. Bethune brought up the petition of Isaac Fraser and others, of the Midland District; which was laid on the table.

Agreeably to the order of the day, the petition of Manuel Overfield and seventy-nine others, of the Township of Waterloo in the Gore District; praying that a certain contemplated turnpike road may be extended from the Western extremity of Waterloo to the head waters of the Desjardins Canal, in the Village of Dundas; was read.

Mr. Bethune gives notice, that he will on to-morrow move, that an humble address be presented to His Excellency, praying that he will be pleased to direct, that the Assizes be held twice in each year in the several Districts of this Province, wherein they are now held.

Mr. Thomson gives notice, that he will on to-morrow move, for leave to bring in a bill to continue the Laws now in force imposing a duty on Licences to Inn Keepers, and Shop Keepers within this Province.

Mr. Mackenzie, seconded by Mr. Malcolm, moves, that the select committee to whom was referred the messages of His Excellency, accompanying Population, and Assessment Returns, have leave to report an address to His Excellency.

Which was carried.

Mr. Mackenzie from the committee to which was referred the messages, of His Excellency the Lieutenant Governor, with population and assessment returns reported the draft of an address which was received and read twice.

The Master in Chancery brought down from the honorable the Legislative Council a message, and having delivered the same to Clerk, retired.

The Speaker then read the message as follows:

MR. SPEAKER,

The honorable Charles Jones has leave to go to a select committee, appointed by the House of Assembly, to investigate and report upon the matter of the Hamilton outrage and the alleged threatened release of Francis Collins by force, as desired by that House in their message of Tuesday last, if he thinks fit.

Legislative Council Chamber, } J. BABY.  
26th February, 1829. } Speaker.

The address to His Excellency the Lieutenant Governor, was then concurred in, and ordered to be engrossed and read a third time this day.

Mr. Dickson, seconded by Mr. George Rolph, moves, that the petition of Manuel Overfield and others, be referred to the committee to whom was referred the petition of Absalom Shade and others.

Which was ordered.

Agreeably to the order of the day, the House went into committee of Supply.

Mr. Cawthra was called to the chair.

The House resumed.

Mr. Cawthra reported that the committee had agreed to two resolutions, which he was directed to submit for the adoption of the House.

The report was ordered to be received, and the first resolution was then put as follows:

Resolved—That the sum of £500 be given to Robert Randal, Esquire, to remunerate him for his attention to the interest of this Province, while in England.

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

YEAS—Messrs. Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hamilton, Henderson, Hornor, Ketchum, Lef-ferty, Lockwood, Longley, Lyons, M'Call, McDonald, Mackenzie, Malcolm, Perry, Peterson, John Rolph, George Rolph, Terry, Thomson, Wilkinson, James Wilson, and Woodruff—28.

NAYS—Messrs. Attorney General, Bethune, McLean, Radenhurst, Samson, and Shaver—6.

The question was carried in the affirmative by a majority of twenty-two, and it was resolved accordingly.

The second resolution was then put and carried as follows:

Resolved—That the chairman be instructed to move a select committee to draft a bill pursuant to the foregoing resolution.

Mr. Cawthra, chairman of the committee of the whole House on supply,

seconded by Mr. Lockwood, moves, that Messrs. Perry, and Peterson, be a committee to draft and report a bill pursuant to the foregoing resolution.

Which was carried.

Mr. Perry from the committee appointed to draft a bill pursuant to the resolution reported by the committee of Supply, reported a draft which was received and read the first time.

Mr. Perry, seconded by Mr. Hornor, moves, that the forty first rule of this House be dispensed with so far as relates to the bill, and that it be read a second time this day.

Which was carried, and the bill was read the second time and committed to the whole House.

Mr. John Rolph was called to the chair.

The House resumed

Mr. Rolph reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time this day.

Agreeably to notice Mr. Perry, seconded by Mr. Hornor, moves, for leave to bring in a bill to provide for the sale of a part of the Clergy Reserves in this Province, and that the 41st rule of this House be dispensed with so far as relates to the same.

Which was granted, and the bill read and ordered for a second reading to-morrow.

Adjourned till four o'clock P. M. to-morrow.

Friday, 27th February, 1829.

The House met pursuant to adjournment.

Prayers were read

The minutes of Yesterday were read.

Mr. Berzey brought up the petition of John Dolson of the Township of Dover, in the County of Kent in the Western District; which was laid on the table.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on Returns of Population &c. was read the third time, passed and signed, and is as follows:

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, respectfully request Your Excellency's attention to the continued neglect of the Clerks of the Peace, and District Treasurers, to comply with the Provisions contained in the 17th and 19th clauses of an Act passed in the 59th year of His late Majesty's Reign, for regulating the assessment laws; and also in an Act passed in the fourth year of His present Majesty's Reign, for obtaining an accurate census of the population; we perceive that the Clerk of the Peace of the Midland District has neglected to furnish the return of population of the four Counties of which it is, composed for the past year, and we remember that his inattention to that part of his duty in the year then preceding, prevented the Legislature during its last Session from obtaining a complete census for 1827, and consequently interfered with any measure which was or might have been submitted to Parliament, having population for its principle or basis.

The returns of Assessed Property and its valuation, are also wanting for the Midland and several other Districts; and the return for the Niagara District is very imperfect in its details.

As it is probable that a misunderstanding of the Provisions of these Acts, may have in some degree occasioned the informalities which exist in some of the returns, both of population and assessments, we would respectfully suggest; that blank forms, according to law upon some uniform system, be annually sent to the Clerks of the Peace, and that they be instructed to fill up their reports and returns in the order in which the several heads of information may be placed in the blanks so sent them.

We would further request your Excellency to cause to be laid before this House, annually, with the population and assessment returns, statements of the increase or decrease of population in the several townships, and of the difference of the quantity of cultivated lands, and value of property, as compared with the previous year's returns.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
27th February, 1829. } Speaker.

Mr. Mackenzie, seconded by Mr. Cawthra, moves, that Messrs. John Rolph, and Lyons, be a committee to present the said address to His Excellency the Lieutenant Governor.

Which was ordered.

Agreeably to the order of the day, the bill to remunerate Robert Randal, Esq. was read the third time.

On the question for the passing of the bill, the House divided, and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Fothergill, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Perry, Peterson, Geo. Rolph, John Rolph, Thomson, and Woodruff—25.

NAYS—Messrs. Berzey, Bethune, Radenhurst, and Shaver—4.

The question was carried in the affirmative by a majority of twenty-one, and the bill signed.

Mr. Perry, seconded by Mr. Mackenzie, moves, that the bill be entitled "An Act to remunerate Robert Randal, Esq. for valuable services rendered this province, while in England."

Which was carried, and Messrs. Perry and Lafferty were ordered by the Speaker to carry up the bill entitled "An Act for the remuneration of Robert Randal, Esq. for valuable services rendered this province, while in England," to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Thomson from the committee to which was referred the petition of Mary Lawrence reported by bill, a draft of which he presented to the House.

The report was received, and the bill, was read the first time, and ordered to be read a second time to-morrow.

Mr. Mackenzie from the select committee on the privileges of the house, presented a report which was received and read as follows:

REPORT of committee on privilege.—(SEE APPENDIX.)

Mr. Dickson from the committee to which was referred the petition of John Martindale, and His Excellency's message relative to report of commissioners of forfeited estates, 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 ordered to be received, and the bill was read the first time, and ordered for a second reading to-morrow.

Mr. Peterson from the committee to which was referred the petition of William Cunningham, and others, of the township of Hallowell, 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 ordered to be received, and the bill was read a first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the Clergy Reserve bill was read the second time, and referred to a committee of the whole House.

Mr. Berzey was called to the chair.

The House resumed.

Mr. Berzey reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Mr. Blacklock, Chairman of the select committee appointed to try the matter of the petitions of Thomas D. Morrison Esq. and of Thomas Stoyell and others, electors of the Town of York, complaining of the undue election and return of John Beverly Robinson Esq. a member to represent the said Town of York in the present Parliament, presented the following final report; which was received and read as follows: 28, 1829

TO THE HONORABLE THE HOUSE OF ASSEMBLY.

The select committee appointed to try the matters contained in the petitions of Thomas D. Morrison, and Thomas Stoyell, and others, complaining of the undue election and return of John Beverly Robinson, Esq. sitting member for the Town of York, have come to the following final determination thereon.

Resolved—That the conduct of the Returning Officer in taking the poll for the election in the Town of York, was, in the opinion of this committee, free from imputation; but from the evidence before them, they cannot so satisfactorily acquit him of all the matters alleged against him, particularly, with respect to his mode and time of closing the poll, and his uncourteous conduct towards Doctor Morrison, one of the candidates, as to declare the petitions vexatious or frivolous.

Resolved—That in the opinion of this committee, the members of the Legislative Council, have not a legal or constitutional right to vote at, or interfere with, elections.

Resolved—That the sitting member has a majority of legal votes, upon the poll.

Resolved—That the sitting member do retain his seat pursuant to the return.

Resolved—That the petitions of Thomas D. Morrison, and Thomas Stoyell, and others is not, nor is either of them frivolous or vexatious.

Resolved—That the defence of John B. Robinson, Esq. the sitting member, is not frivolous or vexatious.

AMBROSE BLACKLOCK,

Committee Room,  
Feb. 27th, 1829.

Chairman,  
S. C.

Mr. Fothergill, seconded by Mr. Hamilton, moves, that it be resolved, that Allan McNabb Esquire, having been committed to Gaol during the pleasure of this House for a breach of its privileges, this House, being satisfied with having asserted its privileges and maintained its rights, the said Allan M. Nabb Esq. be discharged.

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

YEAS—Messrs. Attorney General, Berzey, Bethune, Buell, Dickson, Ewing, Fothergill, Hamilton, Henderson, Longley, McLean, Radenhurst, Samson, Terry, Thomson, Wilkinson and John Willson—17.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Perry, Peterson, George Rolph, John Rolph, Shaver, and Woodruff—22.

The question was decided in the negative by a majority of five, and lost accordingly.

Adjourned.

Saturday, 28th February, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Doctor Baldwin brought up the petition of Jacob Langs and others of the County of Norfolk; which was laid on the table.

Agreeably to the order of the day, the Clergy Reserves bill was read the third time and passed. *Nem. Con.*

Mr. Perry, seconded by Mr. Woodruff, moves, that the bill be entitled "An Act to provide for the disposal of a part of the Clergy Reserves in this Province."

Which was carried, and Messrs. Perry and Woodruff were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of John Willson Esq. late Speaker of the House of Assembly; praying for direction and relief against a prosecution pending in the Court of King's Bench against him, for certain actions performed by him in the fulfilment of his office of Speaker to the House of Assembly during the last Session of Parliament; The

petition of Robert Carter and two hundred and ninety-two others, of the Newcastle District, praying that the site for the Gaol and Court House in the said District, may not be removed; The petition of Alexander Stewart and five others, of the District of Niagara, praying that the prayer of the petition of William M. Ball may not be answered: the petition of Stephen Williams and seventy-three others, of the Township of Tyendinaga in the Midland District, praying that said Township may not be attached to the County of Lennox; The petition of Barnabas Beach and fourteen others, of the Midland District praying, that no alteration may take place in the Kingston Police laws; The petition of Jeremiah B. Gillet and one hundred and five others, of the Township of Haldimand, in the Newcastle District, praying that no alteration may be made in the survey of the broken front of said Township; The petition of William Beamish of the Newcastle District, praying to be allowed remuneration for certain services performed by him as High Constable for said District; The petition of H. J. Boulton and thirty-seven others of the Town of York, praying that said Town may be incorporated; The petition of Isaac Fraser and forty-six others, of the Midland District, praying the same as Barnabas Beach and others, of said District; were read.

Mr. Lefferty, seconded by Mr. Terry, moves, that the petitions of Alexander Stewart and Joseph Brown, be referred to the committee, to whom was referred the petition of W. M. Ball and others, with power to report thereon.

Which was ordered.

Mr. Thomson, seconded by Mr. Dickson, moves, that the order of the House of the 22d of Jan. ultimo, directing the Clerk to publish the questions and votes of this House, in the Lobby, each morning, for the information of the public; be rescinded.

Which was ordered.

Mr. Thomson, seconded by Mr. Dickson, moves, that it be resolved, 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.

Which was ordered.

Mr. Lyons, seconded by Mr. Perry, moves, that the petition of William Beamish be referred to the committee of the whole House, on the Liquor Selling Licence bill.

Which was ordered.

Mr. Lyons, seconded by Mr. Perry, moves, that the petition of J. B. Gillet and others, be referred to the select committee to whom was referred the petition of Joseph Keeler and others.

Which was ordered.

Agreeably to notice, Doctor Baldwin, seconded by Mr. Perry, moves for leave to bring in a bill to declare and define the office and duties of Headborough and Headborough elect.

Which was granted and the bill read, and ordered for a second reading on Monday next.

Agreeably to notice, Mr. Dickson, seconded by Mr. Terry, moves, for leave to bring in a bill to extend the limits of the several Gaols in the respective Districts of this Province.

Which was granted, and the bill read, and ordered for a second reading on Monday next.

Agreeably to notice, Mr. Fothergill, seconded by Mr. Bethune, moves, for leave to bring in a bill for the more complete destruction of Wolves in this Province.

Which was granted, and the bill read and ordered for a second reading on Monday next.

Agreeably to notice, Mr. Perry, seconded by Mr. Lyons, moves, for leave to bring in a bill for the improvement of the navigation of Lake Ontario by authorising the construction of a Harbour at Cobourg.

Which was granted, and the bill read and ordered for a second reading on Monday next.

Agreeably to notice, Mr. Fothergill, seconded by Mr. Thomson, moves, for leave to bring in a bill for the more effectual preservation of salmon in this Province.

Which was granted and the bill read and ordered for a second reading on Monday next.

Agreeably to the order of the day, the Saint Catharine's Academy bill was read the second time and referred to a committee of the whole House.

Mr. Buell was called to the chair.

The House resumed.

Mr. Buell reported the bill as amended. The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Agreeably to the order of the day, the Town Representation bill was read a second time, and referred to a committee of the whole House.

Mr. Ketchum was called to the chair.

The House resumed.

Mr. Ketchum reported the bill without amendment. The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Mr. Fothergill, seconded by Mr. Wilkinson, moves, that his notice of motion relative to an alteration of the Eastern Boundary Line of this Province, and the annexation of the Island of Montreal to Upper Canada, be the first item on the order of the day, for Monday next.

Which was carried.

Mr. Bethune from the committee to which was referred the petition of Thomas Markland, Esquire, and others, of the Town of Kingston, 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 ordered to be received, and the bill was read the first time, and ordered to be read a second time on Monday next.

Mr. Wilkinson, seconded by Mr. Fothergill, moves, that the petition of John Willson, Esquire, late Speaker of this House, be referred to the committee on contingent accounts.

Which was carried.

Agreeably to the order of the day, the House went into committee of supply.

Mr. Wilkinson was called to the chair.

The House resumed.

Mr. Wilkinson reported progress and obtained leave to sit again on Monday next.

Adjourned till 10 o'clock A. M. on Monday next.

Monday, 2d March, 1829.

The House met.

Prayers were read.

The minutes of Saturday were read.

Mr. McCall brought up the petition of Adam Lampman, and others of the County of Norfolk in the London District; which was laid on the table.

Mr. Blacklock brought up the petition of Henry, Deeming, and others, of the Eastern District; which was laid on the table.

Mr. Blacklock brought up the petition of S. Cutler, and others, of the county of Stormont, in the Eastern District; which was laid on the table.

Mr. Shaver brought up the petition of John Dillabough, and others, of the Eastern District; which was laid on the table.

Agreeably to the order of the day, the Grantham Academy Bill was read the third time.

Mr. Woodruff, seconded by Mr. Lefferty, moves the following as a rider, "and be it further enacted, that it shall not be lawful for the said corporation to hold stock for the purposes aforesaid, to a larger amount than five thousand pounds."

Which was carried.

Mr. Woodruff, seconded by Mr. Lefferty, moves, that the rider be now read a second time, and that the forty-first rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the rider was read a second time, adopted, and ordered to be engrossed and read a third time this day.

Agreeably to the order of the day, the Town's Members Wages Bill, was read the third time and passed.

Mr. Lefferty, seconded by Mr. Woodruff, moves that the bill be entitled "An Act for the payment of wages to Town members."

Which was carried, and Messrs. Lefferty and Woodruff were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the rider to the Grantham Academy Bill, was read the third time, and the bill was passed.

Mr. Woodruff, seconded by Mr. Lefferty, moves, that the bill be entitled "An Act to incorporate the Trustees of the Grantham Academy."

Which was carried, and Messrs. Lefferty and Woodruff were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and request their concurrence thereto.

Agreeably to the order of the day, the petition of John Dolsen, of the Township of Dover, county of Kent, Western District, praying for relief against a certain seizure, was read.

Mr. Berczy, seconded by Mr. Fraser, moves, that the petition of John Dolsen, of the County of Kent, be referred to the committee to whom was referred the petition of Leonard Wilcox.

Which was ordered.

Mr. Perry, seconded by Mr. Thomson, moves, that a message be sent to the Honorable the Legislative Council, requesting permission for the Honorable Charles Jones, a member of that Honorable House, to attend and give evidence before a select committee of the House of Assembly, appointed to enquire into the distribution of the maps of the Rideau Canal.

Which was carried, and Messrs. Perry and Lefferty were ordered by the Speaker to carry up the message.

Agreeably to the order of the day, the Lake Ontario Harbour Bill was read the second time, and committed to the whole House.

Mr. Thomson was called to the chair.

The House resumed.

Mr. Thomson reported the bill as amended. The report was ordered to be received, and the bill to be engrossed and read a third time to morrow.

Mr. Perry, from the select committee to which was referred the subject of the present mode of performing settlement duty, reported an address to His Excellency the Lieutenant Governor, on the subject, which report was received, and the address was read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to notice, Mr. Fothergill, seconded by Mr. Smith, moves, for the reading of that part of the Journals of last Parliament, which relates to the Eastern boundary line, and the annexation of the Island of Montreal to this Province.

Which was carried, and the Journals were read accordingly.

Mr. Fothergill, seconded by Mr. Smith, moves, that this House do now go into committee of the whole upon the resolutions submitted to Parliament the Session before last, on the subject of the Eastern boundary line, and the annexation of the Island of Montreal to this Province.

Which was carried, and Mr. Samson, was called to the chair.

The House resumed the Black Rod being at the door. The Master in Chancery brought down from the Honorable the Legislative Council, two messages, and the bill entitled "An Act to confirm British subjects in their titles to real estates in this Province derived from or through Aliens," which they had passed, and to which they requested the concurrence of this House, and having delivered the same to the Clerk, retired.

The Speaker then read the messages as follows:

MR. SPEAKER,

The Honorable John Henry Dunn has leave to go to the select committee of the Commons House of Assembly, as desired by that House in their message of this day, if he thinks fit.

Legislative Council Chamber, }  
2d day of March, 1829. }

J. BABY

Speaker.

MR. SPEAKER,

The Honorable Charles Jones has leave to go to the select committee of the Commons House of Assembly, as desired by that House in their message of this day, if he thinks fit.

Legislative Council Chamber, }  
2d day of March, 1829. }

J. BABY

Speaker.



The bill sent down from the Honorable the Legislative Council, entitled "An Act to confirm British subjects in their titles to real estates in this Province derived from or through Aliens," was then read and ordered for a second reading to-morrow.

The House went again into committee on the subject of the Eastern boundary line.

Mr. Samson in the chair.

The House resumed.

Mr. Samson reported progress, and asked leave to sit again to-morrow.

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

YEAS—Messrs. Attorney General, Berczy, Bethune, Brouse, Buell, Dalton, Dickson, Fothergill, Fraser, Hamilton, Henderson, Kilborn, Longley, Lyons, McDonald, McLean, Radenhurst, Samson, Shaver, Smith, Torry, Wilkinson, James Wilson, and Woodruff—21.

NAYS—Messrs. Baby, Baldin, Blacklock, Hopkins, Hornor, Ketchum, Jeffery, Lockwood, McCall, Mackenzie, Malcolm, Perry, Peterson, George Rolph, John Rolph, and Thomson—16.

The question was carried in the affirmative by a majority of eight, and the report was received, and leave was granted accordingly.

Mr. Mackenzie, seconded by Mr. Perry, moves, that it be resolved, 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.

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

YEAS—Messrs. Baldwin, Berczy, Blacklock, Brouse, Buell, Dalton, Dickson, Fraser, Henderson, Hopkins, Hornor, Ketchum, Lockwood, Lyons, McDonald, Mackenzie, McLean, Malcolm, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, James Wilson, and Woodruff—27.

NAYS—Messrs. Attorney General, Bethune, Fothergill, Hamilton, and Terry—5.

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

Mr. Mackenzie, seconded by Mr. Perry, moves, that it be resolved, that in the absence of the Reverend Robert Addison, the several clergymen of this Town, having congregations, be requested to officiate alternately as Chaplains to this House during the remainder of the present session, and that they be paid each clergyman the sum of \_\_\_\_\_ for each day during which he shall so officiate, and the amount of these payments charged to the contingent fund of this House.

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

YEAS—Messrs. Blacklock, Brouse, Buell, Dalton, Hornor, Ketchum, Kilborn, Lockwood, Lyons, McDonald, Mackenzie, Malcolm, Perry, Peterson, G. Rolph, John Rolph, Shaver, and James Wilson—18.

NAYS—Messrs. Attorney General, Baldwin, Berczy, Bethune, Dickson, Fothergill, Fraser, Hamilton, Henderson, McLean, Radenhurst, Samson, Smith, and Terry—14.

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

Doctor Baldwin from the committee to which was referred that part of the petition of Joseph Cawthra, and one thousand six hundred and twenty eight others, of the Home District, for redress of grievances, which relates to the case of the Hon. John W. Willis, late one of His Majesty's Judges of the Court of King's Bench, in this Province, and to the administration of justice, presented a report, which was received and read as follows:

REPORT on Judge Willis's case—(SEE APPENDIX.)

Doctor Baldwin, seconded by Mr. McDonald, moves, that the first report of the select committee on the case of Judge Willis, and the administration of justice, be referred to the committee of the whole House, on the petition of Joseph Cawthra, and others, and that it be the first thing on the order of the day, on Thursday next.

Which was carried.

Adjourned.

Tuesday, 3d March, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. James Wilson brought up the petition of Thomas Appleton, of the Town of York; which was laid on the table.

Mr. McDonald brought up the petition of Alexander McDonell, Esq'r. and others, of the Ottawa District; which was laid on the table.

Mr. Blacklock brought up the petition of Catharine Campbell, and others, Inn keepers, of the Eastern District; which was laid on the table.

Mr. Kilborn brought up the petition of Peter Cornish, and others, confined in the Gaol at Brockville; which was laid on the table.

Mr. Thomson brought up the petition of Thomas McMahon, of Saint Catharines, in the Niagara District; which was laid on the table.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of Settlement Duties was read the third time, passed and signed, and is as follows:

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, having resolved,

first, that the settlement duties required to be performed on lands granted to the sons and daughters of U. E. Loyalists, agreeably to the orders in Council of the 20th October, 1818, have not answered the object evidently anticipated.

Secondly—That the requiring of settlement duties, agreeably to the orders in Council, of the 20th October, 1818, on lands granted to the sons and daughters of U. E. Loyalists, and other claimants equally entitled to obtain gratuitous grants, imposes greater burthens on them than were imposed previous to the date of the aforesaid orders.

Thirdly—That in a great majority of cases, where settlement duties have been performed according to the orders in council on lands, they have not had a tendency to facilitate the settlement or improvement of the townships or the Province in general.

Fourthly—That in the opinion of this House, the said orders in council, in justice, ought to be rescinded, so that the sons and daughters of the U. E. Loyalists, and other claimants, equally entitled to obtain gratuitous grants, who may have received, or who may hereafter receive, orders for land, should be enabled to receive their deeds without performing settlement duty.

And humbly pray that your Excellency will be pleased to cause the orders in council of the 20th October, 1818, to be rescinded, and to take such further steps as may enable the above description of persons who have received or who may hereafter receive orders for land, to obtain a deed or deeds for the same, without performing such settlement duties.

Commons House of Assembly,  
3d March, 1829.

MARSHALL S. BIDWELL,  
Speaker.

Mr. Lyons, seconded by Mr. Shaver, moves, that Messrs. Perry and Hopkins, 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 on Settlement duties, and to present the same.

Which was ordered.

Agreeably to the order of the day, the petition of Jacob Langs, and 181 others, of the county of Norfolk, praying for aid for the construction of a harbour at Paterson's creek, in the said county, was read.

Mr. Thomson, seconded by Mr. Dickson, moves, that the forty-third rule of the House be suspended, so far as relates to the petition of Thomas McMahon, and that the same be now read.

Which was carried, and the petition of Thomas McMahon, of Saint Catharines, praying for relief against exorbitant charges made by Mr. Charles Richardson, [Attorney at Law] was read.

Mr. Thomson, seconded by Mr. Peterson, moves, that the petition of Thomas McMahon, be referred to a select committee to consist of Messrs. Radenhurst and Perry, with power to send for persons and papers and leave to report thereon.

Which was carried.

Agreeably to the order of the day, the Lake Ontario Harbour bill was read the third time and passed.

Mr. Lyons seconded by Mr. Kilborn, moves, that the bill be entitled "An Act to improve the navigation of Lake Ontario by authorising the construction of a harbour at Cobourg, by a joint Stock Company."

Which was carried, and Messrs. Lyons and Kilborn were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Berczy, from the committee to which was referred the petition of Geo. Ward and others, presented a report and draft of an address founded on the same.

The report was ordered to be received, and was read.

REPORT—(SEE APPENDIX.)

The address was then read twice.

Doctor Baldwin, seconded by Mr. Hopkins, moves, that the House do now go into committee of the whole on the address to His Excellency.

Which was carried, and Mr. Woodruff was called to the chair.

The House resumed.

Mr. Woodruff reported the address as amended.

The report was ordered to be received, and the address was ordered to be engrossed and read a third time this day.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to make valid certain marriages heretofore contracted and to provide for the future solemnization of matrimony, in this Province," were read the second time and referred to a committee of the whole House.

Mr. Hopkins was called to the chair.

The House resumed.

Mr. Hopkins reported the amendments without amendment.

The report was ordered to be received, and the amendments to be read a third time to-morrow.

Agreeably to the order of the day, the Indulgent Creditor's bill was read the second time, and referred to a committee of the whole House.

Mr. Ketchum was called to the chair.

The House resumed.

Mr. Ketchum reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

The Speaker read a letter from Allan N. McNab Esq.

Mr. Perry, seconded by Mr. Peterson, moves, that the third and fourth reports of the committee to which was referred the petition of Francis Collins made to this House, on the 23d ultimo, be referred to the committee of privilege.

Which was carried.

Agreeably to notice, Mr. Samson, seconded by Mr. Berczy, moves, that he have leave to bring in a bill for regulating the appointment to, and holding of the office of Sheriff, in the several Districts in this Province.

Which was granted, and the bill read.

Mr. Fothergill from the committee to which was referred the petition of Joseph Sheppard, 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 ordered to be received, and the bill was read a first time, and ordered for a second reading to-morrow.

Mr. Blacklock, seconded by Mr. McDonald, moves, that it be resolved, that the Speaker of this House do give such directions to the proper authorities as may be necessary to liberate from Gaol, Allan McNab, Esq.

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

YEAS—Messrs. Attorney General, Berczy, Bethune, Blacklock, Dickson, Fothergill, Fraser, Hamilton, Henderson, Ketchum, Kilborn, Longley, McCall, McDonald, M'Lean, Radenhusrt, Samson, Shaver, Smith, Terry, Thomson, and Wilkinson—22.

NAYS—Messrs. Baldwin, Brouse, Buell, Hopkins, Lockwood, Perry, Peterson, George Rolph, John Rolph, and James Wilson—10

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

Mr. John Rolph, seconded by Doctor Baldwin, moves, that the letter of Allan McNab, addressed to the Speaker, and by him read to the House, be put upon the journals.

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

YEAS—Messrs. Attorney General, Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Fraser, Hamilton, Henderson, Hopkins, Kilborn, Lockwood, Longley, Lyons, M'Call, M'Lean, Perry, Peterson, George Rolph, John Rolph, Samson, Smith, Wilkinson, and James Wilson—25.

NAYS—Messrs. Dickson, Fothergill, Ketchum, McDonald, Radenhurst, Shaver, Terry and Thomson—8.

The question was carried in the affirmative by a majority of seventeen, and the letter is as follows:

York Gaol, 2d March, 1829.

Sir,

If I were to say that I have no desire to be released from confinement, I should scarcely be believed, but I trust it will be credited that I am not so anxious to be liberated as to allow the utmost vengeance of the House of Assembly to induce me to make any dishonorable concessions, or to acknowledge an error of which I am unconscious of being guilty.

When summoned to attend a committee of the House of Assembly, appointed to investigate a particular subject, I cheerfully attended and answered such questions in my first examination as were put to me, knowing that the power of examining witnesses before select committees is necessary for many purposes of legislation.

I remained in this place four or five days, after my first examination, for no other purpose but to await the pleasure of the committee, when they should think proper again to call me before them; when so called, I could have had no objection, more than on the former occasion, to answer such questions as were, in my humble judgment, in the smallest degree relevant to the subject under consideration, but I did not feel it incumbent on me to answer questions which appeared to me wholly unconnected with the subject. The committee did not condescend to explain any particular object they had in view, in asking the questions which I declined answering, and the House of Assembly, under these circumstances have adjudged me guilty of a breach of their privileges, a charge which I had not the most distant idea could have applied to me, I am still, notwithstanding the judgment of the House of Assembly, unconscious of having committed any offence, and I need scarcely add, that none was intended as I consider it the duty of all to treat with due respect the Legislature of the Country whatever opinions may be entertained of some of its individual members.

I am now in the power of the House of Assembly and it rests with its members to act as their consciences shall approve.

I have the honor to be Sir,

M. S. BIDWELL Esq.  
Speaker, House  
of Assembly.

Your most obedient  
Humble Servant  
ALLAN N. M'NAB.

Mr. Perry, seconded by Mr. John Rolph, moves, that 500 copies of Mr. M'Nab's letter to the Speaker of this House and the resolution for his release, with the yeas and nays, be printed for the use of members.

On which the House divided, and the Yeas and Nays were taken as follows:—

YEAS—Messrs. Baldwin, Blacklock, Brouse, Buell, Fothergill, Hamilton, Hopkins, Lockwood, Longley, Lyons, M'Call, M'Lean, Perry, Peterson, George Rolph, John Rolph, Smith, Wilkinson and James Wilson—19.

NAYS—Messrs. Attorney General, Berczy, Bethune, Dickson, Fraser, Henderson, Ketchum, Kilborn, McDonald, Radenhurst, Samson, Shaver, Terry, and Thomson—14.

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

Mr. Peterson, from the committee to which was referred the petition of Peter Vanalstine, 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 ordered to be received, and the bill was read a first time and ordered for a second reading to-morrow.

Mr. James Wilson, seconded by Mr. Wilkinson, moves, that a select committee be appointed by this House to take into consideration the state of the highways roads and bridges in this Province, and that Messrs. J. Rolph, Thomson, Perry and Lockwood, do compose the same, and report by bill or otherwise, and that the 42d rule be dispensed with for that purpose so far as it relates to the same.

Which was lost.

Mr. Hopkins, from the committee to which was referred the petition of Charles Biggars and others, presented a report, which was received and read by the Clerk.

REPORT—(SEE APPENDIX.)

Agreeably to the order of the day, the Prince Edward separation bill was read the second time and referred to a committee of the whole House.

Mr. Kilborn was called to the chair.

The chairman left the chair, on a question of privilege.

The Speaker resumed the chair, and submitted to the House, the form of a warrant for the enlargement of Allan N. M'Nab Esq. from the Gaol of the Home District, which was read, approved of, and signed by the Speaker, by order of the House, and is as follows:

Whereas the House of Assembly have this day resolved, and ordered, that the Speaker of the said House should give such direction to the proper authorities, as may be necessary to liberate from Gaol Allan M'Nab Esq. I do therefore hereby authorize and direct you to release the said

Allan M'Nab, from any further confinement by order of said House or under any warrant issued by me as the Speaker thereof.

By order of the House of Assembly, (Signed) Dated the 3d day of March A. D. 1829. } MARSHALL S. BIDWELL, Speaker.

To the Sheriff or Gaoler of the Home District.

The Speaker left the chair.

Mr. Kilborn resumed the chair of the committee.

The House resumed.

Mr. Kilborn reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Mr. Fraser gives notice, that he will on to-morrow move for leave to bring in a bill for making alteration in the laws, for ascertaining the side lines in the Township of Lancaster.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor on Indian reserved lands, was read the third time passed, and signed and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to represent to Your Excellency, that a large tract of land situate on the North Eastern boundary of the Western District of this Province, has been reserved for the Moravian Indians, which is only partially inhabited by them on the South border of the River Thames, while the remainder on the North bank of the said River, through which the great post road leading from Lower Canada to Sandwich, now passes, is uninhabited; in consequence of which, that road cannot be kept in repair, and at certain seasons, becomes nearly impassable, to the great detriment of the settlers in the Townships situated on the East of this reserve, who can but, with the utmost difficulty during the greatest part of the year, carry their wheat and other produce to the Mills and to market, besides having the injurious tendency of deterring strangers from travelling through the Country, who might and would otherwise, choose that route in preference to the one now used, on the South bank of Lake Erie in the United States, which is nearly 100 miles longer; and humbly request Your Excellency to make such arrangements with the Indians who own any of the lands through which the principal Highway of this Province passes, as will induce them to have them settled and improved adjacent to the road, or exchange them for other land, in any manner suited to their interests.

Commons House of Assembly, } MARSHALL S. BIDWELL, Speaker.  
3d March, 1829.

Mr. Berczy, seconded by Mr. Shaver, moves, that Messrs. Baby and Wilkinson, be a committee to wait on His Excellency the Lieutenant Governor, with the address just read, to know when it will please His Excellency to receive the said address, and to present the same.

Which was ordered.

Mr. Hornor, from the committee to which was referred the petition of Ira Schofield and others, presented a report which was received and read.

REPORT—(SEE APPENDIX.)

Mr. Kilborn gives notice, that he will, on to-morrow, move for the reading of that part of the Journals of last session, as relates to the petition of Terrence Smyth, Esquire, and W. J. Weatherhead.

Mr. Kilborn gives notice, that he will, on Monday next, move for leave to bring in a bill to suppress Sabbath breaking.

Mr. Attorney General gives notice, that he will, on Thursday next move, that the House do resolve itself into a committee of the whole, to take into their consideration the best means of improving the principal highways, in this Province.

Mr. Attorney General gives notice, that he will move to-morrow, for leave to bring a bill to render effectual certain laws for the prevention of Sabbath breaking and other offences.

Mr. Hopkins, seconded by Mr. Peterson, moves, that the report of the select committee to whom was referred the petition of Charles Biggars, and others, be referred to the committee of supply.

Which was carried.

Mr. Mackenzie, seconded by Mr. Perry, moves, that the petition of certain jurors complaining of the conduct of Grant Powell, Esquire, as presiding Justice, in the late Quarter Sessions, be referred to a select committee composed of Messrs. George Rolph, Ketchum, and Cawthra, with power to send for persons and papers, and leave to report by address or otherwise.

Which was carried.

Mr. Mackenzie, seconded by Mr. Cawthra, moves, that Mr. Perry be appointed of the select committee on the Receiver General's duties, securities, &c., and Mr. Randal's name struck out, the latter named Gentleman, being unable to attend.

Which was ordered.

Mr. Hornor, seconded by Captain Matthews, moves, that the report of the select committee on the petition of Ira Schofield and others, be referred to the committee of supply.

Which was carried.

Adjourned.

Wednesday, 4th March, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Agreeably to the order of the day, the amendments made by the Honor-

able the Legislative Council, in and to the bill entitled "An Act to make valid certain marriages heretofore contracted, and to provide for the future solemnization of matrimony in this Province," were read the third time, passed and signed.

Mr. Perry, seconded by Mr. Brouse, moves, that a message be sent to the Honourable the Legislative Council, informing them that this House have concurred in the amendments made by that Honourable House in and to the bill entitled "An Act to make valid certain marriages heretofore contracted, and to provide for the future solemnization of Matrimony, in this Province."

Which was carried, and Messrs. Perry and Blacklock were ordered by the Speaker to carry up the same.

Agreeably to the order of the day, the Indulgent Creditors Bill, was read the third time and passed.

Mr. Lefferty, seconded by Mr. Dickson, moves, that the bill be entitled "An Act to authorise detention of debtors in certain cases."

Which was carried, and Messrs. Lefferty and Dickson were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Prince Edward division bill was read the third time.

On the question for passing the same the House divided, and the yeas and nays were taken as follows:

YEAS—Messrs. Baldwin, Berczy, Blacklock, Brouse, Buell, Cawthra, Dickson, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Longley, Lyons, McCall, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, and James Wilson—28.

NAYS—Messrs. McLean, and Thomson—2.

The question was carried in the affirmative by a majority of twenty-six, and the bill was signed.

Mr. Peterson, seconded by James Wilson, moves, that the bill be entitled "An Act to erect the County of Prince Edward into a separate District."

Which was carried, and Messrs. Peterson and James Wilson, were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of Adam Lampman and 283 others, praying for a grant of money for the purpose of cutting a navigable Canal across Long Point in Lake Erie, and building a Light House on the said Point; the petition of Henry Deming and 93 others, of the Eastern District, praying that the Jurisdiction of the District Courts may be extended, the Judges of the same receive salaries and &c.; the petition of Sewell Cutler and 172 others, of the County of Stormont; and the petition of John Dillabough and 182 others, of the Eastern District, praying the same; were read.

Doctor Baldwin, seconded by Mr. McCall, moves, that the petition of Jacob Langs and others, from the County of Norfolk, relative to the formation of a Harbour at Paterson's Creek, be referred to the same committee to whom was referred the former petition on the same subject.

Which was ordered.

Mr. Blacklock, seconded by Mr. Shaver, moves, that the petition of Sewell Cutler and others be referred to a select committee, and that the committee do consist of Messrs. Shaver, Perry, Thomson, and Hornor, and that the petitions of Henry Deming and others, and John Dillabough and others, be referred to the same committee.

Which was ordered.

Mr. McCall, seconded by Doctor Baldwin, moves, that the petition of Adam Lampman and 282 others, be entered on the Journals of the House.

Which was ordered and is as follows:

*To the Honourable the Commons House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled.*

The petition of the undersigned Inhabitants of the County of Norfolk and others residing in the London District of this Province, which border on Lake Erie, most respectfully sheweth, that your petitioners, impressed with a sense of the important advantages which the inhabitants of this part of the Province would derive, as well as the general benefits that would result therefrom, respectfully represent to your Honourable House, the necessity that exists for opening a direct course of Navigation along the British or Northernly coast of said Lake by means of a short cut or Canal, to admit the passage of Vessels and Steam-boats through the neck of land or isthmus where Long Point adjoins the main shore and so to intersect the navigable River, which traverses the coast at the West end of Long Point Bay,

Your petitioners represent to your Honourable House that for want of this improvement, vessels and other craft navigating the said Lake, are often exposed, and in the greatest distress in bad weather, and in consequence sustain much damage, and that frequently vessels are wholly lost on this part of the coast, and many persons have thereby perished by shipwreck.

That your petitioners are fully impressed with a belief, that seldom if at all, would such disasters happen in navigating the said Lake, if the Harbour of Long Point Bay could be entered from the Westward, or should thus become a thoroughfare for Shipping; and if navigators were assisted in gaining said Harbour, by means of a Light House being constructed at the entrance of the proposed Canal or passage.

That your petitioners further represent to your Honourable House, that besides the attainment of ready access to safe and commodious Harbour in the said River and Bay of Long Point, and rendering the navigation of said Lake more direct and secure than at present, that the trade along the coast would also be much increased by the proposed internal improvement, and that the interest of all classes of His Majesty's subjects residing in the said District, would be thereby greatly advanced.

That your petitioners are fully convinced that the construction of the proposed Canal is an undertaking highly deserving of the patronage and support of His Majesty's Colonial Government of Upper Canada, and as such they trust Your Honourable House will afford public aid to complete the same; and Your Petitioners feel assured that in no other part of this Province can so great a National advantage be secured at so little expense.

That Your Petitioners therefore pray Your Honourable House to pass an Act granting to His Majesty a sum of money for the purpose of con-

structing said Canal, so as to admit the passage of Vessels and Steam-Boats from Long Point Bay into Lake Erie, through the said isthmus by way of the river which disembogues into said Lake at the said isthmus, and for the erection of a suitable pier and light House at that Place, and to authorise the appointment of Commissioners to carry the purposes of such act into effect.

And your petitioners as in duty bound will ever pray.

ADAM LAMPMAN, and 282 others.

Captain Matthews, seconded by Mr. Bethune, moves, that the Documents connected with the petition of P. F. Hall be returned to him.

Which was carried.

Doctor Baldwin, seconded by Mr. James Wilson, moves, that the Clerk of the House do forthwith put the detailed Accounts into the hands of Printers, in order that a sufficient number thereof be printed with as little delay as possible for the use of Members, and for the journals.

Which was lost.

Agreeably to the order of the day, the imprisonment for debt abolition bill was read the second time and referred to a committee of the whole House.

Mr. Lefferty was called to the Chair.

The House resumed.

Mr. Lefferty reported progress and asked leave to sit again this day three months.

On the question for receiving the report the House divided and the yeas and nays were taken as follows.

YEAS—Messrs. Attorney General, Baldwin, Berczy, Bethune, Blacklock, Buell, Dalton, Dickson, Fraser, Henderson, Hopkins, Ketchum, Lefferty, McDonald, McLean, Morris, Radenhurst, Smith, James Wilson, and Woodruff—20.

NAYS—Messrs. Baby, Brouse, Cawthra, Shaver, Thomson, John Rolph, Ewing, Fothergill, Hornor, Kilborn, Lockwood, McCall, Mackenzie, Malcolm, Matthews, Perry, Peterson, and G. Rolph—18.

The question was carried in the affirmative by a majority of two, the report was received, and leave was granted accordingly.

Captain Matthews from the select committee to which was referred the petition of Roswell Mount and others, and of Julius Morgan, presented a report which was received, and read.

#### REPORT—(SEE APPENDIX.)

Mr. Perry from the Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House on the subject of settlement duties, reported delivering the same, and that His Excellency had been pleased to give the following answer.

GENTLEMEN,

I shall take under my immediate consideration the subjects mentioned in the address.

Mr. John Rolph from the Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House relative to assessment and population returns, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

I shall give directions that the suggestions contained in this address be attended to; but in justice to the Clerk of the Peace of the Midland District, his returns of Population for the four Counties of that District, for the past year, were forwarded by him to this office, and were supposed to have been transmitted to the House of Assembly.

Mr. Hopkins, from the select committee to which was referred the petition of William McKay and others, presented a report which was received and read.

#### REPORT—(SEE APPENDIX.)

Mr. Hopkins, seconded by Mr. Hornor, moves that the report of the select committee to which was referred the petition of William McKay and others, be referred to the committee of Supply.

Which was carried.

Mr. Perry, from the committee to carry up to the Honourable the Legislative Council the bill entitled "An Act for the remuneration of Robert Randal Esq. for valuable services, rendered this province, while in England," and the bill entitled "An Act to provide for the disposal of a part of the Clergy Reserves in this Province," with a message requesting leave for the Honourable C. Jones, to attend a select committee of this House, reported having done so.

Agreeably to the order of the day, the Forfeited Estates bill was read a second time and referred to a committee of the whole House.

Mr. James Wilson was called to the chair.

The House resumed.

Mr. Wilson reported the Bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Mr. Woodruff from the Committee to which was referred the petition of Jacob Keefer and others, presented a report which was received and read.

#### REPORT—(SEE APPENDIX.)

Mr. Woodruff, seconded by Mr. George Rolph, moves, that the report on the petition of Jacob Keefer and others, be referred to the Committee of supply.

Which was lost.

Mr. Dalton, seconded by Mr. Mackenzie, moves, that an address be presented to His Excellency, praying that His Excellency will be pleased to permit the Honourable James Baby, Inspector General of Upper Canada, and a member of the Executive Council, to attend the select committee of the House to which were referred the public accounts, and that Messrs. Hornor and Ketchum, be a committee to draft and report the said address.

Which was carried, and ordered.

Mr. Hornor, from the committee, to draft an address to His Excellency the Lieutenant Governor, requesting leave for the Inspector General, to attend a select committee, reported a draft, which was received, and read twice concurred in, and ordered to be engrossed and read a third time this day.



Mr. Dalton, seconded by Mr. Mackenzie, moves, that a message be sent to the Honorable the Legislative Council, requesting that, that House will be pleased to permit the Honorable James Baby, Speaker of that Honorable House, and the Honorable Duncan Cameron, and the Honorable John Henry Dunn, to attend the select committee appointed by this House, to consider and report upon the public accounts of this Province.

Which was carried, and Messrs. Dalton and Mackenzie, were ordered by the Speaker, to carry up the message.

Mr. Mackenzie gives notice, that he will on to-morrow move an address to His Excellency the Lieutenant Governor requesting His Excellency to cause to be enforced certain laws relating to the customs.

Mr. Mackenzie gives notice, that on to-morrow he will ask for leave to bring in a bill to alter and amend the existing Police Laws of the Town of York.

Agreeably to notice, Mr. Bethune seconded, by Mr. Shaver, moves, for leave to bring in a bill to authorize the attachment of the property of debtors in certain cases.

Which was granted, and the bill read and ordered for a second reading to-morrow

Mr. George Rolph gives notice, that he will to-morrow move, for the reading of that part of the Journals respecting the incorporation for a free Church at Dundas, Gore District.

Adjourned.

Thursday, 5th March, 1829.

The House met.

Prayers

The minutes of yesterday were read.

Mr. Bethune, brought up the petition of the Rev. George Okill Stuart and others, of the Town of Kingston; which was laid on the table.

Mr. Attorney General brought up the petition of Thomas Stoyell and others, Trustees &c. of the Methodist Episcopal Church in York; which was laid on the table.

Agreeably to the order of the day, the bill relating to confiscated Estates was read the third time, and passed.

Mr. Dickson, seconded by Mr. Terry, moves, that it be entitled "An Act relative to Confiscated Estates."

Which was carried, and Messrs. Dickson and Terry, were ordered to carry up the same to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, requesting permission for the attendance of the Honorable James Baby, on a select committee of the House of Assembly, was read the third time and passed, and is as follows:

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

May it please Your Excellency:—

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully request that your Excellency will be pleased to permit the Honorable James Baby, a member of the Executive Council, and Inspector General of Public Accounts, to attend the select committee of this House appointed to examine and report upon the public accounts of this Province.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
5th March, 1829. } Speaker.

Agreeably to the order of the day, the petition of Thomas Appleton, of the Town of York, Schoolmaster, praying that his petition presented to the House of Assembly during its last session, may be considered and relief granted—the petition of Alexander McDonell, Esquire, and forty-two others, of the Ottawa District, praying that an act may be passed establishing a court of Oyer and Terminer in said District—the petition of Catharine Campbell, and 39 others, Inkeepers, of the Eastern District, praying that a law may be passed enabling them to collect Tavern bills, to the amount of £2, and preventing shop keepers from suffering liquor to be drank in their shops—and the petition of Peter Cornish and nine others, confined in gaol at Brockville, praying for relief—were read.

Mr. Kilborn, seconded by Mr. Henderson, moves, that the petition of Peter Cornish and others, confined in the Brockville Gaol, be referred to a committee consisting of Messrs. John Rolph and Radenhurst with leave to report thereon.

Which was ordered.

Dr. Baldwin from the committee to which was referred the petition of the Mississauga Indians, residing on the River Credit, informed the House that the committee had agreed to a report, and the draft of a bill; and also a draft of an address to His Excellency the Lieutenant Governor, on the subject, all of which he was ready to submit whenever the House would be pleased to receive the same.

The report was ordered to be received, and was read.

REPORT—(SEE APPENDIX.)

The Address reported was then read twice, concurred in, and ordered to be engrossed and read a third time this day.

The bill reported was then read a first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the House went into Committee of the whole on the petition of Joseph Cawthra, and 1628 others, of the Home District.

Mr. Ewing was called to the Chair.

The House resumed to receive a message.

Mr. Secretary Mudge brought down from His Excellency the Lieutenant Governor several messages and documents, and having delivered the same to the Speaker retired.

The Speaker then read the messages as follows:

J. COLBORNE,

The Lieutenant Governor transmits for the information of the House of Assembly, a copy of a report received from the

President of the commissioners of Internal Navigation and of an account and vouchers accompanying the same.

Government House, }  
5th March, 1829. }

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the annual Report of the state of the Western District School.

Government House, }  
5th March, 1829. }

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly a return and plans of the Crown and Clergy reserves on the Otter Creek.

Government House 5th March, 1829.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly the names of the members of the Executive Council appointed by His Majesty.

Government House, }  
5th March, 1829. }

The documents were read by the clerk.

Internal Navigation papers,  
School Report Western District,  
Return of Reserves Otter Creek,  
and Names of Executive Councillors. } (SEE APPENDIX.)

Mr. Perry, seconded by Mr. Thomson, moves, that His Excellency's message of this day, relating to the statements and accounts of the commissioners for Internal Improvements, with the accompanying documents be referred to the select committee appointed to enquire into the distribution of the maps of the Rideau Canal.

Which was ordered.

Mr. John Rolph, seconded by Mr. Blacklock, moves, that an address of thanks be sent to His Excellency for his messages of this day, and that Messrs. Woodruff and Brouse be a committee to draft and report the same.

Which was ordered.

The Speaker left the chair.

The chairman resumed the chair of the committee.

The House resumed.

Mr. Ewing reported progress and asked leave to sit again to-morrow.

On the question for receiving the report the House divided and the yeas and nays were taken as follows.

YEAS—Messrs. Baby, Baldwin, Brouse, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, James Wilson and Woodruff—20.

NAYS—Messrs. Berczy, Bethune, Buell, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Kilborn, Longley, McCall, McLean, Morris, Radenhurst, Samson, Shaver, Smith, Terry, Wilkinson, and John Wilson—21.

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

The Speaker left the chair.

The chairman resumed the chair of the committee.

The House resumed.

The chairman reported progress and asked leave to sit again to-morrow.

The report was not received.

The Speaker left the chair.

The chairman resumed the chair of the committee.

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, and asked leave to sit again to-morrow.

On the question for receiving the report the House divided, and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Brouse, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, Thomson, James Wilson, and Woodruff—21.

NAYS—Messrs. Berczy, Bethune, Blacklock, Buell, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Kilborn, Longley, McCall, McLean, Morris, Radenhurst, John Rolph, Samson, Shaver, Smith, Terry, Wilkinson and John Willson—23.

The question was decided in the negative by a majority of two, and the report was not received.

The Speaker left the chair.

The Chairman resumed the chair of committee.

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, and asked leave to sit again to-morrow.

The Report was not received.

The Speaker left the chair.

The Chairman resumed the chair of committee.

The House resumed.

The Chairman reported progress and asked leave to sit again to-morrow. On the question for receiving the report the House divided, and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Hornor, Kilborn, Lafferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, McLean, Malcolm, Matthews, Peterson, Radenhurst, Geo. Rolph, John Rolph, Smith, and James Wilson—23.

NAYS—Messrs. Berczy, Bethune, Buell, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Ketchum, Longley, Morris, Perry, Samson, Shaver, Terry, Thomson, Wilkinson, and John Wilson—21.

The question was carried in the affirmative by a majority of two, the report was received, and leave granted accordingly.

Adjourned.

Friday, 6th March, 1829.

The House met.

Prayers.

The minutes of yesterday were read.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of Indian Lands, was read the third time, passed and signed, and is as follows:

To His Excellency SIR JOHN COLBORNE, Knight  
Commander of the Most Honorable Military Order of  
the Bath, Lieutenant Governor of the Province of Up-  
per Canada, and Major General commanding His Ma-  
jesty'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, having taken into consideration the petition of the Tribe of Mississagua Indians living on the River Credit, beg leave to recommend it to your Excellency's humane consideration, to preserve untouched the small portions of Land which those people have yet retained for themselves and their posterity on that River—and generally, that in future public purchases, the reservations to be made for the aboriginal owners of the soil, should be such, as by their fertility and reasonable extent, may give encouragement to the industry and improvement of those people, now commencing and making, the most flattering progress, highly worthy your Excellency's protection.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
6th March, 1829. } Speaker.

Doctor Baldwin, seconded by Mr. Ewing moves, that Messrs. Peterson and Brouse be a committee to wait on His Excellency, to know when he would be pleased to receive the address, and to present the same.

Which was ordered.

Mr. John Willson, from the committee to which was referred the petition of James G. Stobridge, and the message of His Excellency, together with the several documents accompanying the same on the subject of the Burlington Bay Canal, 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 ordered to be received, and the bill was read a first time and ordered for a second reading to-morrow.

Mr. Wilkinson, from the committee to wait upon His Excellency the Lieutenant Governor, with the address of this House on the subject of a road through the lands belonging to the Moravian Indians, in the Western District, reported delivering the same, and that His Excellency was pleased to make the following answer.

GENTLEMEN.

I will take the subject of this address under my consideration.

Mr. Wilkinson, seconded by Mr. McCall, moves, that the report of the Western District School be referred to a select committee composed of Messrs. John Rolph, Matthews, Perry and Baby, to report thereon.

Which was ordered.

Mr. Dickson, from the committee to carry up to the Honorable the Legislative Council, the bill entitled, "An Act relative to confiscated estates" and to request their concurrence thereto, reported having done so.

Mr. Peterson from the committee to carry up to the Honorable the Legislative Council, the bill entitled, "An Act to erect the county of Prince Edward into a separate District, reported having done so.

Agreeably to the order of the day, the Gaol limits bill was read the second time, and referred to a committee of the whole house.

Mr. George Rolph was called to the chair.

The House resumed.

Mr. Rolph reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the House went into committee of supply.

Mr. McCall was called to the chair.

The House resumed.

Mr. McCall 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 to-morrow.

The report was ordered to be received, leave was granted, and the resolutions were severally put and carried as follows:

Resolved—That it is expedient that there should be granted the sum of £12,000 to be expended on the public highways and other publicly travelled Roads in this Province.

Resolved—That the £12000 be appropriated in the following manner viz:—

To the Eastern District	£1100
Johnstown do.	1100
Midland do.	1300
Newcastle do.	1100
Home do.	1200
Gore do.	1100
Niagara do.	1000
Dondon do.	1100
Western do.	1100
Bathurst do.	1100
Ottawa do.	800
	<u>£12,000</u>

Resolved—That the sum of £1650 be expended on the Roads and Bridges as follows:

On the Road leading through the Indian Woods in the Midland District	£600 0 0
On the Hill and Bridge at the 16 mile Creek in the Gore District	500 0 0

On the Hill and Bridge at the River Rouge in the Home District	350 0 0
To open the Road leading to Lower Canada, through the County of Glengary to the Eastern Boundary of the Province	200 0 0
	<u>1,650 0 0</u>

On the question for adoption of the the third resolution the House divided, and the yeas and nays were taken follows:

YEAS—Messrs. Baldwin, Blacklock, Brouse, Cawthra, Dalton, Dickson, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Lockwood, Lyons, Mackenzie, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson and Woodruff—26.

NAYS—Messrs. Attorney General, Berczy, Buell, Ewing Leftery, Longley, McCall, McDonald, McLean, Malcolm, Morris, Radenhurst, and Terry—13.

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

Resolved—That the Chairman be instructed to move, that the scale of appropriations for the service of the Roads and Bridges throughout the Province, be referred to the members of the several Districts, and that the said members for each District do prepare and bring into the House on Monday Morning next, a scale of the subdivision of the sum appropriated for their respective Districts, for the service of Roads and Bridges; and that they name the Commissioners that they may think best qualified to superintend the expenditure of the said appropriation.

Resolved—That it is expedient that John Eastwood and Collin Skinner, paper makers, in the Home District, be authorised to receive a drawback of all duties paid by them on Machinery imported into this Province from the United States, for the manufacturing of paper—and also on all such as they may find it necessary to import for their present establishment, for the term of four years next ensuing.

The above resolution was carried Nem Con.

PRESENT—Messrs. At'y General, Baldwin, Berczy, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Leftery, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, McLean, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, James Wilson and Woodruff.

Resolved—That the Chairman be instructed to move, the House for the appointment of a select committee to draft and report a bill pursuant to the resolution on the subject of the importation of certain machinery.

Resolved—That it is inexpedient in the present state of the finances in this Province, to expend the sum of £7000 for the purpose of building a new Parliament House, for the accommodation of the Legislature of this Province, as provided by an act passed the 30th January, 1826, when the smaller sum of £2,500 is found sufficient to enlarge and repair the old Parliament buildings.

Resolved—That the sum of £2500, be forthwith granted for the enlarging and repairing of the late Parliament buildings for the use of the Legislature of this Province, and that a bill be prepared for the same, and the repeal of the Act 7th Geo. 4th Chap. 23; and that the Chairman be instructed to move for a select committee to draft and report the same.

Mr. McCall, seconded by Mr. Perry, moves, that Messrs. Cawthra and Ketchum, be a Committee to draft and report a bill pursuant to the Resolutions relative to the Parliament Buildings.

Which was ordered.

Mr. McCall, Chairman of the Committee of Supply, seconded by Mr. James Wilson, moves that a select Committee be appointed to draft and report a bill to allow a drawback of duties on certain machinery imported by Eastwood and Skinner, and that Messrs. Leftery, Woodruff and Terry, do compose the same.

Which was ordered.

Mr. McCall, seconded by Mr. Mackenzie, moves, that the scale of appropriation for the service of the Roads and Bridges throughout the Province, be referred to the members for the several Districts, and that the said members for each District, do prepare and bring into the House on Monday Morning next, a scale of the subdivision of the sum appropriated for their respective Districts for the service of Roads and Bridges; and that they name the Commissioners that they think best qualified to superintend the expenditure of the said appropriation.

Which was ordered.

Mr. Fothergill gives notice, that he will to-morrow move, for leave to bring in a bill to repeal an Act passed last Session of Parliament entitled, "An Act to provide for the construction of aprons to Mill Dams over certain streams in this Province."

Adjourned.

Saturday, 7th March, 1829.

The House met.

Prayers were read.

The minutes of yesterday were read.

Mr. Fothergill brought up the petition of James Wildgoose, of the Town of York, Gentleman, which was laid on the table.

On the order of the day for the third reading of the Gaol limits bill being called, Mr. Dickson, seconded by Mr. Woodruff, moves, that the bill be not now read a third time, but that the same be again referred to a committee of the whole House for amendment.

Which was carried, and Mr. George Rolph was called to the chair.

The House resumed.

Mr. Rolph reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Agreeably to the order of the day, the petition of Thomas Stoyell and 12 others, Trustees &c. of the Methodist Episcopal Church in York praying for authority to depart with the land held by them on which the Chapel of the Methodist Society in York stands, and to purchase such other land, in or near the said Town, as may be found convenient for the purposes of said Church; and the petition of the Rev. G. Okill Stuart and 41 others, of the Town of Kingston, praying for extension of the Gaol Limits, were read.

Mr. Leftery seconded by Mr. Woodruff, moves, that the petition of John

Putman, be referred to a select committee, composed of Messrs. Dickson and Terry with power to report thereon.

Which was ordered.

Mr. Attorney General, seconded by Mr. Fraser, moves for leave to bring in a bill upon the petition of the Trustees of the Methodist Episcopal Church in York.

Which was granted and the bill read and ordered for a second reading on Monday next.

Doctor Baldwin from the committee to which was referred the petition of Joseph Cawthra and 1628 others, of the Home District, informed the House that the committee had agreed to report in part by bill, a draft of which he was ready to submit whenever the House would please, receive the same.

The report was ordered to be received, and the bill was read the first time and ordered to be read a second time on Monday next.

Agreeably to notice, Mr. James Wilson, seconded by Mr. Attorney General, moves, for leave to bring in a bill for the laying out altering and amending the Highways Roads and Bridges, in this Province.

Which was granted and the bill read and ordered for a second reading on Monday next.

Agreeably to notice, Mr. Thomson, seconded by Mr. Woodruff, moves, for leave to bring in a bill to continue the duties on Shop and Tavern Licences.

Which was granted, and the bill read and ordered for a second reading on Monday next.

Mr. Dalton, seconded by Mr. Blacklock, moves, that Messrs. Perry and McDonald, be a committee to wait upon His Excellency the Lieutenant Governor with the address, requesting his permission to allow the Honorable James Baby to be examined by the finance committee

Which was ordered.

Captain Matthews, seconded by Mr. George Rolph, moves, that a committee be appointed consisting of Messrs. Perry and James Wilson, to examine the Journals of the Honorable the Legislative Council, to ascertain the proceedings had by that Honorable House on the bill sent up by this House entitled, "An Act to grant a certain sum of money to His Majesty for the remuneration of the persons therein mentioned."

Which was ordered.

Agreeably to the order of the day, the Oxford Survey bill was read the second time and referred to a committee of the whole House.

Mr. Attorney General was called to the chair.

The House resumed.

Mr. Attorney General reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Agreeably to the order of the day, the Newcastle Gaol and Court House bill was read a second time and referred to a committee of the whole House.

Mr. Mackenzie was called to the chair.

The House resumed.

Mr. Mackenzie reported progress, and asked leave to sit again this day three Months.

On the question for receiving the report, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Berczy, Blacklock, Dickson, Fothergill, Hamilton, Henderson, Hornor, Longley, McCall, McDonald, McLean, Mulcock, Matthews, Morris, Radenhurst, Smith, Terry, Wilkinson, and John Wilson—21.

NAYS—Messrs. Bethune, Brouse, Buell, Cawthra, Dalton, Ewing, Fraser, Hopkins, Ketchum, Kilborn, Lockwood, Lyons, Mackenzie, Perry, George Rolph, John Rolph, Shaver, Thomson, and James Wilson—19.

The question was carried in the affirmative by a majority of two, the report was received, and leave was granted accordingly.

Agreeably to the order of the day, the Evidence law amendment bill was read the second time and referred to a committee of the whole.

Mr. Blacklock was called to the chair.

The House resumed.

Mr. Blacklock reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Mr. John Rolph, from the committee to which were referred the several petitions relative to the formation of a Harbour at the Mouth of Otter Creek in Lake Erie, reported the draft of an address to His Excellency the Lieutenant Governor, which was received, and read twice, concurred in and ordered to be engrossed and read a third time this day.

Mr. Dalton, seconded by Mr. Mackenzie, moves, that the Finance committee have leave to report an address to His Excellency the Lieutenant Governor.

Which was granted.

Mr. Dalton, Chairman of the committee of Finance, reported the draft of an address to His Excellency the Lieutenant Governor.

The report was ordered to be received, and the address was read twice, concurred in and ordered to be engrossed and read a third time this day.

Agreeably to notice, Doctor Baldwin, seconded by Mr. Hopkins, moves, that a humble address be presented to His Excellency the Lieutenant Governor, requesting he may please to direct the proper officer to lay before this House, a detailed account of the Still Licences issued in this Province since the year 1820, inclusive, with the names of persons obtaining such Licences, and the amount paid by each of such persons.

Which was carried.

Mr. Woodruff, from the committee appointed to draft an address to His Excellency the Lieutenant Governor, thanking him for his messages of the 5th instant, reported a draft which was received and read twice, concurred in and ordered to be engrossed and read a third time this day.

Mr. Dalton, seconded by Mr. Hornor, moves, that a message be sent to the Honorable the Legislative Council, requesting their permission for the Honorable James Baby and the Honorable William Allan, to attend to give Evidence before the committee appointed to enquire into the case of Francis Collins.

Which was ordered.

Mr. Hornor, from the committee to which was referred the petition of William Forsyth of Stamford, presented a report which was received, and read.

REPORT—(SEE APPENDIX.)

Mr. Leflorty, from the committee appointed to draft a bill founded on the resolution, reported by the committee of Supply relative to duties on importation of certain machinery, presented a draft, which was received, and read the first time and ordered for a second reading on Monday next.

Mr. Peterson from the committee appointed to draft an address to His Excellency the Lieutenant Governor, on the subject of Still Licences reported a draft which was received and read twice, concurred in and ordered to be engrossed and read a third time this day.

Mr. Morris from the select committee appointed to examine and report upon the cause of the increase of the contingencies of the Legislature; presented a report which was received and read.

REPORT—(SEE APPENDIX.)

Captain Matthews, seconded by Mr. Morris, moves, that so much of the journals of the last Session of the last Parliament as relates to the report of the committee appointed to enquire into the case of Edward Thompson Philan, be now read, and that the 32d rule of this House be dispensed with so far as relates to the same.

Which was carried, and the Journals were read.

Captain Matthews gives notice, that he will on Monday next move for leave to bring in a bill for the relief of Edward Thompson Philan.

Agreeably to the order of the day, the House went into committee on the Gore of Fredericksburg survey bill.

Mr. Dickson was called to the chair.

The House resumed.

Mr. Dickson reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Mr. Perry from the select committee appointed to examine and report upon the distribution of the Rideau Maps, presented a report which was received and read.

REPORT—(SEE APPENDIX.)

Mr. Perry, seconded by Mr. Dickson, moves, that the report just read be adopted.

Which was carried.

Mr. Mackenzie gives notice, that he will on Monday next move for leave to bring in a bill to reduce and further regulate the fees of the several Clerks of the Peace in this Province.

Mr. Mackenzie gives notice, that he will on Monday next, move for leave to bring in a bill to alter and amend the laws now in force for regulating Township surveys, as far as relates, to the Township of Scarborough.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor on the subject of reserved lands, disposable on Otter Creek, was read the third time, passed, and signed, and is as follows:

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

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 inform this House, whether any, and what portion of the Crown Reserves, on the Otter Creek, according to the returns transmitted by your Excellency to this House, can be appropriated to the improvement of that Creek, and the construction of a harbour at the mouth thereof.

MARSHALL S. BIDWELL,  
Commons House of Assembly, }  
March 7th, 1829. }  
Speaker.

Mr. John Rolph, seconded by Mr. Brouse, moves, that Messrs. Leflorty and Hornor, be a committee to wait upon His Excellency, to learn when he will be pleased to receive the address, and to present the same.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of still licences, was read the third time, passed and signed, and is as follows:

To His Excellency Sir John Colborne, Knight Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c. &c. &c.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to request your Excellency to cause the proper officer to lay before this House a detailed account of the still licences issued in this Province, since the year 1820, inclusive, with the names of the persons obtaining such licenses, and the amount paid for each.

MARSHALL S. BIDWELL,  
Commons House of Assembly, }  
7th March, 1829. }  
Speaker.

Doctor Baldwin, seconded by Mr. Hopkins, moves, that Messrs. Lyons and Brouse be a committee to wait upon His Excellency to know when he may please to receive the address of this House, and to present the same.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor on the subject of the monies paid by the Receiver General of Lower Canada, &c. &c., was read the third time, passed and signed, and is as follows:

To His Excellency Sir John Colborne, Knight Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c. &c. &c.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to request your Excellency to cause the proper officer to lay before this House a detailed account of the still licences issued in this Province, since the year 1820, inclusive, with the names of the persons obtaining such licenses, and the amount paid for each.

MARSHALL S. BIDWELL,  
Commons House of Assembly, }  
7th March, 1829. }  
Speaker.



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

May it please Your Excellency,

We His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully request Your Excellency to lay before this House at as early a period of the session as possible, a statement in detail of all monies paid by the Receiver General of Lower Canada, to the Receiver General of this Province, as this Province's proportion of the duties arising to His Majesty in Lower Canada, under the provision of the British Act, 14th Geo. 3d. chap. 83, from the period at which the act of the Imperial Parliament 3d Geo. 4th, chap. 179, was passed, until the first January last, as also of the monies paid to the Receiver General of this Province, under the provisions of the said act 14th Geo. 3d. chap. 83, by Collectors, Inspectors, and others, in this colony, during the same period together with the appropriations and the balance now in the Receiver General's hands; in order that this House may more fully ascertain the amount and application of the Taxes and duties levied upon its constituents: we also respectfully request that Your Excellency will be pleased to state to this House, under what act or authority, and upon what principle the Receiver General has been allowed to charge poundage upon monies which it is said have not hitherto been held by His Majesty's Government to be at the disposal of the Legislature of this Colony.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
7th March, 1829. } Speaker.

Agreeably to the order of the day the address to His Excellency the Lieutenant Governor, thanking him for his messages of the 5th instant, was read the third time passed and signed, and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank your Excellency for your several messages of the 5th instant.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
March 7th, 1829. } Speaker.

Mr. John Rolph, seconded by Mr. Poterson, moves, that Messrs. Woodruff and Buell, be a committee to wait upon His Excellency to learn when he will be pleased to receive the address of thanks and to present the same.

Which was ordered.

Mr. Mackenzie, seconded by Mr. Ketchum, moves that Messrs. Morris and Buell, be a committee to wait upon His Excellency with the address respecting duties under 14th Geo. 3d and poundage, to learn when he will be pleased to receive the address, and to present the same.

Which was ordered.

Doctor Baldwin, from the select committee to which were referred the several petitions, praying for the erection of a Harbour at the Mouth of Patersons Creek in Lake Erie, presented a report which was received, and read.

#### REPORT—(SEE APPENDIX.)

Doctor Baldwin, seconded by Mr. McCall, moves, that the report be referred to the committee of Supply.

Which was carried.

Mr. John Rolph, seconded by Mr. George Rolph, moves, for the reading of that part of the Journals of last Session, respecting the free Church at Dundas.

Which was carried, and the Journals were read.

Mr. John Rolph, seconded by Mr. George Rolph, moves, for leave to bring in a bill, to incorporate David Oliphant and others, to hold land for the free church at Dundas.

Which was granted and the bill read.

Mr. John Rolph, seconded by Mr. George Rolph, moves, that the bill respecting the free Church at Dundas, be now read a second time; and the forty first rule be dispensed with as far as it respects the same.

Which was carried, and the bill was read the second time, and referred to a committee of the whole House.

Mr. Mackenzie was called to the chair.

The House resumed.

Mr. Mackenzie reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Mr. Perry, seconded by Mr. Dickson, moves, that out of the remaining Rideau maps, at the disposal of the House, there be given to Messrs. Morris and Radnor, 5 each.

Which was carried and ordered.

Mr. Perry, seconded by Mr. Dickson, moves, that the clerk of this House be directed to furnish the Clerks of the Peace, in the several Districts of this Province, each, with a map of the Rideau Canal.

Which was ordered.

Mr. Perry, seconded by Mr. Dickson, moves, that the Speaker do transmit to His Excellency Sir James Kempt, the Administrator of the Government of Lower Canada, five of the Rideau Canal maps, for the use of the Legislature of that Province.

Which was ordered.

Adjourned.

Monday, 9th March, 1829.

The House met.

Prayers.

The minutes of Saturday were read.

Doctor Baldwin brought up the petition of Israel Powell and others of the tenth concession of Windham, which was laid on the table.

Mr. Fothergill brought up the petition of John Thomas of the Township of Haldimand in the Newcastle District, which was laid on the table.

Mr. Berczy brought up the petition of Roswell Mount of the Township of Carradoc, in the London District, which was laid on the table.

Mr. Perry brought up the petition of Cynthia Vandyke of the Township of Fredericksburg in the Midland District; which was laid on the table.

Agreeably to the order of the day, the Gaol limits bill was read the third time and passed.

Mr. Dickson, seconded by Mr. Terry, moves, that the bill be entitled, "An Act to extend the limits heretofore assigned to the respective Gaols in this Province."

Which was carried, and Messrs. Dickson and Terry, were ordered by Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Oxford Survey bill was read the third time and passed.

Mr. Longley, seconded by Mr. Henderson, moves that the bill be entitled, "An Act to provide for the survey of a part of the township of Oxford, in the Johnstown District."

Which was carried, and Messrs. Longley and Henderson were ordered by the Speaker to carry up the same to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Evidence Law Amendment Bill was read the third time and passed.

Agreeably to the order of the day, the Gore of Fredericksburgh Survey Bill, was read the third time, and passed.

Mr. Perry, seconded by Mr. Lockwood, moves that the bill be entitled "An Act to provide for the survey of the concession lines of the Gore of Fredericksburg."

Which was carried, and Messrs. Perry and Lockwood were ordered by the Speaker to carry up the same to the Honorable the Legislative Council, and request their concurrence thereto.

Agreeably to the order of the day, the Dundas Free Church Incorporation Bill was read the third time and passed.

Mr. Thomson, seconded by Mr. Smith, moves, that the bill be entitled "An Act to incorporate certain persons for the purpose of holding lands for a Free Church in Dundas, in the District of Gore."

Which was carried, and Messrs. Thomson and J. Rolph, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Mr. Thomson, seconded by Mr. Smith, moves, that the evidence law amendment bill, be entitled "An Act to amend the law respecting contracts, and evidence, in certain respects."

Which was carried, and Messrs. Ketchum and Cawthra, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Mr. Berczy, seconded by Mr. Dickson, moves that the forty-third rule of this House be dispensed with so far as regards the reading the petition of Roswell Mount, and that the same be now read.

Which was lost.

Dr. Baldwin, seconded by Mr. Woodruff, moves, that the 43d rule of this House be dispensed with, so far as respects the petition of Israel Powell, and the resident land owners in the 10th concession of Windham, and that the same be now read.

Which was carried, and the petition of Israel Powell, and others, landholders living in the tenth concession of Windham in the London District, praying for a new survey, of said tenth concession, was read.

Doctor Baldwin, seconded by Mr. Woodruff, moves, that the petition of Israel Powell, and others land owners in the tenth concession of Windham, be referred to Messrs. McCall and Hornor, as a select committee, with power to send for persons and papers, and with leave to report by bill or otherwise and that so much of the 40th rule of this House be dispensed with as to enable the said committee to report by bill.

Which was carried and ordered.

Mr. McCall from the select committee to which was referred the petition of Israel Powell and others, of the tenth concession of Windham, 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 ordered to be received, and the bill was read the first time and ordered for a second reading to-morrow.

Agreeably to notice, Captain Matthews, seconded by Mr. Morris, moves, for leave to bring in a bill for the relief of Edward Thompson Philan.

Which was granted and the bill read and ordered for a second reading to-morrow.

Mr. Mackenzie, seconded by Mr. Lafferty, moves that the petition of Reuben Aylward, be referred to the committee on supply.

Which was carried.

Mr. Dickson, seconded by Mr. Terry, moves, that that item on the order of the day, which relates to certain "resolutions on actual residence," be expunged.

Which was carried.

Mr. Perry from the committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, requesting permission for the Honorable James Baby, Inspector General of Public Provincial Accounts to attend a select committee of this House, appointed to examine and report upon the public accounts, reported delivering the same, and that His Excellency had been pleased to give the following answer:

GENTLEMEN,

The Inspector General of Accounts, shall be informed that he has my permission to attend the committee of the House of Assembly appointed to examine into the Public Accounts of the Province.

Agreeably to the order of the day, the Kingston Town Council Bill was

read the second time, and referred to a committee of the whole House.

Mr. Morris was called to the chair.

The House resumed.

Mr. Morris reported the bill as amended.

On the question for receiving the report the House divided, and the yeas and nays were taken as follows:

YEAS.—Messrs. Baby, Baldwin, Berzey, Blacklock, Brouse, Cawthra, Dickson, Ewing, Fraser, Hamilton, Henderson, Hornor, Ketchum, Lafferty, Longley, McCall, Mackenzie, McLean, Malcolm, Matthews, Radenhurst, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—30.

NAYS—Messrs. Bethune, and Morris—2.

The question was carried in the affirmative by a majority of 28, the report was received.

In amendment, Mr. Morris, seconded by Mr. Radenhurst, moves, that the words "and in all these elections the manner of voting shall be by ballot" be expunged from the fourth clause of the bill.

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

YEAS—Messrs. Berzey, Bethune, Dickson, Hamilton, McDonald, McLean, Morris, Radenhurst, and Wilkinson—9.

NAYS—Messrs. Baldwin, Blacklock, Brouse, Cawthra, Dalton, Ewing, Fraser, Henderson, Hornor, Ketchum, Lafferty, Longley, McCall, Mackenzie, Malcolm, Matthews, Geo. Rolph, John Rolph, Shaver, Smith, Terry, Thomson, John Willson, James Wilson, and Woodruff—25.

The question was carried in the affirmative by a majority of sixteen, and the bill was ordered to be engrossed, and read a third time to-morrow.

Mr. Mackenzie, seconded by Mr. Cawthra, moves that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor, requesting information concerning the receipts and expenditure of the commissioners of Forfeited Estates, and that Messrs. Hornor and McCall, be a committee to draft and report the said address, and that the 32d rule of this House shall be suspended so far as it applies to this motion.

Which was carried.

Agreeably to the order of the day, the Highway Bill was read a second time, and referred to a committee of the whole House.

Mr. Bethune was called to the Chair.

The House resumed.

Mr. Bethune reported progress, and obtained leave to sit again to-morrow.

Agreeably to the order of the day, the bill for the relief of Eastwood and Skinner, Papermakers, was read the second time and referred to a committee of the whole House.

Captain Matthews was called to the chair.

The House resumed.

Captain Matthews reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the Shop and Tavern Licence Bill, was read a second time, and committed to the whole House.

Mr. Cawthra was called to the chair.

The House resumed.

Mr. Cawthra reported progress, and obtained leave to sit again to-morrow.

Agreeably to the order of the day, the Liquor selling Licence Bill was read a second time, and referred to a committee of the whole House.

Mr. Longley was called to the chair.

The House resumed.

Mr. Longley reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed, and read a third time to-morrow.

Agreeably to the order of the day, Theal's relief bill, was read a second time, and referred to a committee of the whole House.

Dr. Baldwin was called to the chair.

The House resumed.

Doctor Baldwin reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Mr. Perry, seconded by Mr. Lafferty, moves, that a message be sent to the Honorable the Legislative Council to inform them that two members of this House, deputed to carry up to the Honorable the Legislative Council the bill entitled "An Act to provide for the disposal of a part of the Clergy Reserves in this Province," and to desire the concurrence of that Honorable House thereto, and also that two members of this House, deputed to carry up to the Honorable the Legislative Council the bill entitled "An Act for the payment of wages to town members," and to desire the concurrence of that Honorable House thereto, having undesignedly omitted to make, agreeably to the orders of this House, the usual request, this House desire the Honorable the Legislative Council to be pleased to overlook the undesigned omission, and to proceed upon the said bills as if the usual request had accompanied the same.

Which was carried, and Messrs. Lafferty and Perry, were ordered by the Speaker to wait upon the Honorable the Legislative Council with the message.

Mr. Attorney General from the select committee to which was referred the petition of R. C. Horne, Esq. presented a report, which was received and read.

REPORT—(SEE APPENDIX.)

Mr. Attorney General, seconded by Mr. Bethune, moves that the report of the select committee upon the petition of Robert Charles Horne Esq. be referred to the committee of supply.

Which was carried.

Mr. Ketchum from the committee to carry up to the Honorable the Legislative Council the bill entitled "An Act to amend the law respecting contracts and evidence in certain respects" and to request their concurrence thereto, reported having done so.

Mr. Ketchum from the select committee appointed to draft a bill, in conformity to a resolution of the committee of supply relative to repairing the old Parliament House reported a draft, which was received and read the first time and ordered for a second reading to-morrow.

Mr. Dickson from the select committee to carry up to the Honorable the

Legislative Council the bill entitled "An Act to extend the limits heretofore assigned to the respective Gaols in this Province" and to request their concurrence thereto, reported having done so.

Agreeably to the order of the day, the House went into a committee of the whole on the loan bill.

Mr. George Rolph in the chair.

The House resumed, the Black rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill entitled "An Act to improve the navigation of Lake Ontario by authorising the construction of a harbour at Cobourg, by a joint Stock Company," which they had passed without amendment, and several messages and having delivered the same to the Clerk, retired.

The messages were then read by the Speaker as follows:

MR. SPEAKER.

The Legislative Council have remarked, that on the delivery at the bar of this House of the bills entitled "An Act to provide for the disposal of a part of the Clergy Reserves in this Province," and "An Act for the payment of wages to town members" from the House of Assembly, the usual form of requesting the concurrence of this house has been omitted.

Legislative Council Chamber, }  
Ninth day of March, 1829. }

J. BABY,  
Speaker.

MR. SPEAKER.

The Honorable James Baby Speaker of the Legislative Council, and the Honorable William Allan, have leave to attend the select committee of the Commons House of Assembly, as desired by that house in their message of this day, if they think fit.

Legislative Council Chamber, }  
9th day of March, 1829. }

J. BABY,  
Speaker.

MR. SPEAKER.

The Honorable James Baby Speaker of the Legislative Council, and the Honorable Duncan Cameron, and the Honorable John Henry Dunn have leave to go to the select committee of the Commons House of Assembly, as desired by that House in their message of Friday last, if they think fit.

Legislative Council Chamber }  
Ninth day of March, 1829. }

J. BABY,  
Speaker.

The House went again into committee on the loan bill.

Mr. Rolph in the chair.

The House resumed.

Mr. Rolph reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read the third time to-morrow.

Agreeably to the order of the day, Strobidge's relief bill was read the second time.

Mr. John Wilson, seconded by Mr. Wilkinson, moves, that the bill for the relief of Jame G. Strobidge, be referred to the committee of Supply.

Which was carried.

Agreeably to the order of the day, the House went into committee of supply.

Mr. Fothergill in the chair.

The House resumed.

Mr. Fothergill reported progress and obtained leave to sit again to-morrow.

Captain Matthews, seconded by Mr. Hornor, moves, for leave to bring in a bill for the better appointment of Surveyors of Highways in this Province, and that the 32d rule of this House be dispensed with so far as relates to the same.

Which was granted, and the bill read and ordered for a second reading to-morrow.

Adjourned.

Tuesday, 10th March, 1829.

The House met.

Prayers.

The minutes of yesterday were read.

Mr. Wilkinson brought up the petition of James Kerby Esq. and others, which was laid on the table.

Agreeably to the order of the day, the Kingston Town Council bill was read a third time and passed.

Mr. Thomson, seconded by Mr. Dickson, moves, that the bill be entitled, "An Act to amend the laws respecting the police of the Town of Kingston."

Which was carried, and Messrs. Thomson and Blacklock, were ordered by Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Dickson, seconded by Mr. Thomson, moves that the order for the third reading of the Liquor Selling Licence bill be postponed until to-morrow.

Which was carried.

On the order of the day for the third reading of Eastwood and Skinner's relief bill being called, Mr. Lafferty, seconded by Mr. Woodruff, moves, that the bill for the relief of Eastwood and Skinner, be not now read a third time, but be recommitted to a committee of the whole House.

Which was carried and Mr. Malcolm was called to the chair.

The House resumed.

Mr. Malcolm report the bill as amended, the report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the bill for the relief of Samuel Theal, was read the third time and passed.

Mr. Lafferty seconded by Mr. John Willson, moves, that the bill be entitled "An Act for the relief of Samuel Theal."

Which was carried, and Messrs. Lafferty and Terry, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the loan bill was read the third time.

On the question for passing the same the House divided, and the yeas and nays were taken as follows:

YEAS—Messrs. Attorney General, Bethune, Blacklock, Brouse, Buell, Dalton, Ewing, Fraser, Hamilton, Henderson, Hopkins, McCall, McDonald, McLean, Morris, Perry, Peterson, Radenhurst, Smith, Terry, James Wilson and Woodruff—22.

NAYS—Messrs. Baldwin, Cawthra, Hornor, Ketchum, Lockwood, Mackenzie and Malcolm—7.

The question was carried, in the affirmative by a majority of fifteen and the bill was passed.

Mr. Morris, seconded by Mr. Berczy, moves, that the bill be entitled "an Act to borrow a sum of money in England."

Which was carried, and Messrs. Attorney General and Morris were ordered by the Speaker to carry up the same to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of James Wildgoose, of the Town of York, Gentleman, praying to be employed in the clerk of Assembly's office was read.

Agreeably to the order of the day, the attachment bill was read the second time, and referred to the committee of the whole house.

Mr. Buell was called to the chair.

The House resumed

Mr. Buell reported progress, and asked leave to sit again this day three months.

On the question for receiving the report, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Hopkins, Ketchum, Kilborn, Lockwood, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, George Rolph, Shaver, Terry, Thomson, and James Wilson—24.

NAYS—Messrs. Attorney General, Berczy, Bethune, Henderson, Longley, McLean, Radenhurst, and Smith—8.

The question was carried in the affirmative by a majority of 16, the report was received, and leave was granted accordingly.

Mr. Dalton from the select committee to which was referred the petition of Francis Collins, presented a fifth report, accompanied by several resolutions, and an address to His Majesty in behalf of Francis Collins, which was received and read.

Report,  
Resolutions,  
Address to His Majesty,

} See Appendix.

Mr. Lafferty from the committee to wait on His Excellency the Lieutenant Governor with the address of this House, relative to reserve lands on Otter Creek, Lake Erie, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

By reference to the plan in possession of the House of Assembly, it will be seen there are no crown Reserves at the disposition of His Majesty's Government, on the Otter Creek, in the townships of Malahide, Bayham, and Middleton, there are some lands ungranted but as to their extent no returns have been lately received by the Surveyor General.

Mr. Morris from the committee to wait on His Excellency the Lieutenant Governor with the address of this House, requesting information relative to monies received from the Receiver General of Lower Canada, crown duties, &c., reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

The whole of the estimate for the civil list can, this year, be defrayed from the crown revenue, & the expenditure of about 10,000 per annum, which was defrayed till the year 1827 by grants of the Imperial Parliament, is now also transferred to the territorial revenue of the Crown, arising from the Canada Company agreement.

A statement therefore has been prepared for the House of Assembly, in which the information requested in this address is contained, respecting the appropriation of sums arising from revenue collected under the act of the 14th Geo. 3rd, chap. 83, and the balance in the Receiver General's hands which, when other documents connected with the civil establishment, are received, shall be laid before the House.

Statements of all monies paid by the Receiver General of Lower Canada to the Receiver General of this Province, of the proportion of duties on Imports under the 14th Geo. 3rd, have been regularly laid before the House in the form in which the accounts have been transmitted from the Lower Province, and cannot be again prepared at this period of the session.

Percentage is charged by the Receiver General under the 14th Geo. 3d, and it appears that this part of his emolument is only charged for such monies as have been transferred by His Majesty's Government to the Province in aid of the civil list, and which is supposed to be authorised by the Provincial Statute of 42d George 3d, Chapter 8, and the act above quoted.

Agreeably to the order of the day, the House went into committee of supply.

Mr. Henderson was called to the chair.

The House resumed, the Black Rod being at the door.

The Master in Chancery brought down, from the Honorable the Legislative Council, the bill entitled "An Act relative to confiscated estates" which they had passed without amendment.

The Speaker left the chair.

Mr. Henderson resumed the chair of the committee.

The House resumed, the Black Rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council, a message which the Speaker read as follows:

MR. SPEAKER,

The Legislative Council request that the House of Assembly will be pleased to communicate to this House, the proofs and documents on which the bill entitled "An Act to incorporate certain per-

sons for the purpose of holding lands for a free church in Dundas, in the District of Goro," is founded.

J. BABY,  
Speaker,

Legislative Council Chamber,  
10th March, 1829.

The House went again into committee of supply.

Mr. Henderson in the chair.

The House resumed.

Mr. Henderson reported progress and obtained leave to sit again to-morrow. Adjourned.

Wednesday, 11th March, 1829.

The House met.

Prayers

The minutes of yesterday were read.

Mr. Attorney General brought up the petition of the Welland Canal Company, which was laid on the table.

Mr. Lafferty brought up the petition of Samuel Wood, of Grantham, in the District of Niagara; which was laid on the table.

Agreeably to the order of the day, the bill for the relief of Eastwood and Skinner was read the third time and passed.

Mr. Lafferty, seconded by Mr. Woodruff, moves that the bill be entitled "An Act for the relief of John Eastwood and John Skinner."

Which was carried, and Messrs. Lafferty and Woodruff were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

On the order of the day, for the third reading of the liquor selling licence bill being called. Mr. Dickson, seconded by Mr. Woodruff, moves, that the bill be not now read, but that it be recommitted to a committee of the whole House for amendment.

Which was carried and Mr. Dalton was called to the chair.

The House resumed.

Mr. Dalton reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the petition of John Thomas, of the Township of Haldimand in the Newcastle District, praying to be allowed to import certain machinery free of duty; the petition of Roswell Mount of the Township of Carradoc, in the London District, praying against a certain petition for aid to open a certain road in the said District, and the petition of Synthe Vandyke, John Vandyke, Alexander Vandyke and Mary Vandyke of Fredrickburg in the Midland District, praying that an Act may be passed authorising the petitioners to convey in fee simple certain entailed lands, were read.

Mr. Thomson from the select committee to which were referred the contingencies of the present Session, presented a second report, which was received, and read as follows:

To the Honorable the Commons House of Assembly

The committee appointed to superintend the contingencies of the present Session, beg leave respectfully to make their second report.

Your committee having examined the several accounts presented to them, find the following balances, due viz:

Clerk's Office	-	-	-	-	£65	14	3
John Carey	-	-	-	-	69	18	7½
William Lyon Mackenzie	-	-	-	-	30	10	9
Francis Collins	-	-	-	-	23	13	3
						£189	16 10½

Making the sum of £189 16 10½, the immediate payment of which your committee recommend.

Your committee cannot avoid remarking that the Journals of last Session have cost the Province an unprecedented sum of money, the cause of which can only be attributed to the uncommon quantity of matter contained in them, and the loose manner in which a part of the printing of the same has been executed.

The petition of John Willson Esq. late Speaker of Your Honorable House has been referred to the committee; and after due deliberation your committee are of opinion that Mr. Willson has acted rather prematurely and they cannot therefore at present recommend the reimbursement of the amount paid by him to Mr. Taylor.

All which is respectfully submitted.

Committee Room

House of Assembly 10th March, 1829.

H. C. THOMSON  
Chairman.

Mr. Thomson, seconded by Mr. Perry, moves, that it be resolved, that the Speaker do pay out of the monies remaining in hands, for the purpose of defraying in part the contingencies of the present Session, in accordance with the report of the select committee just read, the following sums, viz:

To the Clerk	-	-	-	-	£65	14	3
John Carey	-	-	-	-	69	18	7½
William Lyon Mackenzie	-	-	-	-	30	10	9
Francis Collins	-	-	-	-	23	13	3
						£189	16 10½

In amendment, Mr. Wilkinson, seconded by Mr. Dickson, moves that the following words be added to the original motion.

"To John Willson, Esq. late Speaker of this House, to defray expenses already incurred by him in consequence of his issuing a warrant in obedience to the orders of this House, the sum of £30."

Which was carried.

The original question as amended, was then put and carried.

Mr. Blacklock, seconded by Mr. Berczy, moves, that the Petition of Catharine Campbell and others be referred to a select Committee; and that the Committee do consist of Messrs. James Wilson & Fraser with leave to report by bill or otherwise.

Which was ordered.

Mr. Mackenzie from the select Committee to which was referred the



message from His Excellency the Lieutenant Governor on the subject of the Receiver General's Salary &c. &c. informed the House, that the Committee had agreed to report by bill, a draft of which, together with certain evidence received from the Receiver General, he was ready to submit whenever the House would be pleased to receive the same.

The report was ordered to be received, and the bill was read the first time and ordered for a second reading to-morrow.

The evidence taken by the Committee was then read.

**EVIDENCE OF RECEIVER GENERAL—(SEE APPENDIX)**

Mr. Henderson, from the committee to carry up to the Honorable the Legislative Council, the bill entitled "An Act to provide for the survey of a part of the township of Oxford in the Johnstown District" and to request their concurrence thereto, reported having done so.

Mr. Morris from the committee to carry up to the Honorable the Legislative Council the bill entitled "An Act to borrow a sum of money in England" and to request their concurrence, thereto, reported having done so.

Mr. Thomson, from the committee to carry up to the Honorable the Legislative Council the bill entitled "An Act to amend the laws respecting the police of the town of Kingston" and to request their concurrence thereto, reported having done so.

Mr. Mackenzie from the select committee to which was referred the petition of John Porter, 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 ordered to be received, and the bill was read a first time and ordered for a second reading to-morrow.

Mr. Perry, seconded by Mr. Dalton, moves, that the House do now resolve itself into a committee of the whole, on the report of the select committee to whom was referred the petition of Francis Collins.

Which was carried, and Mr. Berczy was called to the chair.

The House resumed.

Mr. Berczy 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 to-morrow.

On the question for receiving the report the House divided and the yeas and nays were taken as follows.

**YEAS**—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, Terry, Wilkinson, James Wilson and Woodruff—25.

**NAYS**—Messrs. Berczy, Bethune, Henderson, Longley, McLean, Morris, Samson and John Willson—8.

The question was carried, in the affirmative by a majority of twenty-seven, the report was received, and leave granted accordingly.

The first resolution was then put as follows:

**Resolved**—That while prosecutions have been instituted and encouraged against Francis Collins, H. C. Thomson M. P. and William Lyon Mackenzie M. P. Editors of papers opposing the injurious policy pursued by the late Provincial Administration, other papers under the patronage and pay of the Provincial Government, have been allowed to disseminate with impunity, far grosser and more dangerous libels against the House of Assembly, as well as against many public and private men.

On which the House divided and the yeas and nays were taken as follows:

**YEAS**—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson and Woodruff—37.

**NAYS**—Messrs. Berczy, Bethune, Henderson, Longley, M'Lean, Morris and Samson—7.

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

The second resolution was then put as follows:

**Resolved**—That the document marked B. is a true copy of the indictment upon which Francis Collins was acquitted at the late Court of Oyer and Terminer and general Gaol delivery for the Home District.

On which the House divided and the Yeas and Nays were taken as follows:

**YEAS**—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, Thomson, James Wilson and Woodruff—33.

**NAYS**—Messrs. Attorney General, Berczy, Bethune, Hamilton, Henderson, Longley, M'Lean, Morris, Samson, Terry, Wilkinson and John Willson—12.

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

The third resolution was then read as follows.

**Resolved**—that Francis Collins being under prosecution for the said alleged libel on Sir Peregrine Maitland, Mr. Attorney General Robinson during the said court at York, endeavoured to force him to trial, in the first place by erroneously alleging the defendant had been arraigned at the previous assizes; in the second place, when the records of the court were found to contradict his assertion, by denying the right to traverse altogether, the indictment having been found at the preceding assizes, and in the third place, by contending, that having omitted to traverse the indictment upon his arraignment as the proper time for so doing, he could not be permitted to avail himself of the privilege subsequently; and that while the latter points were still depending, and undetermined, the article for which he was afterwards indicted and convicted of libel was published.

In amendment, Mr. Radenhurst, seconded by Mr. Dickson, moves, that after the word "Maitland" in the original resolution, the remainder be expunged and the following inserted—"and before the same had been determined; the article for which he was afterwards indicted and convicted of libel was published."

On which the House divided and the Yeas and Nays were taken as follows:

**YEAS**—Messrs. Berczy, Bethune, Blacklock, Dickson, Ewing, Fother-

gill, Fraser, Hamilton, Henderson, Kilborn, Longley, M'Donald, M'Lean, Morris, Radenhurst, Samson, Shaver, Smith, Terry, Wilkinson, and John Willson—21.

**NAYS**—Messrs. Baby, Baldwin, Brouse, Buell, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, M'Call, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Thomson, James Wilson and Woodruff—23.

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

In amendment to the original question, Mr. Dalton, seconded by Mr. McLean, moves, that the word "force" be expunged and the word "bring" inserted in its place and that after the word "erroneously" the following words be inserted "supposing and."

On which the House divided and the Yeas and Nays were taken as follows:

**YEAS**—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fraser, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Geo. Rolph, John, Rolph, Shaver, Smith, Terry, Thomson, James Wilson, and Woodruff—30.

**NAYS**—Messrs. Berczy, Bethune, Dickson, Fothergill, Hamilton, Henderson, Kilborn, Longley, M'Lean, Morris, Radenhurst, Samson, Wilkinson, and John Willson—14.

The question was carried, in the affirmative by a majority of sixteen and the resolution as amended was put and carried as follows:

**Resolved**—That Francis Collins being under prosecution for the said alleged libel on Sir P. Maitland, Mr. Attorney General Robinson during the said court at York, endeavoured to bring him to trial, in the first place by erroneously supposing and alleging the defendant had been arraigned at the previous assizes; in the second place, when the records of the court were found to contradict this assertion, by denying the right to traverse altogether, the indictment having been found at the preceding assizes; and in the third place, by contending, that having omitted to traverse the indictment upon his arraignment, as the proper time for so doing, he could not be permitted to avail himself of the privilege subsequently; and that while the latter points were still depending, and undetermined, the article for which he was afterwards indicted and convicted of libel, was published.

The fourth resolution was then put and carried, as follows:

**Resolved**—That the document marked C. is a copy of the indictment upon which the said Francis Collins was tried, convicted and punished.

The foregoing resolution was carried nem. con.

**PRESENT**—Messrs. Baby, Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Longley, Lockwood, Lyons, M'Lean, M'Call, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, G. Rolph, J. Rolph, Radenhurst, Samson, Shaver, Smith, Terry, Thomson, John Willson, Wilkinson, James Wilson, and Woodruff—44.

The fifth resolution was then put as follows:

**Resolved**—That the select committee of the Imperial House of Commons upon Canada affairs, urged in the most especial manner upon His Majesty's Government, that a strict and instant enquiry should take place into all the circumstances attending the prosecutions for libel instituted in Lower Canada, with a view to giving such instructions upon them as should be consistent with justice and policy—which recommendation was properly respected and observed in Lower Canada, and ought not to have been slighted and disregarded in this Province.

On which the House divided and the yeas and nays were taken as follows:

**YEAS**—Messrs. Baby, Baldwin, Berczy, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—37.

**NAYS**—Messrs. Bethune, Henderson, Longley, McLean, Morris, Samson, and Terry—7.

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

The sixth resolution was then read as follows:

**Resolved**—That the document marked D. according to the evidence of those who took down his words, contains a true report of material parts of the charge delivered by Mr. Justice Sherwood to the jury; which charge was an unwarrantable deviation from the matter of record, and a forced construction of language, contrary to the ends of fair and dispassionate justice.

In amendment, Mr. Dickson, seconded by Mr. Radenhurst, moves, that all the words be expunged after "Jury" in the original resolution.

On which the House divided and the Yeas and Nays were taken as follows:

**YEAS**—Messrs. Attorney General, Berczy, Bethune, Dickson, Fraser, Henderson, Malcolm, Morris, Radenhurst, Samson, Terry and John Willson—12.

**NAYS**—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson and Woodruff—32.

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

On the original question the House divided and the Yeas and Nays were taken as follows:

**YEAS**—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Fothergill, Hamilton, Hopkins, Hornor, Ketchum, Lockwood, Lyons, M'Call, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, John Rolph, George Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson and Woodruff—29.

**NAYS**—Messrs. Berczy, Bethune, Ewing, Fraser, Henderson, Longley, McLean, Morris, Samson, Terry, and John Willson—11.

The question was carried in the affirmative by a majority of eighteen, and it was resolved, that the document marked D. according to the evidence of those who took down his words, contains a true report of material parts of the charge delivered by Mr. Justice Sherwood to the jury; which charge was an unwarrantable deviation from the matter of record, and a forced construction of language, contrary to the ends of fair and dispassionate justice.

The seventh resolution was then put as follows :

Resolved—That Mr. Justice Hagerman who was one of the persons alleged on the record to be libelled, refused to receive the verdict as first tendered by the jury, viz: "guilty of libel against the Attorney General only,"—and directed them to find a general verdict of Guilty,—with which direction the jury complied, whereby the defendant was made to appear on record guilty of charges of which the jury had acquitted him; and whereby false grounds were afforded upon the record for an oppressive and unwarrantable sentence.

On which the House divided and the Yeas and Nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Thomson, James Wilson, and Woodruff—28.

NAYS—Messrs. Berczy, Bethune, Fraser, Hamilton, Henderson, Longley, McLean, Morris, Terry, Wilkinson, and John Willson—11.

The question was carried, in the affirmative by a majority of seventeen.

The eighth resolution was then put as follows :

Resolved—That it appears from the appended copy of the letter of Judge Sherwood to His Excellency, (marked E.) that Mr. Justice Hagerman alleged on the record to be libelled, did concern himself with Mr. Justice Sherwood, in measuring the punishment of the defendant, thereby, without necessity for it, further violating the rule, that a man shall not be a judge in his own case.

On which the House divided and the Yeas and Nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Thomson, James Wilson, and Woodruff—29.

NAYS—Messrs. Berczy, Bethune, Fraser, Hamilton, Henderson, Longley, McLean, Morris, Terry, Wilkinson, and John Willson—11.

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

The ninth resolution was then put as follows :

Resolved—That from the language of Judge Sherwood in his said letter, viz: "If such publisher however, steps aside from the high road of decency and peaceable deportment, and adopts a course of public calumny and open abuse against the officers of Government generally, or particularly against the principal law officer of the Crown, in the legal execution of his duty in the King's Courts, as the defendant did, then I think he should be punished to that extent, which in human probability, would prevent a recurrence of the offence: any thing short of this would be nugatory, and have an effect contrary to the ends proposed by all punishments," it too plainly appears that the punishment inflicted upon the said Francis Collins, was not confined to the verdict as originally tendered by the jury.

On which the House divided and the yeas and nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hamilton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson and Woodruff—31.

NAYS—Messrs. Berczy, Bethune, Fraser, Henderson, Longley, McLean, Morris, Samson, Terry, and John Willson—10.

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

The tenth resolution was then put as follows :

Resolved—That the punishment inflicted upon Francis Collins for the said libel, viz: "that he should be imprisoned for 12 months, pay a fine of £50 to the King, find sureties for his good behaviour after his liberation, for 2 years, himself in £400, and two sureties in £100 each, and stand committed till all those conditions should be complied with"—is, considering the state of the Province and circumstances of the defendant, shamefully disproportioned to his offence—subversive of the freedom of the press, under pretence of correcting its excesses; and destructive of the liberty of the subject, under pretence of punishing an offender.

On which the House divided and the Yeas and Nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Berczy, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson and Woodruff—39.

NAYS—Messrs. Bethune, McLean, and Samson—3.

The question was carried in the affirmative by a majority of thirty-six.

The eleventh resolution was then put as follows.

Resolved—That from the state of this Province, and the circumstances of the said Francis Collins, the exorbitant and oppressive bail required from him, leaves him no other alternative than perpetual imprisonment or the abandonment of the press by which he maintains himself and a wife with an infant family.

On which the House divided and the yeas and nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Berczy, Blacklock, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson and Woodruff—39.

NAYS—Messrs. Bethune, Buell, McLean, and Samson—4.

The question was carried, in the affirmative by a majority of thirty-five.

The twelfth resolution was then put and carried, nem. con.

PRESENT—Messrs. Baby, Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Longley, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, McLean, Morris, Perry, Peterson, G. Rolph, J. Rolph, Samson, Shaver, Smith, Terry, Thomson, John Willson, Wilkinson, James Wilson and Woodruff—and it was resolved—that the document marked F, is a true copy of the address of this House to His Excellency, with the yeas and nays upon the passing

thereof, praying for the pardon of Francis Collins, and of the answer of His Excellency to the same.

The thirteenth resolution was then put and carried nem. con.

PRESENT—Messrs. Baby, Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, McLean, Morris, Perry, Peterson, George Rolph, John Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson and Woodruff—and it was resolved, that when the said application from this House, was made to His Excellency for the pardon of the said Collins, he had been about three months in gaol.

The fourteenth resolution was then put as follows :

Resolved—That the doctrine laid down in the letter of Judge Sherwood, viz: that the extent of punishment should be such as will in all human probability, prevent the recurrence of the offence—and that any thing short of it would be nugatory, and have an effect contrary to the ends proposed by all punishment—is an unjust and imperfect view of such a question, dangerous in a Judge entrusted with the administration of the criminal justice of this country, and calculated to render the criminal law so administered, a scourge to the community.

On which the House divided and the Yeas and Nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Fothergill, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, James Wilson and Woodruff—31.

NAYS—Messrs. Berczy, Bethune, Hamilton, Henderson, Longley, McLean, Morris, Samson, Wilkinson, and John Willson—10.

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

The fifteenth resolution was then put as follows :

Resolved, that it is inconsistent with the liberty of the press, that a person should, before conviction, be called upon to find bail for good behaviour, upon so indefinite an offence as libel, and that the law under which such proceeding is justified in this province, is well objected to by Lord Ashburton in the following terms: "I never heard till very lately, that Attornies General, upon the caption of a man supposed a libeller, could insist on his giving securities for his good behaviour. It is a doctrine injurious to the freedom of every subject, derogatory from the old constitution, and a violent attack if not an absolute breach of the liberty of the press. It is not law, and I will not submit to it."

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

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Henderson, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, James Wilson, John Willson and Woodruff—32.

NAYS—Messrs. Bethune, McLean, Morris, and Samson—4.

The question was carried, in the affirmative by a majority of twenty-eight.

The sixteenth resolution was then put as follows :

Resolved—That an earnest appeal be made to His Majesty, to relax, in this case, the rigor of that law, which was made for the happiness and welfare of the people, who pray for its relaxation, and that His Majesty be requested to lay these resolutions and documents before the Imperial Legislature

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

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, McCall, McDonald, Malcolm, Matthews, Mackenzie, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, John Willson and Woodruff—31.

NAYS—Messrs. Attorney General, Berczy, Bethune, Fraser, Hamilton, Henderson, Longley, Morris, Samson, and Wilkinson—10.

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

Mr. John Rolph, seconded by Mr. Perry, moves, that it be resolved, that the Honorable Mr. Justice Sherwood, and the Honorable Mr. Justice Hagerman, were summoned to appear before the select committee of this House, appointed to enquire into the case of the said Francis Collins, and having appeared before the said committee, and being made acquainted with the allegation of the petition, an opportunity was afforded them of offering any explanation, which opportunity was declined by them.

Which was carried.

The address to His Majesty was then read, a second time.

Mr. Perry, seconded by Captain Matthews, moves, that after the word "dominions" in the address to His Majesty, the following words be added; "and that Your Majesty will be graciously pleased to lay a copy of the resolutions and accompanying documents before Your Majesty's Parliament of the United Kingdom of Great Britain and Ireland."

Which was carried and the address was concurred in, and ordered to be engrossed and read a third time this day.

Adjourned.

Thursday, 12th March, 1829.

The House met.

Prayers

The minutes of yesterday were read.

Captain Matthews brought up the petition of Ira Schofield, and others, of the County of Middlesex, in the London District; which was laid on the table.

Mr. Thomson brought up the petition of Peter McGill, Esquire, proprietor of the Marmora Iron Works; which was laid on the table.

Mr. Thomson brought up the petition of Thomas Hornor, Esq. which was laid on the table.

Mr. McLean brought up the petition of George Hoople, of the Township of Osnabrock, in the Eastern District; which was laid on the table.

Agreeably to the order of the day, the address to His Majesty in behalf of Francis Collins, was read the third time.

On the question for passing the same, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs Baldwin, Blacklock, Buell, Cawthra, Dalton, Ewing, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, John Rolph, Shaver, Smith, Thomson, James Wilson, & Woodruff—24.

NAYS—Messrs. Dickson, Henderson, Longley, Morris, Radenhurst, Samson, Torry, and Wilkinson—3.

The question was carried, in the affirmative by a majority of sixteen, and the address was signed and is as follows:

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 request your Majesty's most favourable consideration of the resolutions and documents accompanying this address, and humbly pray your Majesty to extend to Francis Collins the Royal clemency, by remitting the residue of his punishment—which act of mercy will be most acceptable to the people of this province, and be regarded by us as a fresh proof of Your Majesty's gracious disposition to consult the wishes and happiness of your people in all parts of your ample dominions. And that Your Majesty will be graciously pleased to lay a copy of the resolutions and accompanying documents before your Majesty's Parliament of the United Kingdom of Great Britain and Ireland.

MARSHALL S. BIDWELL, Speaker.

Commons House of Assembly, }  
12th March, 1829.

Mr. Perry, seconded by Mr. Dalton, moves that an address be presented to His Excellency the Lieutenant Governor requesting him to transmit to His Majesty, the address of this House, and the resolutions upon which it is founded, and also the evidence and accompanying documents reported by the committee to whom was referred the petition of Francis Collins, and that Messrs. Lafferty and Woodruff be a committee to draft and report the same.

Which was carried.

Agreeably to the order of the day, the liquor selling licence bill was read the third time and passed.

Mr. Dickson, seconded by Mr. Terry, moves that the bill be entitled "An Act to amend the laws now in force for preventing the sale of Spirituous liquors without licence."

Which was carried, and Messrs. Dickson and Terry were ordered by the Speaker to carry up the same to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the petition of James Kerby, Esq. and 18 others, of the Province of Upper Canada, praying that an act may be passed authorising Thomas Kip to erect a rope walk, and ship chandlery warehouse in this Province, with the privilege of importing free of duty for the term of six years, Hemp, Tar, and other articles, (cordage and canvas excepted), ordinarily used in fitting out vessels, was read.

Mr. Thomson, seconded by Mr. Samson, moves that the 43d rule of this House be dispensed with so far as relates to the petitions of Anthony Manahan, Attorney for Peter McGill, and the petition of Thomas Hornor, and that the same be now read.

Which was carried, and the petitions of Peter McGill, Esquire, proprietor of the Marmora Iron Works, praying for aid to repair the road leading from said works to the mouth of the river Trout, and for remuneration for building a bridge over the crow river—and the petition of Thomas Hornor, Esquire, praying for the exclusive privilege of a certain invention of a machine for threshing, were read.

Mr. Terry, seconded by Mr. Wilkinson, moves that the petition of John Pettit, be referred to a select committee, to be composed of Messrs. Dickson, Hamilton, John Willson, and Thomson, with power to report thereon by bill or otherwise.

Which was ordered.

Mr. Thomson, seconded by Mr. Samson, moves that the petitions of Anthony Manahan, Attorney for Peter McGill, be referred to the committee of supply.

Which was carried.

Mr. Thomson, seconded by Mr. Lafferty, moves that the petition of Thomas Hornor, be referred to a select committee, to consist of Messrs. Dickson and John Rolph, to report thereon by bill or otherwise.

Which was ordered.

Mr. Wilkinson, seconded by Mr. Dickson, moves, that the petition of Jas. Kerby, Esquire, and others, be referred to the committee of supply.

Which was carried.

Mr. Dalton, chairman of the committee of Finance, presented a first report, which was received and read.

REPORT—(SEE APPENDIX.)

Mr. Dalton, seconded by Mr. Blacklock, moves, that besides the usual quantity for the Journals, 100 copies of the first report of the committee on Finance be printed for the use of members.

In amendment, Mr. Morris, seconded by Mr. Samson, moves that the whole of the original motion be expunged, and the following inserted, "that the report of the Finance committee be referred back to the said committee for reconsideration."

On which the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Attorney General, Berczy, Bethune, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Kilborn, Longley, McLean, Morris, Radenhurst, Samson, Terry, Wilkinson, and John Willson—18.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Peterson, George Rolph, Shaver, Thomson, and James Wilson—22.

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

The original question was then put and carried.

Mr. Dalton, seconded by Mr. Mackenzie, moves that the first report of the committee of Finance, be referred to the committee of supply.

Which was carried.

The Master in Chancery brought down from the Honorable the Legislative Council a message, which was read by the Speaker as follows:

MR. SPEAKER:

The Legislative Council request that the Commons House of Assembly will be pleased to communicate to this House the proofs and documents on which the bill entitled "An Act to borrow a sum of money in England" is founded.

Legislative Council Chamber, }  
Eleventh day of March, 1829.

J. BABY,  
Speaker.

Agreeably to the order of the day, the House went into committee of supply.

Mr. Blacklock in the chair.

The House resumed.

Mr. Blacklock reported that the committee had agreed to several resolutions which he was directed to submit for the adoption of the House, and asked leave to sit again this day.

The report was ordered to be received, leave was granted, and the resolutions were adopted as follows:

Resolved—That the sum of £1300 to be expended in the Eastern District, be applied in the following manner:

In the county of Glengarry, the sum of £566 13 4, of which £200 shall be expended in opening and making the front road in the Township of Lancaster, leading to Lower Canada; the sum of £75, from Kirktown, in Lancaster, to Dundas Street, from Gray's Creek to Lancaster, the sum of £50; from Alexander McLeod's in Lochiel to the eastern limit of the Township on the road to the Seignior of Rigaud, 50l from Saint Raphael, on the present post road to Hawkesbury, the sum of £191 13 4; and that John Cameron, John McLennan, and Alexander Chisholm, Esquires, and Alexander McDougall, of Lancaster, be commissioners for expending the same.

In the County of Stormont, the sum of 366 13 4, of which the sum of £75 shall be expended on the main road from Cornwall to Williamsburgh; from Cornwall to the rear of Roxboro' on the direct road the sum of £120; from the front of Osnabruck on the road leading out from the church into the Township of Finch, the sum of 120l, and on the road leading from Martintown, to Long Sault, the sum of £51 13 4, and that Simon Fraser, and Donald McDonald, Esqrs. of Cornwall, and Michael Empey, and Henry Shaver of Osnabruck, be commissioners for expending the same.

In the county of Dundas, the sum of £366 13 4, of which the sum of £75, shall be applied on the front road in the township of Williamsburgh; the like sum of £75 to be expended on the road in front of the township of Matilda; the sum £108 6 8, on the road leading from the river Saint Lawrence in the centre of the township of Matilda, to the township of Mountain, and the sum of £108 6 8, on the road leading from the river Saint Lawrence in the centre of the township of Williamsburgh, to the Township of Winchester, and that Alexander Rose and James McDonnell, Esquires, and John Strader, and John Dillabugh, be commissioners for expending the same.

Resolved—That the sum £800 be granted to His Majesty to improve and repair the roads in the Ottawa District, and to be expended as follows.

That the sum of £300 be expended on the road leading from the County of Glengarry to the Ottawa River commencing in the rear of West Hawkesbury, and from thence on the line of said road to the Scotch Church on Vanclack's hill.

That the sum of £50 be expended on the road leading through the township of Caledonia to the Petite nation River.

That the sum of £200 be expended on the road from Point Fortune to the Eastern Boundary of the Township of Longueuil.

That the sum of £250 be expended to open and improve a road from Longueuil to the Petite nation river, as near the Bank of the Ottawa River as may be practicable, and that Charles Waters, Charles A. Low, Daniel Wyman, William Clark and Alexander Grant, be commissioners to superintend the same.

Resolved—That the £1100 for the District of Johnstown, be expended on the roads as follows:

On the road between Edward Birsel's, in Augusta to Edward Burritt's in Wolford	£400	0	0
Commissioners Samuel Bellamy and Edmond Burritt,			
On the road between Prescott and Burritt's Bridge in the Montague	175	0	0
Commissioners J. S. Merwin and John Lawrence Esqs.			
On the road from Johnstown to Clothiers in Oxford	175	0	0
Commissioners William Bottom, Trueman Hurd and David Spencer Esquires.			
On the road between Brockville and Perth	200	0	0
Commissioners Edward Howard, John Ketchum and Abel Wright.			
On the road between Isaac Stones in Elizabeth town to Jones' Falls in Crosby.	75	0	0
And on the road from Isaac Stone's in Elizabeth town to Chaffey's Mills in Crosby.	75	0	0
Commissioners Sheldon Stoddard, Elijah Judd and William Bresee.			
	£	1100	0

Resolved—That the £1100 to be expended in the Bathurst District be distributed as follows, that is to say:



On the public road from Perth to Richmond, the sum of £	500	0	0
And that George T. Burke and William Marshall Esquires be commissioners.			
On the road from Richmond to Bytown	200	0	0
And that Joseph Maxwell Esq. and Mr. Francis Davidson be commissioners.			
On the road from Perth to Lanark	200	0	0
And that John M. Kay and James Shaw be commissioners.			
From Perth to Harvey's mills	100	0	0
And that Christopher J. Bell and Mr. Peter M. Gregor be commissioners.			
On the road leading from Richmond to Huntley the sum of	160	0	0
And that John B. Lewis Esq. and Mr. James Wilson of Goulbourn, be commissioners.			
£	1100	0	0

Resolved—That the sum of £1200 authorized to be expended within the Midland District be distributed as follows viz:

On the Montreal road between the Town of Kingston and the limits of the County of Frontenac, £50 and that James Franklin, Elijah Beach, and James Atkinson be commissioners to lay out and expend the same.

On the road leading from the Town of Kingston to the Village of Waterloo, £50, and that Samuel Aykroyd, Horace Yeomans, and Benjamin Olett be commissioners to expend the same.

On the road leading from Kingston to the Village of Bath, £100, and that Henry Lasher, Joseph Amy and Prentice Fitch, be commissioners to expend the same.

On the road leading from the Village of Waterloo to the Nappane Mills £350 and that the Treasurer and Trustees of Erastown and Kingston road society be commissioners to expend the same on such parts thereof as most require it.

On the road leading from Loughborough to Waterloo, £50, and that Samuel Aykroyd, John Campbell and Henry Wood, be commissioners to expend the same.

On the road leading from the fifth concession of Portland to the third concession of the Township of Kingston, £50, and that Jacob Shibley, Brent Spylke, and Thomas Sigsworth, be commissioners to expend the same.

On the road leading from Bath, back into Camden, £50 and that Messrs. Ebenezer Perry, Benjamin Clark, and John Percy, be the commissioners to expend the same.

On the road between the Widow McCready's, and North end of Crysler Creek Bridge, seventh concession, Thurlow £25. In Huntingdon, on the road leading to Madoc, Surveyed by William Ketcheson in 1828 £75 and that Jacob Youngs, Thurlow, Garret Garrison, of Huntingdon, and James O'Hara, of Madoc, be commissioners to expend the same.

On the road from the Nappane Mills to Belleville, £800, and that Messrs. Allan McPherson, John Turnbull, Wm. Post, David B. Soles, and John Maher Thurlow, be commissioners to expend the same.

On the road leading from Vanastines Ferry to the Carrying place, £200, and that Messrs Benjamin Reaney, Stephen Niles, and Moses Herrington, be commissioners to expend the same.

On the road leading from Wessel's Ferry in Sophiasburg, to the town of Demorest Ville, £100, and that Abraham Vanblarcom, Peter Vanhorn, and Guillian Damerest, Esquire, be commissioners to order and expend the said sum.

Resolved, That of the sum granted to be expended on the highways in the Newcastle District, the sum of £150 be expended on the main highway, leading through the township of Darlington; and that John Burke, and James Bates, be commissioners to contract for the work to be done.

And that the sum of 150<sup>l</sup> be expended on the main high way leading through the township of Clark, and that Asa E. Wadbridge, and Samuel S. Wilnot, Esquires, be commissioners to contract for the work to be done.

And that the sum of 25<sup>l</sup> be expended upon that part of the main road through the township of Hope, commonly called Raisborough hill, and that part commonly called Farley's hill, in the said Township, and that Leonard Saper, Esquire, be commissioner to contract for the same.

And that the sum of 200<sup>l</sup> be expended on the main high way, through the township of Murray, between the Eastern and Western lines thereof; and the further sum of 125<sup>l</sup> be laid out upon the road leading from the carrying place to the western line of Murray, aforesaid, (on the front road) and from thence to Sandford's Tavern, and that Charles Biggar, Esq. Pitkin Gross, and Thomas D. Sandford, be the commissioners for the same.

And that the sum of 25<sup>l</sup> be laid out upon the road leading from the main high way through the township of Crambe (through the township of Percy) to the Rice Lake and River Treat, and that John Platt and David Cumming, Esqrs. be commissioners for the same.

And that the sum of 337<sup>l</sup> 10 be expended upon the great boundary line road between the counties of Durham and Northumberland, and running between the townships of Hope and Hamilton, Cavan and Monaghan, Emily and Smith, and Emily and Emsimore, and that James Ewing, Elias Smith, Myndert Harris and Ebenezer Perry, Esquires, be commissioners to contract for work to be done upon the said boundary line.

And that the sum of £50, be laid out upon the principal road leading from the Rice Lake through the township of Otombee to Peterborough, and that Charles Rubridge, and Thomas A. Stuart, Esquires, be commissioners to contract for and inspect the same.

And that the sum of 25<sup>l</sup> be expended upon the road leading from Peterborough to Mud Lake, and that Thomas Milburn, and John Lee, be commissioners to contract for and inspect the same.

And that the sum of 12<sup>l</sup> 10 be expended on improving the road and building a bridge in the township of Cartwright, and that Henry Ewing Esquire, be the commissioner for superintending the outlay thereof.

Resolved—That the sum of 1200<sup>l</sup> appropriated for the repair of the roads and bridges in the Home District, be expended as follows, that is to say:

	£	s	d
For arching and filling up the hollow, at the Blue Hill, on Yonge Street,	250	0	0
Commissioners, John Elmsley, Esq. James Hogg, and Joseph Turton, all of York township,			
For improving Hurontario Street, from the mountain in Caledon to lake Ontario, half to be expended within ten miles from the Lake,	100	0	0
Commissioners, John Scott, Esq. and James Campbell, Chinguacousey, and John Lemon, Esq. Caledon,			
For repairing the road from Yonge Street, through the centre of Vaughan, to the Gore of Toronto,	50	0	0
Commissioners, Michael Fisher, John Line, and David Wilkie, all of Vaughan,			
For building the Don bridge, upon the Kingston road,	230	0	0
Commissioners, John Bishop, Thomas Helliwell, and Thomas Bright, all of the town of York,			
For building the Humber bridge on Dundas Street,	175	0	0
Commissioners, Amasa Wilcox, Andrew Ward, and Duncan Murchison, all of Etobicoke,			
To repair the road lately laid out between Farr's mills on the Humber, and lot number 10, on the sixth concession, east of the centre road, Chinguacousey, about ten miles,	50	0	0
Commissioners, John Bagwell, Esq. of Chinguacousey, Alexander McBean, and Thomas Burrell, both of the Gore of Toronto,			
To repair the road from Dundas Street to Streetsville,	40	0	0
Commissioners, Timothy Street, Israel Ransom, and John Barnhart, all of Streetsville,			
To repair the road from the eighth concession of Markham to the Danford road,	25	0	0
Commissioners, Abraham Reesor, Peter Milne, Esquire, and William Armstrong, all of Markham,			
To repair Yonge Street, between Bond's Lake and McAdams's Tavern,	50	0	0
Commissioners, John Hartman, of Whitechurch Thomas McAdams, of Vaughan, and James Pearson, of Whitechurch,			
To aid the settlers in crosswaying a swamp in the road leading from Tecumseth, through Essa,	100	0	0
Commissioners, John Perry, George Dunwoody, and John Blackstock, senior, all of Essa,			
To repair the Tecumseth road leading from Yonge Street on the county line, or near it, between West Gwillimbury, and King, to Tecumseth,	50	0	0
Commissioners, James Rogers, and John Hilborn, both of King, and Jesse Lloyd of Tecumseth,			
In aid of the road and bridge leading across the west branch of the Holland river to the Honorable Peter Robinson's Mills,	50	0	0
Commissioners, Joseph Hodgson, Wm. Arinson, and Hugh Stodders, all of West Gwillimbury,			
In aid of the road between Thora and Markham, leading through Brock and Uxbridge,	15	0	0
Commissioners, Randal Wixon of Brock, and Archibald McMillan of Thora,			
In aid of the crossway in North Gwillimbury, between the second and third concessions,	15	0	0
Commissioners, Silas Fletcher, and Henry Rose, Junior, of Gwillimbury,	£	1200	0

Resolved, that the sum of 6-5<sup>l</sup> be expended in the county of Halton, in the Gore District viz.

That the sum of 25<sup>l</sup> be expended on the Governor's road from the village of Dundas to the Town line in Burford, on the same.

That John Binkley, Peter Bomberger and Harkner Lyons, be commissioners for expending the same.

That the sum of £40, be expended on the Post Road from Dundas Street in Nelson, to Freeman's; and that Joshua Freeman, John McCallum and David Ghant, be commissioners to expend the same.

That the sum of £50, be laid out to underpin, with stone, the bridge at the Twelve Mile Creek on Dundas Street, and that Gilbert Bastedo, Joseph Burnie and Robert Best, be commissioners to expend the same.

That the sum of £175, be expended on the road from Moses McCoy's, to the back part of Eramosa, and that Thomas Armstrong Joseph Harris and Moses McCoy, be commissioners to expend the same.

That the sum of 75<sup>l</sup> be expended on the road East of the Widow Munn's leading through Esquising and Trafalgar to Erin; and that John Kenny, Peter Kenny and Philander Hopkins, be commissioners to expend the same.

That the sum of 10<sup>l</sup> be expended on the Hill at Burlington Bridge, leading into Hamilton, and that William Applegarth and Gabriel Hopkins, be commissioners to expend the same.

That the sum of 25<sup>l</sup> be expended for a bridge on the Lake road at the mouth of the Twelve Mile Creek; and that Philip Sovereign, Esq. and Jacob Triller, be commissioners to expend the same.

That Sanson Howell, Charles Biggars and Lawrence Hager, be commissioners to expend the 300<sup>l</sup> granted for the cutting and bridging, in a straight line on the Dundas Street, the 16 Mile Hill in Trafalgar, Gore District.

Mr. George Rolph, moves to amend the appointment of Commissioners for the expenditure of the money on the Sixteen Mile Hill in Trafalgar Gore District, by inserting the names "Colonel Peter Adamson of Toronto, Home District, and Charles Teetseol of Trafalgar Gore District."

Which was ordered.

Resolved—That there be expended on the road leading from Thomas Chont's in Glandford, Gore District, to Crawfords on the Grand River, in the Niagara District, and from thence in a diagonal direction to strike the Township line between Woodhouse and Townsland, in the London District 200<sup>l</sup>; and that Thomas Chont, David Kearns and Samuel Ryckman, be the commissioners for the purpose of superintending the same.

Resolved—That there be expended on the Highway between William Davis Inn-keeper in Saltfleet, and Daniel Crosswait's in Barton, 100<sup>l</sup>; and that William Davis, Daniel Crosswait and Lewis Horning, be the commis-

sioners for superintending the same.

Resolved—That there be expended on the New or Lower Bridge across the Marsh at Burlington Heights to the County of Halton, 55*l*. including the road up to the Hills on each side, and that John Chishom, William Applegarth and Robert Land, be the commissioners for superintending the same.

Resolved—That there be expended on the old bridge, across the Marsh from Burlington Heights in the County of Wentworth to Flamboro' in the County of Halton; 45*l*. and that Richard Beasley, Esq. Joseph Hopkins and James Lafferty, be the commissioners for superintending the said expenditure.

Resolved—That there be expended on the road leading from Smith Griffin's in the Niagara District to the Township line between Saltfleet and Binbrooke in the Gore District, 75*l*. and that John Secord, and Elijah Secord and Daniel Servos, Esqrs. be the commissioners for superintending the same.

NIAGARA DISTRICT.

Resolved—That 75*l*. be laid out, between John Decow's and the end of the District passing by John Clark's and Robert Comfort, on the mountain.

Resolved—That 50*l*. be laid out between the neighbourhood, of Smith Griffins Esq. and the Grand River.

Resolved—That 25*l*. be laid out between Snider's mills, on the twenty mile creek, and the Welland River, and that John Decow, Smith Griffin, Esq., and John Harris, be commissioners to lay out the same.

Resolved—That 12*l*. 10*s*. be laid out on the road next below, leading to the River Welland, and that George Lacy, Matthias Emerick, of Thorold, and Anthony Upper be commissioners to lay out the same, and that the further sum of 25*l*. be laid out on any road or roads they may think fit, by the same commissioners.

Resolved—That the sum of 150*l*. be laid out on the road leading from the town of Niagara through the Black swamp, as far up as the 20 mile creek exclusive, and from Queenston to the ten mile creek, where it intersects the swamp road, from Niagara, 50*l*. and that Lewis Clement, Thos. Butler of Niagara, and Joseph Smith, of near the fifteen mile creek, be commissioners to lay out the same.

Resolved—That 150*l*. be expended on the Great Canborough road, between Anthony Uppers in Thorold, and the Grand River.

Resolved, That 25*l*. be expended on the principal highways in the townships of Niagara and Grantman.

Resolved, That Messrs. Moses Brady, of Pelham, Eber Rice, and John Claus, of Niagara, be appointed commissioners to lay out said money on the said roads where they may think it most required.

Resolved: That 25*l*. be expended on the road leading from Saint John's to Morts, on or near the twenty mile creek, by way of Moses Brady's.

That 50*l*. be laid out on the highways in the township of Stamford, and that Benjamin Corwin, David Lynch, and George Garner, be commissioners for laying out and expending the same.

That 50*l*. be laid out in aid of erecting a bridge over the Chippawa, at Burreis Dill's landing in the Township of Willoughby, and that Crowell Willson, Wm. Hepburne, and Wm. Biggars, be commissioners for expending and laying out the above sum, provided the said commissioners shall be able to raise by subscription, such further sum as shall be sufficient to erect and finish the said bridge.

That 50*l*. be laid out on the high ways in the Township of Pelham, and that Thaddeus Davis, John Street, and Samuel Bocket, be Commissioners for laying out and expending the same.

That 50*l*. be laid out on the highways in the township of Thorold, and that Hall Davis, Anthony Upper, and George Lacy, be commissioners for laying out and expending the same.

Resolved, That 200*l*. be laid out on the public highways in the third riding of the county of Lincoln, and that Jacob Gander, James Cummings, Charles Hill, Christian Winters, and Christopher Boughner be commissioners for laying out and expending the same.

Resolved, That the sum of 350*l*. for the county of Norfolk, be paid to Daniel M-Call, Ezekiel Foster, and Jacob Potts, as commissioners, to be laid out and expended as follows: That is to say on the northern boundary road of Windham, the sum of 25*l*. In the Township of Middleton, 25*l*. In the township of Windham, 75*l*. In the township of Townsend, 25*l* which three last mentioned sums are to be laid out in the said townships respectively, upon the same route: that is to say, the route from Talbot road easterly through Middleton and the eleventh or the twelfth concession of Windham, and along the eleventh concession of Townsend, to its Eastern boundary

On the Township road between the townships of Townsend, and Woodhouse, the sum of 50*l*. In laying out and making a road through the township of Walpole in the county of Haldimand, from the south east angle of Townsend, in a north easterly course, as near as may be directly towards Crawford's house, on the Grand River, the sum of 100*l*. On the roads in Walsingham, 30*l*. and on the high way between Malcolm's mills and Mascare's Townsend, 20*l*.

Resolved, That the sum of 350*l*. be laid out and expended on the roads in the county of Oxford in manner following: that is to say; the sum of 25*l*. on the road between Burford and Windham, leading from Findlay Macolm's to Norwich, and that Wm. Lymburner be a commissioner to lay out and expend the same. The sum of 10*l*. on Dundas Street, from the Eastern line of Blenheim, westward across lot number one, and that Eli-al Martin and Thomas J. Hornor, be commissioners to lay out and expend the same: and the sum of 315*l*. be laid out and expended on Dundas Street, from the eastern limit of the township of London, to, and including the town plot of Oxford, and that Captain Robert Alway, Daniel Turner, and John Hatch, be commissioners to lay out and expend the same.

Resolved, That the sum of 200*l*. be expended on the road now publicly travelled through the Long woods, commencing at or near Dowling's Tavern, and terminating at or near the eighteen mile creek in the township of Mosa, and that B. B. Brigham and Captain Marvel White, be appointed commissioners to direct the expenditure of the same.

Resolved, That 100*l*. be expended on the road commencing at Timothy Kilbars in Delaware, passing by Mr. Stephens in the same township, crossing the River Thames at Woodall's bridge, passing by Crow's Mills, and entering the Long Woods, by the Caradoc plains, and that Captain Marvel White and B. B. Brigham, be appointed commissioners to direct the expenditure of the same.

Resolved, That 100*l*. be expended on the swamp road on lots thirteen, fourteen, and part of fifteen on the allowance for road left by the government between the seventh and eighth concessions in the township of Dunwich, that Thomas M-Call, of Dunwich, and George Munro of Aldborough be appointed commissioners,

Resolved, That there be expended on the roads in the county of Essex, in the Western District the following sums.

From the south side of the Canard River Causeway, to Turkey Creek	£	125	0	0
Commissioners for laying out this sum, Thomas Martin, Theophile Le May, Gabriel Bondy, & Antoine Bezere.				
From the River Ruscom to Paul le Duc's Mills.	250	0	0	
Commissioners Vitus Saint Louis, and Benjamin La Valle,				
On the Bridge between Mrs. Roes' and Ouillets.	25	0	0	
Commissioners Charles Ouillet and Francois Pratt,				
From the Irish settlement on Talbot Street West, to the Lake settlement,	100	0	0	
Commissioners, Christopher Pajot, and George Jacob, Esq.				
In the township of Mersea Talbot settlement,	50	0	0	
Commissioners, Michael Fox and Charles Stuart,				
From the south side of the Canard Causeway to the River Detroit,	25	0	0	
Commissioners, Theophile Le May and Alexis Laferte,				
	£	575	0	0

Resolved—That there be expended on the roads in the County of Kent in the Western District the following sums.

On the road from Isaac Willcox's to the second Fork of the River Thames,	£200	0	0	
On the bridges on the first and second Fork of the River Thames,	125	0	0	
Commissioners for laying out, the above sums, Daniel Dolson, George Jacobs Junr. and Monsieur Dauphin,				
On the Bridge at the Chatham Fork,	40	0	0	
Commissioners, William M-Crea and Jacob Delson,				
On the road below Arnolds Mill leading from the river Thames to Talbot Street.	50	0	0	
Commissioners Christopher Arnold and James Bell J. P.				
On the Western part of the township of Romney, Talbot Street,	50	0	0	
Commissioners, James Bell J. P. and James W. Lyttle,				
On the road on the North of the Thames leading through the Moravian Indians reserve, to the Moravian Village,	60	0	0	
Commissioners, William Wallace and George Kerby Esqs.				
	£	525	0	0

Resolved, That the chairman be instructed to move the House for the appointment of a select committee to draft a bill pursuant to the resolutions and that the said committee be instructed to frame such provisions for regulating the proceedings of the commissioners under this act, and the accounting for the money to be expended, as they shall think necessary.

Mr. Blacklock, chairman of the committee of supply, seconded by Mr. Morris, moves, that a select committee be appointed to draft and report a bill in pursuance of the resolutions on roads, and that Messrs. Thomson, Dickson, and Buell, do compose the said committee.

Which was ordered.

Agreeably to the order of the day, the House went into committee of supply.

Mr. Blacklock in the chair.

The House resumed the black rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill entitled "An Act to authorise detention of debtors in certain cases" 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 authorise detention of debtors in certain cases" were then read as follows:

Press 2 line 9. Expunge the words "and during the space of" and insert "any period not exceeding."

Press 2, line 3, after the word "Deputies" insert "or from the Clerks

" " " of the several District Courts."

" " " 10 Expunge the words "and no longer."

3 " 3 Expunge the word "eight" and insert the word "four" and ordered for a second reading to-morrow.

The Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

Mr. Blacklock reported progress and obtained leave to sit again to-morrow.

Adjourned.

Friday, 13th March, 1829.

The House met.

Prayers.

The minutes of yesterday were read.

Mr. Blacklock brought up the petition of Hugh Christie, and others, of the county of Glengarry: which was laid on the table.

Mr. Henderson brought up the petition of Ziba M. Phillips and others, confined in the Gaol in the District of Johnstown; which was laid on the table.

Agreeably to the order of the day, the petition of John H. Dunn, Esq. President of the Welland Canal Company, praying for relief, and the petition of Samuel Wood, of Grantham, praying for protection from the Welland Canal Company, and compelling said Company to pay for the lands taken from individuals, were read.

Mr. George Rolph, from the select committee to which was referred the petition of Absalom Shade and others, informed the House that the com-

mittee 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 ordered to be received and the bill was read the first time.

Mr. George Rolph, seconded by Mr. Lyons, moves, that the Dundas and Waterloo road bill be now read a second time, and that the 41st rule be dispensed with so far as respects the said bill.

Which was carried, and the bill was read the second time, and referred to a committee of the whole House.

Mr. M'Lean was called to the chair.

The House resumed.

Mr. M'Lean reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Mr. M'Donald, seconded by Mr. M'Lean, moves, for leave to bring in a bill on the petition of the Magistrates of the Ottawa District, to change the time of holding the Court of General Quarter Sessions of the Peace in said District.

Which was granted and the bill read and ordered for a second reading to-morrow.

Agreeably to the order of the day, the House went into committee on the petition of Joseph Cawthra and 1623 others.

Mr. Baby was called to the chair.

The House resumed, to receive a message.

Mr. Secretary Mudge brought down from His Excellency the Lieutenant Governor, several messages, and documents accompanying the same, and having delivered them to the Speaker, retired.

The messages were then read by the Speaker as follows:

J. COLBORNE,

The Lieutenant Governor, transmits to the House of Assembly the annual estimate of sums voted by the Imperial Parliament in aid of the civil expenditure of this Province before 1827, and also statements of the sums paid and received under the act of the 14th Geo. 3. chap. 88. for the year 1828.

Government House, }  
13th March, 1829. }

J. COLBORNE,

The Lieutenant Governor having ordered a survey to be made of the 5th Concession in the Township of Yonge in the District of Johnstown, in consequence of a petition from Henry Weeks, transmits the accompanying copy of a report of the Executive Council on that subject, for the consideration of the House of Assembly.

Government House, }  
13th March, 1829. }

The Documents were read by the Clerk.

DOCUMENTS—(SEE APPENDIX)

Mr. James Wilson, seconded by Mr. Woodruff, moves, that His Excellency's message to this House respecting Henry Weeks and the accompanying Documents, be referred to the committee to whom was referred the petition of Samuel Swan, to report by bill; and that the Attorney General be added to the committee.

Which was ordered.

Mr. Fothergill, seconded by Mr. Smith, moves that an humble address of thanks be presented to His Excellency the Lieutenant Governor, thanking him for His Messages of this day; and that Messrs. Hamilton and Willson be a committee to draft and report the same.

Which was ordered.

The House went again into committee on the petition of Joseph Cawthra and others.

Mr. Baby in the chair.

The House resumed.

Mr. Baby reported that the committee had agreed to an address to His Majesty, which he was directed to submit for the adoption of the House.

On the question for receiving the report the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Brouse, Boell, Cawthra, Dalton, Ewing, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Radenhurst, George Rolph, John Rolph, Shaver, Smith, Thomson, James Wilson and Woodruff—27.

NAYS—Messrs. Attorney General, Berczy, Bethune, Blacklock, Fraser, Hamilton, Henderson, Longley, M'Lean, Morris, Samson, Wilkinson and John Willson—13.

The question was carried in the affirmative by a majority of fourteen, and the report was received and the address was read the first time.

Mr. Samson, seconded by Mr. Blacklock, moves, that in the address all after the words "of the people," at the bottom of the first page, be expunged, and the words "and now painful and alarming" in that page, be also expunged.

On which the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Attorney General, Berczy, Bethune, Blacklock, Fraser, Hamilton, Henderson, Longley, M'Lean, Morris, Samson, Wilkinson, and John Willson—13.

NAYS—Messrs. Baby, Baldwin, Brouse, Buell, Cawthra, Dalton, Ewing, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Radenhurst, G. Rolph, J. Rolph, Shaver, Smith, Thomson, James Wilson and Woodruff—27.

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

The address was then read a second time, and concurred in and ordered for a third reading to-morrow.

Adjourned.

Saturday, 14th March, 1829.

The House met.

Prayers.

The minutes of yesterday were read.

Agreeably to the order of the day, the address to His Majesty on the case

of the Honorable John Walpole Willis, was read a third time.

In amendment to the address, Mr. Morris, seconded by Mr. Radenhurst, moves, that after the words "Gracious Majesty" in the original address, the whole be expunged and the following inserted.

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly beg leave to approach your Majesty with our earnest representations on a subject of deep interest to the inhabitants of this portion of your Majesty's dominions: feeling as we do the importance of raising the administration of justice above the influence of local connexions and private interests, inseparable from the appointment of Judges from the bar of a colony where landed property has hitherto been acquired by the early settlers to an extent which gives to many of them an important landed interest in almost every District of the Province; and considering how impossible it is from the frailty of human nature, let the persons who fill these important situations be ever so upright in private life, to guard against the imperceptible influence of extensive family and landed connexions. We humbly entreat of your Majesty to send, for a limited number of years, persons to preside on the Bench of the superior courts of this Province, from the Bar of England, or from the bar of one of the sister North American Colonies; in which case provision may be made for the individuals who now preside on our bench, in the manner which your Majesty may deem most proper: and in the meantime we beseech your Majesty to render the Judges in this country independent of the crown and of the people, as are the Judges in England.

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

YEAS—Messrs. Berczy, Fraser, Hamilton, Kilborn, Morris, Radenhurst, Terry, Wilkinson, and John Willson—9.

NAYS—Messrs. Attorney General, Baby, Baldwin, Bethune, Blacklock, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Henderson, Hopkins, Hornor, Ketchum, Lafferty, Lockwood, Lyons, M'Donald, Mackenzie, M'Lean, Malcolm, Matthews, Peterson, George Rolph, John Rolph, Samson, Shaver, Smith, Thomson, James Wilson and Woodruff—32.

The question was decided in the negative by a majority of 23.

On the question for passing the address the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, M'Call, M'Donald, Mackenzie, Malcolm, Matthews, Peterson, Radenhurst, G. Rolph, J. Rolph, Shaver, Smith, Thomson, James Wilson and Woodruff—29.

NAYS—Messrs. Attorney General, Berczy, Bethune, Dickson, Fraser, Hamilton, M'Lean, Morris, Samson, Terry, Wilkinson, and John Willson—12.

The question was carried in the affirmative by a majority of seventeen, and the address was signed, and is as follows:

*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 request your royal attention to the dependent and very unsatisfactory state of the Judiciary in this country, and we further pray, that our earnest wishes and solicitude expressed in this address to your Majesty, may, in our behalf, be laid before your Majesty's faithful Commons in Imperial Parliament assembled.

In former sessions of the Provincial Legislature, we pressed this painful and now alarming subject, to your royal consideration, representing the expediency of exempting the Chief Justice in this Province, from the duties imposed upon him in the Executive Council, and of rendering the judges independent of the crown and of the people.

During the present session we have received from His Excellency the Lieutenant Governor, a message, from which it appears, that on the subject of the Judges being commissioned to hold office during good behaviour, your Majesty's Government find there are many difficulties to which it is apprehended this House may not have adverted, and that it is with a view solely to the welfare of the Province, and to the impartial administration of justice that your Majesty's Government hesitate to remove from the Judges in this Province, their direct responsibility to the crown.

Upon so important a subject, involving the interests, the rights, the liberties, and the very lives of the people of this Province, it becomes us with earnestness to repeat our humble remonstrances against the present state of things.

We regard with grateful recollection the memorable declaration of his late most Gracious Majesty from the Throne "that he looked upon the independence and uprightness of the Judges as essential to the impartial administration of Justice; as one of the best securities of the rights and liberties of his subjects; and as most conducive to the honor of the Crown." In this respect we rejoice at the unparalleled happiness of the people of England; we cannot however but feel that as a portion of Your Majesty's free and glorious Empire, we also, are equally interested and entitled to have justice administered amongst us by independent judges, equally able to appreciate the value of so great a blessing, and disposed with constitutionally jealous, to watch over the judicial character; to preserve it unsullied by unjust reproach, and unawed by the vindictive exercise of the Royal prerogative by the Provincial authorities.

In this Province it is exceedingly desirable, and even necessary, that the Court of King's Bench should, for many years to come, be wholly composed of Judges selected from the English bar; Judges who would in that case be as free as possible from the entanglements of family connexions, the influence of local jealousies, and the contamination of Provincial Politics; without such a change, justice never can, in this Country, be administered with purity, or rise above suspicion.

We duly value the assurance of Your Majesty conveyed in the message of His Excellency, "that the direct responsibility of our Judges to the crown, is enforced by your Majesty, only on the most serious occasions, and never in respect to any act which can be properly considered as judicial." But although Your Majesty is thus graciously pleased to declare that Your Majesty in the exercise of Your Royal Prerogative will be governed by a maxim so consonant to British justice, yet that assurance



while it is grounded upon the continued dependency of our Judges, can afford no sufficient and practical remedy against the abuse of Your Majesty's Royal Prerogative by the Provincial administration. This abuse of your Majesty's Royal Prerogative, has been flagrantly manifested by the late violent, precipitate, and unjustifiable removal of the Honorable Mr. Justice Willis from the Court of King's Bench in this Province.

The pretence for this almost irreparable wound to the constitution, appears to have been the declaration of an opinion by that learned and upright judge, upon the constitution of the Provincial Court of King's Bench, which opinion was evidently expressed, to explain and justify his submission to a conscientious conviction of the impropriety of knowingly proceeding in the administration of the law, in a court not organized as the law requires.

By the Provincial Act erecting that court, it is wisely provided, "that a Chief Justice, together with two puisne Judges shall preside therein." No explanation can add to the clearness of that provision, so obviously conducive to the safety and liberty of the subject; and it has become our urgent duty, humbly to declare to your Majesty, that our duty forbids us to yield to the attempts of the local administration, to entail upon us the dangerous encroachments made in years of past misrule, by establishing such a construction of that law, as would place the rights and liberties, the property and lives of the people of this Province, at the disposal of one, while a liberal salary is provided for three Judges.

The opinion of the learned judge became officially known to the local Government some Weeks before the commencement of the term in which it was expressed.

Finding that no step was taken to organize the Court according to law, and avert the consequences inevitably following pertinacity in the error, Mr. Justice Willis honorably withdrew from a scene, by a continuance in which, he must have compromised his judicial Character—Under these circumstances it appears that the Executive availed itself of the dependency of the Judiciary, and Mr. Justice Willis was unnecessarily and violently removed from his office, because, educated in no school of subservient principles, he would not yield to doubtful expediency, and unlawful usage.

We are not insensible of the advantages of the provision against granting offices in Your Majesty's Colonies in America to persons resident or intending to reside in Great Britain; a provision manifestly intended to apply particularly (perhaps exclusively) to offices which could be exercised by deputy, and therefore farmed out to the best bidder; But it is with concern and dismay, that the people of this Province have witnessed the perversion of law and power, for the dangerous purpose of removing a judge, whose only offence we believe to be, a scrupulous and conscientious discharge of his judicial duty.

The same power which authorised the removal of Mr Justice Willis, supposing it to be lawful, and the appointment of Mr Justice Hagerman in his place, might with greater facility have created a Chief Justice to organize the court according to law—But we feel that the magnitude of the outrage itself against the justice of the Country, is so great, as to forbid our descending to those particulars of which we can be only partially informed from the policy of the local administration in withholding from us that information which might more fully expose the enormity of the transaction—We humbly desire however to declare to Your Majesty, that had the law not placed it in the power of the local Government to avert the evils, the apprehension of which they affect to have influenced their conduct, we would esteem those evils very subordinate to this intimidation of our Judges, by the cruel aspersion of the character, and unjust ruin of the prospects of one of their number by the bold and daring exercise of arbitrary power.

Although the defective constitution of the court, and the consequent illegality of its proceedings, have been known to the Provincial Government, since Trinity Term last, yet the administration of Justice has not been relieved from this serious embarrassment, by the due organization of that Court, nor has his Excellency been advised to bring this all important state of the Country under the notice, or to recommend it to the consideration of the Provincial Legislature. We therefore cannot too earnestly express to Your Majesty our deep sense of the injustice, inexpediency, and illegality, of persisting in the maintenance of the present defective state of the Court; & to represent to your Majesty, the sacred duty which we feel to be imposed upon us, firmly to protect the interest of those suitors who have been prejudiced, either because they abstained from a Court which was violating Law, or because they were driven by their necessities, to yield to this assumption of judicial power.

In Michaelmas Term, last, Mr. Justice Hagerman, alone, constituted our Court of King's Bench, wherein he confirmed his own questioned judgment, at the preceding Assizes, in a trial in which Mr. Justice Sherwood was interested; the result of which trial involved a property of very great value, acquired through those extraordinary judicial proceedings in the case of Mr. Kandal, whose injustice has long been unavailingly an object of Legislative relief and public sympathy. It is from such proceedings, such Courts, and such Judges, that the people desire to be relieved.

We had hoped that the appointment of judges from England would redem the character of the Provincial judiciary; but that hope has been greatly impaired, by finding that such men have been esteemed by those in power, too conscientious for colonial rule. We feel that no gentleman of the English Bar, gifted with learning and character, will come to administer justice amongst us, if he is subject to an ignominious removal, and obliged to meet in England, charges unknown to him; got up against him without regard to the Laws of honor, or justice of the country.

We humbly express to Your Majesty our serious apprehension, that the learned Judge who has thus far been a victim of Provincial persecution, may be elevated to some higher place in your royal consideration, instead of being restored to his seat upon our bench, as the most effectual method of wiping away the stain attempted to be affixed to his character, and of healing the wound inflicted upon the justice and constitution of the country. His reinstatement in office, as our Judge, is most desirable for the peace and happiness of the Province, and for the restoration of public confidence in the administration of the law.

In the name of equal justice, we further humbly pray, your Majesty to cause a strict enquiry to be made into the conduct of all persons directly and indirectly concerned in this overbearing and despotic proceeding; and as the only means of assuring our future security, to expose them to whatever punishment may be due to their respective crimes, as advisers, abettors, and approvers of the same.

Should your Majesty be advised to disregard these our just and earnest prayers, against grievances which have increased under the patience with which we have hitherto endured them, we shall be constrained to feel, that while we form a part of the British Empire, we are excluded from sharing its equal and exalted justice.

We again humbly pray Your Majesty to lay the whole matter and prayer of this address before the British House of Commons, and to communicate to them our earnest hope, that they will be pleased most favorably to regard our wishes, and promote by their wisdom and council the redress of our wrongs.

MARSHALL S. BIDWELL,

Commons House of  
Assembly, 14th March, 1829.

Speaker.

Agreeably to the order of the day, the Turn-Pike Bill was read a third time and passed.

Mr. George Rolph, seconded by Mr. Hopkins, moves, that the bill be entitled "An Act to incorporate certain persons for the purpose of making a turn-pike road in the county of Halton, under the name of the Dundas and Waterloo turn-pike company."

Which was carried, and Messrs. George Rolph and Dickson were ordered by the Speaker to carry up the same to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of Ira Scofield, and 168 others, of the county of Middlesex, praying that the District School may be removed from Vittoria to London; and the petition of George Hoople of the township of Osnabrock, in the Eastern District, praying for Legislative authority to erect a lock at the Mille Roaches Rapid, and to take tolls from boats passing through the same, were read.

Mr. G. Rolph, seconded by Mr. Brouse, moves that a message be sent to the Honorable the Legislative Council to acquaint them that the bill entitled "An Act to incorporate certain persons for the purpose of holding lands for a Free Church in Dundas, in the District of Gore" was founded on the petition of David Oliphant, and others, presented to the House of Assembly last session, praying to be incorporated for the purposes in the said bill mentioned; and the matters contained in the said petition were confirmed by the statements of members of this House.

Which was carried, and Messrs. George Rolph, and Hopkins were ordered by the Speaker to carry up the same;

Mr. Morris, seconded by Mr. Shaver, moves, that a message be sent to the Honorable the Legislative Council informing that Honorable body that this House has no proofs and documents on which the bill entitled "An Act to borrow a sum of money in England" is founded.

Which was carried, and Messrs. Morris and Shaver were ordered by the Speaker to carry up the same.

Mr. Mackenzie, seconded by Mr. Ewing, moves that it be resolved that no petition complaining of the election or 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.

Which was carried.

Mr. Mackenzie, seconded by Mr. Ewing, moves that it be resolved, that no petition complaining of the undue election or return of any member returned to serve in this present Parliament, shall be received by this House unless presented within 14 days from this date; and that no petition complaining of the election or return of any member who may be hereafter returned to serve in this present Parliament, shall be received by this House, unless presented within 14 days after the said member shall have taken his seat.

Which was carried.

Mr. Mackenzie, seconded by Mr. Ewing, moves that it be resolved, that hereafter this House will not receive any petition for private bills, after the first twenty days of each session.

Which was lost.

Mr. Mackenzie, seconded by Mr. Ketchum, moves that it be resolved, 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 to their guidance and information.

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

YEAS—Messrs. Baldwin, Blacklock, Brouse, Cawthra, Dalton, Ewing, Fothergill, Hopkins, Ketchum, Lafferty, Lyons, Mackenzie, Malcolm, Matthews, Peterson, George Rolph, Shaver, Smith, James Wilson and Woodruff—20.

NAYS—Messrs. Attorney General, Bethune, Dickson, Henderson, Longley, Morris, Samson, Thomson, and John Willson—9.

The question was carried in the affirmative by a majority of eleven. Agreeably to the order of the day, the bill for the relief of Mary Lawrence, was read the second time, and referred to a committee of the whole House.

Mr. Bethune was called to the chair.

The House resumed.

Mr. Bethune reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Agreeably to the order of the day, the House went into committee on the highway bill.

Mr. Shaver was called to the chair.

The House resumed.

Mr. Shaver reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Mr. Wilkinson from the select committee appointed to draft an address to His Excellency the Lieutenant Governor, thanking him for his messages of the thirtieth instant, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed, and read a third time on this day.

Mr. Lafferty from the committee appointed to draft an address to His Excellency the Lieutenant Governor, requesting him to transmit an ad-

dress to His Majesty, with certain resolutions and documents, relative to Francis Collins, reported an address, which was received and read twice, concurred in, and ordered for a third reading this day.

Mr. Mackenzie from the committee to whom was referred the matter of the Post Office Department, presented a final report, which was received and read.

REPORT—(SEE APPENDIX)

Mr. Attorney General, seconded by Mr. McLean, moves for leave to bring in a bill up a an petition of the Welland Canal Company.

Which was granted, and the bill read, and ordered for a second reading on Monday next.

Mr. Mackenzie seconded by Mr. Dalton, moves that the President and Directors of the Bank of Upper Canada, be requested to make the statement of their funds and property required by the provisions of the Bank Act.

Which was ordered.

Mr. Thomson from the committee appointed to draft a bill founded on the resolutions of the committee of supply, relative to roads and bridges, presented a draft which was received and read a first time.

Mr. Thomson, seconded by Mr. George Rolph, moves, that the forty-first rule of the House be dispensed with, as it relates to the said bill, and that the same be now read a second time.

Which was carried, and the bill was read the second time and referred to a committee of the whole.

Mr. Terry was called to the chair.

The House resumed.

Mr. Terry reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed, and read a third time on Monday next.

The Speaker informed the House that the Clerk had represented to him the necessity of employing another copying Clerk, in his office, and had named Mr. Thomas Vaux as a fit person to serve in that capacity, of whom he (the Speaker) approved, and the House consenting to the nomination: Mr. Speaker gave directions to the clerk to employ Mr. Vaux accordingly.

Accordingly to the order of the day the House went into committee of supply.

Mr. Fraser was called to the chair.

The House resumed.

Mr. Fraser reported Strobridges relief bill, as amended, and obtained leave to sit again on Monday next.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Mr. Attorney General from the committee to which was referred the petition of Henry Weeks, and the papers transmitted from His Excellency on that 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 ordered to be received and the bill was read, and ordered for a second reading on Monday next.

Accordingly to the order of the day the Hallowell Survey bill was read the second time, and referred to a committee of the whole.

Mr. G. Rolph was called to the chair.

The House resumed.

Mr. Rolph reported the bill, without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Accordingly to the order of the day the amendments made by the Honorable the Legislative Council, to the bill entitled "An Act to authorise detention of debtors in certain cases" were read a second time and referred to a committee of the whole.

Mr. Dalton was called to the chair.

The House resumed.

Mr. Dalton reported the amendments.

The report was ordered to be received, and the amendments to be read a third time on Monday next.

Accordingly to the order of the day the Vanalstine relief bill was read the second time and referred to a committee of the whole.

Mr. Hopkins was called to the chair.

The House resumed.

Mr. Hopkins reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Accordingly to the order of the day the District Court bill was read the second time and committed to the whole House.

Mr. Mackenzie was called to the chair.

The House resumed.

Mr. Mackenzie reported the bill without amendment.

The report was ordered to be received and the bill to be engrossed and read a third time on Monday next.

Accordingly to the order of the day the York Methodist sale of land bill was read the second time and referred to a committee of the whole.

Mr. Ketchum was called to the chair.

The House resumed.

Mr. Ketchum reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Accordingly to the order of the day the House went into committee on the Thorold Glass company bill.

Mr. Lockwood was called to the chair.

The House resumed.

Mr. Lockwood reported progress and obtained leave to sit again on Monday next.

Accordingly to notice, Mr. Mackenzie, seconded by Mr. Cawthra, moves for leave to bring in a bill to regulate the survey of concessions A, B, and C, in Scarboro.

Which was granted and the bill read.

Mr. Mackenzie, seconded by Mr. Ketchum, moves, that the Scarboro' Survey bill be read a second time this day, and that the 41st rule be dispensed with, in as far as it applies to said bill.

Which was carried, and the bill was read the second time, and referred

to a committee of the whole.

Mr. James Wilson was called to the chair.

The House resumed.

Mr. Wilson reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time on Monday next.

Accordingly to notice Mr. Attorney General, seconded by Mr. Lefferty, moves that he have leave to bring in a bill for enforcing certain laws against Sabbath breaking and other offences.

Which was granted and the bill read and ordered for a second reading on Monday next.

Mr. Attorney General gives notice, that he will move, on Monday next, for reading so much of the Journals of the last Session as relates to the petition of Arad Smally and others, respecting the side lines of certain lots in the Township of North Gwillimbury.

Mr. Attorney General gives notice, that he will move on Monday next, for the reading of such parts of the Journals of the last Session as relate to the petition of Jane McKercher Livingston.

Mr. Peterson from the committee to wait upon His Excellency the Lieutenant Governor with the address of this House on Indian lands, reported delivering the same and that His Excellency had been pleased to make there-to the following answer:

GENTLEMEN,

His Majesty's Government has already given instructions that the lands of the Indians should be carefully preserved for their use and occupation; and the Legislature of the Province is called upon to shield them from the knavery of the immoral part of the population.

Adjourned.

Monday, 16th March, 1829.

The House met.

Prayers.

The minutes of Saturday were read.

Mr. Thomson brought up the petition of John Kerby and John Macaulay Esquires, of Kingston; which was laid on the table.

On the order of day for the third reading of the address to His Excellency requesting him to transmit an address &c. to the King, being called, Mr. Thomson, seconded by Mr. George Rolph, moves, that the address be amended by expunging the words "Resolutions and address of this House to His Majesty with the accompanying documents," and inserting in their place these words "addresses of this House to His Majesty with the accompanying resolutions and documents."

Which was carried, and the address was amended, read twice, concurred in, and ordered to be engrossed and read a third time this day.

Accordingly to the order of the day, the address to Excellency the Lieutenant Governor thanking him for his messages of the 13th inst. was read the third time passed, and signed and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and Loyal subjects the Commons of Upper Canada in Provincial Parliament Assembled, beg leave to thank Your Excellency for Your Messages of the thirteenth instant.

MARSHALL S. BIDWELL,

Commons House of Assembly, }  
16th March, 1829. }

Speaker.

Mr. Wilkinson, seconded by Mr. Dickson, moves, that Messrs. Fothergill and Smith, 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.

Which was ordered.

Accordingly to the order of the day, the bill for the relief of Mary Lawrence was read a third time and passed.

Mr. Thomson, seconded by Mr. John Rolph, moves that the bill be entitled "An Act for the relief of Mary Lawrence."

Which was carried, and Messrs. Lefferty and James Wilson, were ordered to carry up the same to the Honorable the Legislative Council, and to request their concurrence thereto.

Accordingly to the order of the day, the highway bill was read the third time.

Mr. James Wilson, seconded by Mr. Buell, moves, that the words "forty shillings" be inserted in the blank on press four, in the eighth line from the top.

Which was carried.

Mr. James Wilson, seconded by Mr. Buell, moves, that the words "three pounds" be inserted in the blank in press three, line two from the bottom.

Which was carried and the bill passed.

Mr. James Wilson, seconded by Mr. Buell, moves that the title of the bill be "an Act to authorise the appointment of commissioners of roads, and other officers, for the management of highways at the several township meetings within this Province."

Which was carried, and Messrs. Lefferty and James Wilson were ordered to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Accordingly to the order of the day, the Hallowell survey bill was read a third time and passed.

Mr. James Wilson, seconded by Mr. Buell, moves, that the title of the bill be, "An Act to authorise surveyors to commence at the western boundary of the third concession of the Military tract, in the Township of Hallowell."

Which was carried, and Messrs. Lefferty and James Wilson, were ordered to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Accordingly to the order of the day, the address to His Excellency the

Lieutenant Governor requesting him to transmit the addresses to His Majesty with resolutions &c. was read a third time passed and signed, and is as follows :

To His Excellency Sir John Colborne, Knight commander of the most Honourable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &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 transmit the addresses of this House to His Majesty, with the accompanying resolutions and documents, to His Majesty's principal Secretary of State for the colonies, that the same may be by him presented to His Most Gracious Majesty.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly,  
16th March, 1829.

Mr. Thomson seconded by Mr. McDonald, moves, that Messrs. Leftery and Blacklock be a committee to wait upon His Excellency to know when he will be pleased to receive this House with the address of this House requesting him to transmit to His Majesty's Principal Secretary of State, the addresses to His Most Excellent Majesty, together with the resolutions of this House and accompanying documents.

Which was ordered.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to authorize detention of debtors in certain cases," were read a third time, passed, and signed by the Speaker.

Mr. Leftery, seconded by Mr. Woodruff, moves, that a message be sent to the Honorable the Legislative Council, to acquaint them that this House have agreed to the amendments made by them to the bill entitled "An Act to authorize detention of debtors in certain cases."

Which was carried, and Messrs. Leftery and James Wilson were ordered by the Speaker to carry up the same.

Agreeably to the order of the day, the Vanalstines' relief bill was read the third time and passed.

Mr. Peterson, seconded by Mr. James Wilson, moves that the bill be entitled "An Act to provide for a commission of Lunacy and Idiocy in the case of Peter Van Alstine."

Which was carried, and Messrs. Leftery, and James Wilson were ordered by the Speaker to carry up the same to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the District Court Bill was read the third time and passed.

Mr. George Rolph, seconded by Mr. McDonald, moves that the bill be entitled "An Act to facilitate the issuing service and return of process in the District Courts in the several Districts of this Province."

Which was carried, and Messrs. Leftery and James Wilson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Methodist Church lands bill, was read the third time and passed.

Mr. Attorney General, seconded by Mr. Buell, moves, that the title be, "An Act to enable the Trustees of the Methodist Episcopal Church in York, to exchange certain real Estate now holden by them for other real estate in or near the said Town of York."

Which was carried and Messrs. Attorney General and Dickson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the bill for the relief of James G. Strobidge, was read the third time.

Mr. Attorney General, seconded by Mr. McDonald, moves that the bill do not now pass, but that it be forthwith recommitted to a committee of the whole House.

On which the House divided and the Yeas and Nays were taken as follows :

YEAS—Messrs. Attorney General, Baby, Berczy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Fraser, Henderson, Ketchum, Kilborn, Lockwood, Longley, Lyons, McCall, Mackenzie, McLean, Morris, Peterson, G. Rolph, J. Rolph, Shaver, and Thomson—25.

NAYS—Messrs. Baldwin, Dickson, Ewing, Fothergill, Hamilton, Hopkins, Hornor, Leftery, Malcolm, Smith, Terry, Wilkinson, John Willson, James Wilson and Woodruff—15.

The question was carried, in the affirmative by a majority of ten and the bill was recommitted.

Mr. Fraser was called to the chair.

The House resumed, the Black Rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council, the bill entitled "An Act to incorporate certain persons for the purpose of holding lands for a free Church in Dundas, in the District of Gore," which they had passed without amendment, and a message, which the Speaker read as follows :

MR. SPEAKER :

The Legislative Council request that the House of Assembly will be pleased to communicate to this House the proofs and documents on which is founded the bill entitled "An Act for the relief of Samuel Theal."

Legislative Council Chamber,  
16th March, 1829.

J. BABY,  
Speaker.

The House went again into committee on Strobidge's relief bill.

Mr. Fraser in the chair.

The House resumed.

Mr. Fraser reported the bill as amended.

On the question for receiving the report the House divided and the yeas

and nays were taken as follows :

YEAS—Messrs Baldwin, Blacklock, Cawthra, Dalton, Dickson, Ewing, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Leftery, Malcolm, Mathews, Radenhurst, George Rolph, Terry, Wilkinson, John Willson, James Wilson and Woodruff—23.

NAYS—Messrs. Attorney General, Baby, Berczy, Bethune, Brouse, Buell, Lockwood, Longley, Lyons, McDonald, Mackenzie, McLean, Morris, Peterson, Saulson, Shaver, and Thomson—17.

The question was carried in the affirmative by a majority of six, and the report was received, and the bill ordered to be engrossed and read a third to-morrow.

On the order of the day for the third reading of the Scarborough survey bill being called, Mr. Mackenzie seconded by Mr. Cawthra, moves that the order of the day for the third reading of the Scarborough survey bill be discharged.

Which was carried.

Agreeably to the order of the day, the District road bill was read a third time and passed.

Mr. Thomson, seconded by Mr. George Rolph, moves that the bill be entitled "An Act granting to His Majesty a sum of money for the improvement of the roads and bridges in this Province."

Which was carried and Messrs. Dickson and Malcolm were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

The Master in Chancery brought down from the Hon. the Legislative Council, a message which the Speaker read as follows.

MR. SPEAKER.

The Legislative Council desire a conference with the commons House of Assembly on the subject matter of the Bill sent up from that House entitled "An Act to borrow a sum of money in England," and have appointed a committee of two members, who will be ready to meet a committee of the commons House of Assembly in the Joint Committee Room to-morrow, at twelve o'clock at noon.

Legislative Council Chamber,  
16th March, 1829.

JAMES BABY,  
Speaker.

Mr. Morris, seconded by Mr. Longley, moves, that the request of the Honorable the Legislative Council for a conference on the bill entitled "An Act to borrow a sum of money in England," sent up from this House be acceded to, and that Messrs. Attorney General, Berczy, John Rolph, and Blacklock, do compose the conferees on the part of this House.

Which was carried.

Mr. Morris, seconded by Mr. Longley, moves, that a message be sent to the Honorable the Legislative Council, informing that House that this House have agreed to a conference on the bill entitled "An Act to borrow a sum of money in England," and have appointed a committee of four members, who will proceed to the joint committee room at the time appointed.

Which was carried, and Messrs. Dickson and Malcolm were ordered by the Speaker to carry up the same.

Mr. Thomson, seconded by Mr. Dalton, moves, that the 43d rule of this House be dispensed with so far as relates to the petition of John Kirby and John McAulay, and that the same be now read.

Which was carried, and the petition of John Kirby and John McAulay, of the Town of Kingston, Esquires, praying to be released from their office as commissioners for settling the affairs of the late pretended Bank of Kingston, was read.

Mr. Thomson, seconded by Mr. Dalton, moves, for leave to bring in a bill on the petition of John Kirby and John McAulay, for the settlement of the affairs of the late Kingston Bank.

Which was granted and the bill read.

Mr. Thomson, seconded by Mr. Dalton, moves, that the 41st rule of the House be dispensed with so far as relates to the Kingston Bank bill, and that the same be now read a second time.

Which was carried, and the bill was read a second time and committed to whole House.

Mr. Blacklock was called to the chair.

The House resumed.

Mr. Blacklock reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Mr. Thomson, from the select committee to which was referred the petition of Thomas Hornor 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.

The report was ordered to be received, and the bill was read the first time, and ordered for a second reading to-morrow.

Mr. Buell from the select committee on education, presented a report, which was received and read.

REPORT—(See Appendix.)

Mr. John Willson, seconded by Mr. Hamilton, moves, that a message be sent to the Honorable the Legislative Council, informing that Honorable body that this House has passed the bill entitled "An Act for the relief of Samuel Theal," upon a petition from the said Theal praying for relief in the case of the Lot mentioned in the bill; and also being informed by the Honorable J. B. McAulay, clerk of the commissioners of forfeited estates, that lots 19 and 20, in the 10th concession of Grantham, were returned forfeited by Thomas Lane, inquisition dated 2d August, 1817, No. 19 was disposed of at the Niagara sales, in September, 1820, and it being represented that No. 20 had been erroneously returned in lieu of No. 18, and also by a copy of an inquisition received from the office of the clerk of the crown, which inquisition was taken at Grimsby, in the District of Niagara, on the 30th of March, 1824, by which Lot No. 18, was returned forfeited upon the testimony of Amos McKenny, in the following words:—"Says that he knows that Thomas Lane had left the country without leave during the late war with the United States, and at that time was seized of lots either 18 or 19, in the tenth concession of the Township of Grantham," containing each 100 Acres of land.



Which was carried, and Messrs. Hamilton and Lefferty were ordered by the Speaker to carry up the same.

Mr. Samson, seconded by Mr. Radenhurst, moves for leave to bring in a bill to authorise commissioners in His Majesty's Court of King's Bench, in this Province, to take affidavits and receive testimony upon the claim or claims to lands of the heirs, devisees, or assignees, of the original nominee of the crown, where no patent has issued, and that the 43d rule of this House be dispensed with so far as relates to this motion.

Which was granted and the bill read.

Mr. Samson, seconded by Mr. Radenhurst, moves that the 41st rule of this House be dispensed with, so far as relates to the second reading of this bill.

Which was carried, and the bill was read the second time and referred to a committee of the whole House.

Mr. Dickson was called to the chair.

The House resumed.

Mr. Dickson reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Doctor Baldwin from the select committee to which was referred the matter of the Hamilton outrage, and alleged threatened release of Francis Collins by force, presented a final report which was received and read.

#### REPORT—(SEE APPENDIX.)

Agreeably to the order of the day, the Ottawa Court bill was read a second time and referred to a committee of the whole House.

Mr. Wilkinson was called to the chair.

The House resumed.

Mr. Wilkinson reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the Catarqui bridge bill was read the second time and referred to a committee of whole House.

Mr. Lyons was called to the chair.

The House resumed.

Mr. Lyons reported the bill as amended.

The report was ordered to be received and the bill to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the bill for the relief of John Porter, was read the second time, and referred to a committee of the whole.

Mr. Hornor was called to the chair.

The House resumed.

Mr. Hornor reported progress, and obtained leave to sit again this day three months.

Mr. Morris, seconded by Doctor Baldwin, moves for leave to bring in a bill for the appointment of commissioners to treat with commissioners on the part of Lower Canada.

Which was granted and the bill read, and ordered for a second reading to-morrow.

Mr. Morris, seconded by Doctor Baldwin, moves that the second reading of the bill be the first thing on the order of the day.

Which was ordered.

Agreeably to notice, Mr. Dickson, seconded by Mr. John Willson, moves for leave to bring in a bill to amend the law now in force for disposing of real estate sued under execution.

Which was granted and the bill read.

Mr. Dickson, seconded by Mr. John Willson, moves that the 41st rule of this House be dispensed with in so far as relates to the bill for amending the law for advertising real estate under execution.

Which was carried, and the bill was read the second time, and referred to a committee of the whole House.

Mr. Terry was called to the chair.

The House resumed.

Mr. Terry reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed, and read a third time to-morrow.

Mr. John Rolph brought up the petition of John Matthews, of Lobo, Esq., which was laid on the table.

Mr. John Rolph, seconded by Mr. Malcolm, moves that the 43d rule be dispensed with, so far as to read the petition of John Matthews, this day.

Which was carried, and the petition of John Matthews, Esq., praying that an act may be passed authorising the commissioners of forfeited estates, to pay to the said John Matthews, Esq., interest on a certain sum of money before authorised to be paid him by the said commissioners—was read.

Mr. John Rolph, seconded by Mr. Malcolm, moves for leave to bring in a bill for the relief of John Matthews, on his petition.

Which was granted and the bill read.

Mr. John Rolph, seconded by Mr. Malcolm, moves that the Matthews' relief bill be read a second time this day, and that the 41st rule be dispensed with so far as to do so.

On which the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Baldwin, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lefferty, Lockwood, McDonald, Malcolm, George Rolph, John Rolph—12.

NAYS—Messrs. Attorney General, Berczy, Bethune, Buell, Fothergill, Henderson, Lyons, McLean, Morris, Samson, Shaver, Terry, and Wilkinson—13.

The question was decided in the negative by a majority of one, and lost accordingly.

Mr. Lefferty, from the select committee to whom was referred the petition of Captain John Putman, praying for remuneration for services rendered and losses sustained during the late war, stated, 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 ordered to be received and was read.

#### REPORT—(See Appendix.)

Doctor Baldwin from the select committee to which was referred the petition of certain inhabitants of the Township of Sandwich, stated, that the

committee had agreed to report by bill, a copy of which he was ready to submit whenever the House would be pleased to receive the same.

The report was ordered to be received, the bill was read the first time, and ordered for a second reading to-morrow.

Mr. McLean from the select committee to whom was referred the petition of Denis FitzGerald, stated, 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 ordered to be received and was read.

#### REPORT—(SEE APPENDIX.)

Mr. McLean, seconded by Mr. Samson, moves, that the report on the petition of Denis FitzGerald be referred to the committee of supply.

On which the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Berczy, Bethune, Cawthra, Dalton, Lefferty, Mackenzie, McLean, J. Rolph, G. Rolph, Samson, and Wilkinson—11.

NAYS—Messrs. Baldwin, Buell, Fothergill, Henderson, Hopkins, Hornor, Ketchum, Lockwood, Lyons, McCall, McDonald, Morris, and Shaver—13.

The question was decided in the negative by a majority of two and lost accordingly.

Agreeably to the order of the day the Windham Survey bill was read the second time and referred to a committee of the whole House.

Mr. Fothergill was called to the chair.

The House resumed.

Mr. Fothergill reported the bill without amendment.

The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Agreeably to notice Mr. Fothergill, seconded by Mr. Wilkinson, moves, for leave to bring in a bill to repeal An Act passed last session relative to aprons to mill dams.

Which was granted and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Shaver moves, that such part of the Journals of last session as relates to the petition of Jane Mc Kercher Livingston be now read.

Which was carried, and the Journals were read accordingly.

Mr. Attorney General, seconded by Mr. Wilkinson, moves that the petition of Jane Mc Kercher Livingston, be referred to the committee of supply.

Which was ordered.

Adjourned.

Tuesday, 17th March, 1829.

The House met.

Prayers.

The minutes of yesterday were read.

Agreeably to the order of the day, the Kingston Bank Bill was read the third time and passed.

Mr. Thomson, seconded by Mr. Brouse, moves that the bill be entitled "An Act to make more effectual provision for settling the affairs of the late pretended Bank of Upper Canada."

Which was carried, and Messrs. Kilborn and Shaver were ordered to carry up the same to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the heir and devisee bill was read the third time and passed.

Mr. Samson, seconded by Mr. Radenhurst, moves, that the bill be entitled "An Act to afford greater facility in procuring testimony upon claims to lands in this Province by the Heirs or Devisees of the original nominees of the Crown or their assignees"

Which was carried, and Messrs. Samson and Radenhurst were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Ottawa District Court bill was read the third time and passed.

Mr. McDonald, seconded by Mr. Thomson, moves, that the bill be entitled "An Act to alter the time of holding the Court of General Quarter Session of the Peace in the Ottawa District."

Which was carried, and Messrs. Kilborn and Shaver were ordered by the Speaker to carry up the same to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Catarqui Bridge bill was read the third time and passed.

Mr. Samson, seconded by Mr. Bethune, moves, that the bill be entitled "An Act to amend part of an Act passed in the eighth year of the reign of his present Majesty, entitled An Act to incorporate certain persons therein mentioned under the style and title of the Catarqui Bridge Company."

Which was carried and Messrs. Samson and Radenhurst were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the Lands advertisement bill was read a third time.

Mr. John Willson, seconded by Mr. Hamilton, moves, that the bill be amended by expunging the words "for the District Court" in the second clause.

On which the House divided and the Yeas and Nays were taken as follows: YEAS—Messrs. Buell, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hamilton, Hornor, Ketchum, Lefferty, Longley, McCall, McDonald, Mackenzie, Morris, Smith, Wilkinson, and John Willson—18.

NAYS—Messrs. Attorney General, Baby, Baldwin, Berczy, Bethune, Blacklock, Brouse, Dickson, Henderson, Hopkins, Kilborn, Lockwood, Matthews, George, John Rolph, Samson, Shaver, Terry, James Wilson and Woodruff—20.

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

On the question for passing the bill the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Attorney General, Berczy, Bethune, Dickson, Samson, Terry and Woodruff—7.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra

Dalton, Ewing, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Leftery, Lockwood, Longley, McCall, McDonald, McKenzie, Matthews, Morris, Geo. Rolph, John Rolph, Shaver, Smith, Wilkinson, John Wilson, and James Wilson.—30.

The question was decided in the negative by a majority of twenty three. Agreeably to the order of the day, Windham survey bill was read a third time and passed.

Doctor Baldwin seconded by Mr. McCall, moves that the bill be entitled "an act for the better survey of the tenth concession of Windham."

Which was carried and Messrs. Baldwin and McCall were ordered by the Speaker to carry up the same to the Honorable the Legislative Council and to request their concurrence thereto.

Mr. Attorney General from the committee of conference on the subject matter of the bill entitled "An Act to borrow a sum of money in England" reported as follows

The Legislative Council cannot concur in the bill entitled "An Act to borrow a sum of money in England."

Because the authority should be given to the Lieutenant Governor to direct the Receiver General to carry into effect the provisions of the bill.

Because it does not limit the rate of interest at which His Majesty's Receiver General shall negotiate the loan, but leaves it discretionary with him to contract for the same, at a mere fractional difference from the present rate of interest.

Because no provision is made for compensating His Majesty's Receiver General, for his services in negotiating the said loan.

Because the title does not seem sufficiently explanatory of the object of the bill.

Agreeably to the order of the day, the bill for the relief of James G. Strobidge was read a third time.

On the question for passing being put.

In amendment Mr. Attorney General, seconded by Mr. Wilkinson, moves, that the bill do not now pass; but that it be now recommitted, in order to enable him to propose the following amendment, that is to say:

"And whereas, it is expedient to enable the Government to provide for the completion of the said work and to secure the same from injury; be it therefore enacted &c. that from and out of the public monies in the hands of the Receiver General unappropriated, there be granted to His Majesty such sum of money not exceeding the sum of

as may appear to the Governor, Lieutenant Governor or person Administering the Government of this Province to be necessary for the purposes aforesaid, which monies shall be expended upon the said work, in such manner and under such superintendance, as to the Governor Lieutenant Governor or person Administering the Government of this Province, shall seem best.

On which the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Attorney General, Berczy, Bethune, Ewing, Fothergill, Hamilton, Henderson, Hopkins, Kilborn, Longley, McLean, George Rolph, Samson, Smith, Wilkinson, and John Willson—16.

NAYS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Fraser, Hornor, Ketchum, Leftery, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Peterson, Radenhurst, John Rolph, Shaver, Terry, Thomson, James Wilson and Woodruff—23.

The question was decided, in the negative by a majority of twelve. On the question for passing, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baldwin, Blacklock, Cawthra, Dalton, Dickson, Ewing, Fothergill, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Leftery, Malcolm, Matthews, Radenhurst, John Rolph, George Rolph, Smith, Terry, Wilkinson, James Wilson, John Willson, and Woodruff—26.

NAYS—Messrs. Attorney General, Baby, Berczy, Bethune, Brouse, Buell, Fraser, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, McLean, Morris, Peterson, Samson, Shaver, and Thomson—19.

The question was carried in the affirmative by a majority of six, and the bill was passed and signed.

Mr. John Willson, seconded by Mr. Hamilton, moves, that the bill be entitled "An Act to afford relief to James G. Strobidge contractor for constructing a navigable canal between Lake Ontario and Burlington Bay."

Which was carried, and Messrs. John Willson and Leftery were ordered by the Speaker to carry up the same to the Honorable the Legislative Council and to request their concurrence thereto.

The Master in Chancery brought down from the Honorable the Legislative Council, the bill entitled "An Act to encourage emigration from foreign parts into this Province" which they had passed, and to which they requested the concurrence of this House" and the bill entitled "An Act to amend the laws now in force for preventing the sale of Spirituous Liquors without licence" to which the Honorable the Legislative Council had made some amendments, to which amendments they also requested the concurrence of this House.

The bill sent down from the Honorable the Legislative Council, entitled "An Act to encourage emigration from foreign parts into this Province" was then read the first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the Commissioners bill was read a second time and referred to a committee of the whole.

Mr. Radenhurst was called to the chair. The House resumed.

Mr. Radenhurst reported the bill as amended.

On the question for receiving the report the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Brouse, Buell, Cawthra, Dalton, Ewing, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Leftery, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Peterson, G. Rolph, Shaver, Terry, James Wilson and Woodruff—26.

NAYS—Messrs. Attorney General, Berczy, Bethune, Fothergill, Fraser, Longley, McLean, Morris, Radenhurst and Samson—10.

The question was carried in the affirmative by a majority of sixteen and the report was received.

Mr. Mackenzie, seconded by Captain Matthews, moves, that the bill be engrossed and read a third time this day, and that the 41st rule be dispensed with, so far as it applies to said bill.

Which was carried, and the bill was ordered to be engrossed and read a third time this day.

Agreeably to the order of the day the House went into committee on the Thorold Glass Company bill.

Mr. Hornor was called to the chair. The House resumed.

Mr. Hornor reported the bill as amended. The report was ordered to be received, and the bill to be engrossed, and read a third time to-morrow.

Agreeably to the order of the day, the Indian fishery bill was read the second time and committed to the whole House.

Mr. Samson was called to the chair. The House resumed, the Black Rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council a message which the speaker read as follows.

MR. SPEAKER,

The Legislative Council request a conference with the Commons House of Aseembly on the subject matter of the bill sent up from that House, entitled "An Act to grant a certain sum of money to His Majesty for the remuneration of the persons therein mentioned," and have appointed a committee of two members who will be ready to meet a committee of the Commons House of Assembly for that purpose in the joint Committee Room at 5 of the clock this afternoon.

Legislative Council Chamber, }  
17th day of March, 1829. }

JAMES BABY,  
Speaker,

Mr. John Rolph, seconded by Captain Matthews, moves, that this House accede to the conference requested by the Honorable the Legislative Council on the subject matter of the bill entitled "An Act to grant a certain sum of money to His Majesty for the remuneration of the persons therein mentioned," that Messrs. James Wilson, Buell, Leftery, and Ketchum, be a committee for that purpose; and that a message be sent to the Honorable the Legislative Council informing them that this House has acceded to their request.

Which was carried and Messrs. Rolph and Hornor were ordered by the Speaker, to wait upon the Honorable the Legislative Council with the same.

The House went again into committee on the Indian fishery bill.

Mr. Samson in the chair. The House resumed.

Mr. Samson reported the bill as amended. The report was ordered to be received and the bill to be engrossed and read a third time to-morrow.

Mr. James Wilson from the committee of conference on the subject matter of the bill sent up to the Honorable the Legislative Council, entitled "An Act to grant a certain sum of money to His Majesty for the remuneration of the persons therein mentioned" reported as follows:

That the Legislative Council having under their consideration the bill entitled, "An Act to grant a certain sum of money to His Majesty for the remuneration of the persons therein mentioned" are unacquainted with the reasons of the House of Assembly for omitting to provide also for the payment of certain other persons comprehended in the original vote of that House, whose claims were afterwards recognized by a bill sent up to the Honorable the Legislative Council for its concurrence.

Agreeably to the order of the day, the Port Hope harbour, bill was read a second time and referred to a committee of the whole.

Mr. Dalton was called to the chair. The House resumed.

Mr. Dalton reported the bill without amendment. The report was ordered to be received, and the bill to be engrossed, and read a third time to-morrow.

Mr. Hornor from the select committee to which was referred the petition of John Gough, presented a report, which was received and read.

REPORT—(SEE APPENDIX.)

Captain Matthews gives notice, that he will, early in the next session, proceed by impeachment against certain magistrates of the London District, for misconduct, as justices of the peace, in the several courts in the said District.

Agreeably to the order of the day, the House went into committee on the Northumberland registry bill.

Mr. Berczy was called to the chair. The House resumed.

Mr. Berczy reported the bill as amended. The report was ordered to be received, and the bill to be engrossed, and read a third time to-morrow.

Agreeably to the order of the day, the House went into committee on the shop license bill.

Mr. Cawthra was called to the chair. The House resumed.

Mr. Cawthra reported the bill as amended. The report was ordered to be received, and the bill to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the Wolland Canal bill was read a second time, and referred to a committee of the whole house.

Mr. Bethune was called to the chair. The House resumed.

Mr. Bethune reported the bill as amended. The report was ordered to be received.

On the question for the third reading of the bill, on to-morrow, the house divided, and the yeas and nays were taken as follows:

YEAS—Messrs. Attorney General, Berczy, Bethune, Blacklock, Buell, Cawthra, Dickson, Ewing, Hamilton, Henderson, Ketchum, Longley, Malcolm, Morris, Samson, Terry, Wilkinson and John Willson—18.

NAYS—Messrs. Brouse, Hopkins, Hornor, Leftery, Lockwood, Lyons, McCall, Radenhurst, George Rolph, Shaver, and Woodruff—11.

The question was carried in the affirmative by a majority of seven, and the bill was ordered to be engrossed and read a third time to-morrow.

Adjourned.

Wednesday 18th March, 1829.

The House met.

Prayers.

The minutes of yesterday were read.

Mr. Leftery from the committee to wait upon His Excellency the Lieutenant Governor, to know when he would be pleased to receive this House with its address requesting His Excellency to transmit the addresses to His Majesty, to His Majesty's principal Secretary of State for the Colonial Department, with the resolutions and documents accompanying the same, reported that His Excellency had been pleased to name the hour of two P. M. to day.

Mr. John Willson from the committee to carry up to the Honorable the Legislative Council, the bill entitled "An Act to afford relief to James G. Strobridge, Contractor for constructing a navigable Canal between Lake Ontario and Burlington Bay" and to request their concurrence thereto, reported having done so.

Doctor Baldwin from the committee to carry up to the Honorable the Legislative Council the bill entitled, "An Act for the better survey of the tenth concession of Windham," and to request their concurrence thereto, reported having done so.

Agreeably to the order of the day, the Commissioners appointment bill was read a third time and passed.

Doctor Baldwin, seconded by Mr. Mackenzie moves that the bill be entitled "An Act for the appointment of Commissioners to treat on the part of this Province with Commissioners on the part of the Province of Lower Canada on matters of mutual interest between the said Provinces."

Which was carried, and Messrs. Leftery and Hornor were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the Thorold Glass Company bill was read the third time and passed.

Mr. Hornor, seconded by Mr. Smith, moves, that the bill be entitled "An Act to incorporate certain persons for the manufacture of Glass in this Province under the name of the Upper Canada Glass Manufacturing Company."

Which was carried, and Messrs. Leftery and Hornor were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Indian Fishery bill was read the third time.

Mr. Ketchum, seconded by Mr. Wilkinson, moves that the following clause be added as a rider, "Be it further enacted by the authority aforesaid, that this Act shall continue in force for four years and from thence to the end of the then next ensuing Session of Parliament and no longer."

Which was carried.

Mr. Thomson, seconded by Mr. Wilkinson, moves, that the 41st rule of this House be dispensed with so far as relates to the rider, and that the same be now read a second time.

Which was carried, and the rider was read a second time, adopted, and ordered for a third reading this day.

Agreeably to the order of the day, the Port Hope Harbour bill was read a third time and passed.

Mr. Fothergill, seconded by Mr. Smith, moves that the bill be entitled "An Act to incorporate certain persons therein named under the style and title of the Port Hope harbour and Wharf Company."

Which was carried, and Messrs. Leftery and Hornor, were ordered by the Speaker to carry the same up to Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the Northumberland registry bill was read a third time.

On the question for passing the same the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Attorney General, Berczy, Bethune, Blacklock, Brouse, Dickson, Ewing, Fothergill, Fraser, Henderson, Ketchum, Kilborn, Longley, McDonald, McLean, Morris, Samson, Shaver, Terry, Wilkinson, John Willson and Woodruff—22.

NAYS—Messrs. Cawthra, Hornor, Lockwood, Mackenzie, Peterson, Radenhurst, G. Rolph, John Rolph and James Wilson—10.

The question was carried in the affirmative by a majority of twelve and the bill was signed.

Mr. Attorney General, seconded by Mr. Samson, moves that the title of the bill be, "An Act to make valid under certain restrictions the registry of deeds and conveyances made by the register of the County of Northumberland under an appointment adjudged to be invalid."

Which was carried and Messrs. Samson and Bethune were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Shop and Tavern Licence bill was read a third time.

Mr. Mackenzie, seconded by Mr. Hornor, moves, that the bill do not now pass but that it be recommitted.

Which was lost.

In amendment to the bill Mr. John Rolph, seconded by Mr. Thomson, moves, that the words "two years" and all the words following be struck out, and the words "one year and from thence to the end of the then next ensuing Session of Parliament and no longer" inserted.

On which the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Ewing, Fothergill, Fraser, Hopkins, Hornor, Ketchum, Leftery, Lockwood, Lyons, McCall, Mackenzie, Malcolm, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, James Wilson and Woodruff—25.

NAYS—Messrs. Attorney General, Berczy, Bethune, Buell, Dickson, Hamilton, Henderson, Longley, McDonald, McLean, Morris, Samson, Terry, Wilkinson and John Willson—15.

The question was carried in the affirmative by a majority of ten and the bill was amended accordingly.

Mr. John Rolph, seconded by Mr. Radenhurst, moves that the amendment to the Shop and Tavern Licence bill be now read a second time, and the 41st rule be dispensed with so far as respects the said amendment.

Which was carried and the amendment was read, a second time, and adopted and ordered for a third reading to day.

Agreeably to the order of the day the Wolland Canal bill was read a third time.

Mr. Dickson, seconded by Mr. Thomson, moves that the blank be filled up with the words "six."

Which was carried.

At two o'clock P. M. the House waited upon His Excellency the Lieutenant Governor, with their address, requesting His Excellency to transmit addresses to His Majesty &c. and having returned, the Speaker reported that the House had waited upon His Excellency with their address, and that His Excellency had been pleased to give the following answer:

GENTLEMEN,

I will, in compliance with your request, transmit these addresses and accompanying documents to His Majesty's Government.

The Master in Chancery brought down from the Honorable the Legislative Council the bill entitled "An Act to enable the trustees of the Methodist Episcopal Church, in York, to exchange certain real estate now holden by them, for other real estate in or near the said Town of York," the bill entitled "An Act to provide for a commission of Lunacy and Idiocy in the case of Peter Van Alstine," and the bill entitled "An Act to incorporate certain persons for the purpose of making a turnpike road in the County of Halton, under the name of "the Dundas and Waterloo turnpike company," which they had passed without amendment.

On the question for passing the Wolland Canal bill, debates ensued.

The Master in chancery brought down from the Honorable the Legislative Council, the bill entitled "An Act to alter the time of holding the court of General Quarter Sessions of the peace in the Ottawa District," the bill entitled "An Act to amend part of an Act passed in the eighth year of the reign of His present Majesty" entitled "An Act to incorporate certain persons therein mentioned, under the style and title of the Catarqui Bridge Company," and the bill entitled "An Act to afford greater facility in procuring testimony upon claims to lands in this Province by the heirs or devisees of the original nominees of the crown, or their assignees" which the Honorable the Legislative Council had passed without amendment.

Mr. Samson from the committee to carry up to the Honorable the Legislative Council, the bill entitled "An Act to make valid under certain restrictions the registry of deeds and conveyances made by the register of the county of Northumberland under an appointment adjudged to be invalid" and to request their concurrence thereto, reported having done so.

Mr. Mackenzie, seconded by Mr. James Wilson, moves that the Wolland Canal bill do pass this day three months.

On which the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Baldwin, Blacklock, Brouse, Cawthra, Hopkins, Hornor, Lockwood, Lyons, McCall, McDonald, Mackenzie, Matthews, Radenhurst, George Rolph, John Rolph, Shaver, Thomson, James Wilson and Woodruff—19.

NAYS—Messrs. Attorney General, Baby, Berczy, Bethune, Buell, Dalton, Dickson, Ewing, Fraser, Hamilton, Henderson, Kilborn, Longley, McLean, Malcolm, Morris, Samson, Terry, Wilkinson, & John Willson—20.

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

In amendment, Mr. Mackenzie, seconded by Mr. James Wilson, moves that the bill do not now pass, but be recommitted.

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

YEAS—Messrs. Baldwin, Blacklock, Brouse, Cawthra, Dickson, Hamilton, Hopkins, Hornor, Ketchum, Leftery, Lockwood, Lyons, McCall, McDonald, Mackenzie, Matthews, Radenhurst, George Rolph, John Rolph, Shaver, James Wilson, and Woodruff—22.

NAYS—Messrs. Attorney General, Baby, Berczy, Bethune, Buell, Dalton, Ewing, Fraser, Henderson, Kilborn, Longley, McLean, Malcolm, Morris, Samson, Terry, Thomson, Wilkinson and John Willson—19.

The question was carried in the affirmative by a majority of three, and Mr. Bethune was called to the chair of the committee.

The House resumed.

Mr. Bethune reported the bill as amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Mr. Thomson, seconded by Mr. James Wilson, moves, that the Clerk of the House be ordered to distribute the two hundred copies of the Report of the British House of Commons on Canada affairs as follows:

Lieutenant Governor,	Two
Legislative Council	Forty-eight
House of Assembly to be divided equally among	
Members—	one hundred and Forty-four.
Clerk's Office Legislative Council	Two
Clerk's Office House of Assembly	Two
Library	Two

Which was carried and ordered.

Agreeably to the order of the day, the rider to the bill for the protection of the Mississauga Fishery, was read the third time.

On passing of the bill the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Attorney General, Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Henderson, Hopkins, Ketchum, Kilborn, Leftery, Lockwood, Longley, Lyons, McDonald, Malcolm, Morris, John Rolph, Geo. Rolph, Shaver, Smith, Terry and Thomson—29.

NAYS—Messrs. Berczy, Hornor, McCall, Mackenzie, McLean, Samson and James Wilson—7.

The question was carried in the affirmative by a majority of twenty two and the bill was passed and signed.

Doctor Baldwin, seconded by Mr. Lockwood, moves, that the bill be entitled "An Act the better to protect the Mississauga Tribes living on the Indian reserve of the River Credit, in their exclusive right of fishing and hunting therein."

Which was carried and Messrs. Baldwin and Cawthra were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day the Tavern License bill was read the third time.

The Master in Chancery brought down from the Honorable the Legisla



the Council the bill entitled "An Act to make more effectual provision for settling the affairs of the late pretended Bank of Upper Canada" to which they had made some amendments; to which amendments they request the concurrence of this House, and the bill sent up from this House entitled "An Act for the relief of Mary Lawrence," which they had passed without amendment; also a message which the Speaker read as follows.

MR. SPEAKER.

The Legislative Council have resolved that the Speaker having announced to this House, that it is the intention of His Excellency the Lieutenant Governor, to close this present session on Friday next at 4 o'clock, this House cannot proceed to the consideration of any bills sent from the House of Assembly after the hour of four o'clock to-morrow.

Legislative Council Chamber, } J BABY, Speaker.  
Wednesday 18th March, 1829. }

Mr. James Wilson, seconded by Mr. Cawthra, moves, that the bill do not pass but be recommitted.

On which the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baldwin, Cawthra, Dalton, Ketchum, Mackenzie, and James Wilson—6.

NAYS—Messrs. Attorney General, Berczy, Bethune, Blacklock, Brouse, Buell, Ewing, Fraser, Henderson, Hopkins, Hornor, Kilbora, Longley, Lyons, McDonald, McLean, Malcolm, Morris, G. Rolph, Samson, Shaver, Smith, Terry, Thomson, and Baby—25.

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

Mr. Samson, seconded by Mr. Morris, moves, that the bill be entitled "An Act to continue for one year certain acts relating to Shop and Tavern Licences."

Which was carried and Messrs. Samson and Bethune were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

The Speaker reported having received a letter from the Cashier of the Bank of Upper Canada; and read the same as follows.

BANK OF UPPER CANADA,  
York, 17th March 1829.

SIR,

In obedience to the order of the Honorable the House of Assembly, dated 16th instant, I beg leave to transmit herewith, a general statement of the affairs of the Bank of Upper Canada made up for this day.

I have the honor to be

Sir

Your most obedient Servant,  
THOMAS G. RIDOUT,  
CASHIER.

The Honorable the Speaker  
of the House of Assembly,

The Statement was then read by the Clerk as follows:

GENERAL STATEMENT of the affairs of the Bank of Upper Canada on Tuesday the 17th day of March 1829, pursuant to the 23d clause of the Act of Incorporation, and furnished in obedience to the order of the honorable the House of Assembly.

	£	d.	s.
Funds and Property	47,271	3	5
Capital Stock paid in	72,410	0	0
Debts due to the Bank	130,354	7	5
Debts due by the Bank	35,102	9	5
Bank notes in circulation	140,483	5	0
Specie in the Vault	23,190	16	2

We the undersigned make Oath and swear that the above statement is true and correct to the best of our knowledge and belief.

Sworn before me at York, U. C. } WILLIAM ALLAN, President.  
this 17th day of March, 1829. } THOMAS G. RIDOUT,  
LEVIUS P. SHERWOOD, } CASHIER.

Agreeably to the order of the day, the House went into committee of supply.

Mr. Hornor was called to the chair.

The House resumed the Black Rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill sent up from this House entitled "An Act to provide for the survey of a part of the township of Oxford, in the Johnstown District," which they had passed without amendment.

The Speaker left the chair.

Mr. Hornor resumed the chair of the committee.

The House resumed.

Mr. Hornor reported that the committee had agreed to several resolutions which he was directed to submit for the adoption of the House; and to ask leave to sit again this day.

On the question for receiving the report, the House divided and the Yeas and Nays were taken as follows.

YEAS—Messrs. Baby, Baldwin, Blacklock, Bronse, Buell, Dalton, Ewing, Hopkins, Hornor, Ketchum, Lefferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Geo. Rolph, John Rolph, Shaver, Smith, Thomson, and James Wilson—23.

NAYS—Messrs. Attorney General, Berczy, Bethune, Fraser, Henderson, Longley, Morris, and Samson—8.

The question was carried in the affirmative by a majority of fifteen, the report was received, the resolutions were adopted, and leave was given to sit again this day.

Resolved—That the possession of Revenue by the Executive to defray all the expenses of the civil government, independent of Parliament, is inconsistent with public liberty.

Resolved—That it appears from the message of His Excellency that the whole of the Estimate for the civil list can, this year, be defrayed from the Crown Revenue—and that the expenditure of about £10,000 per annum, which was defrayed till the year 1827 by grants of the Imperial Parliament,

is now also transferred to what is called the territorial revenue of the crown, arising from the Canada Company agreement, over the appropriation of which monies it is denied that this House has any superintendance or control.

Resolved—That the Crown and Clergy Reserves and other wild lands in this Province, were in war defended by the valor, and in peace advanced to their present value, by the industry of the inhabitants; and therefore the appropriation of the revenue arising from them, becomes an object of more reasonable enquiry by the House of Assembly, particularly as the brave sufferers in the late war, remain little abated in their distress, or redressed from their losses, notwithstanding that this Province, with slender population and resources, has contributed nearly £200,000 towards their partial relief; and particularly as His late Excellency Sir P. Maitland, informed this House by message, that the Treasury of the Mother Country looks to the Casual and Territorial Revenue for the payment of the annual amount of presents to the Indian tribes, on account of cessions of Territory made at different times to the Crown.

Resolved—That from the accounts in detail of the appropriation of the sum of £10,025, as furnished this House by His Excellency, a copy whereof is annexed, it appears that by far the greater part of that sum has been improvidently misapplied; because, independent of the pretensions to a monopoly of the Clergy Reserves, the large sum of £2800 is allotted to the Clergy of the Protestant Episcopal Church, although that Church forms a comparatively small proportion of the Christians in this Province; and because there are various pensions and allowances to persons who ought not to be burdens on this struggling Province; a salary to a naval officer, as a sinecure; a salary to an agent in England, utterly unknown by name, character, duty, service or usefulness to this house or to the county, and other salaries and allowances improvidently paid (with the exception of the Lieutenant Governor and Judges) to public officers, for whom has been provided by the house of Assembly, independent of those extra allowances, such ample salaries and contingencies in years of past extravagance, that they ought in justice to the condition of the Province to be greatly reduced.

Resolved—That the Provincial Executive have heretofore, in the appropriation and expenditure of the public monies, violated that economy, which is in justice due to the people from whom they are raised; have abused the application of the fund improvidently granted by the 56th Geo. III. chap. 26, in aid of the Civil Government; have granted pensions and multiplied offices at the public expense, without consent of Parliament; and have incurred and continued wasteful charges and annually increasing expenses in the administration of Justice and in the other departments, under an inveterate system of Executive patronage, at the sacrifice of public economy: all which evils have heretofore existed from injuriously infusing into the country and even into the Legislature a spirit of subserviency incompatible with the liberties and interests of the people.

Resolved—That the Provincial Government claim the right of paying and applying the taxes raised from the people of this Province under the 14th Geo. 3d, Chap. 88, towards defraying the expenses of the administration of Justice and of the support of the Civil Government, without the knowledge, consent or control of their representatives.

Resolved—That by the said 14th Geo. III. chap. 88, it is provided that after defraying the said expenses, the residue of the said duties shall remain and be reserved in the hands of the said Receiver General for the future disposition of Parliament. But from the accounts in detail furnished this house by His Excellency, a copy of which is annexed, it appears that the said residue of the said duties, has never been submitted for the disposition of the Imperial Parliament; but such residue has been, in violation of the alleged construction of the statute, improvidently applied by the Provincial Executive to purposes manifestly not within the meaning or spirit of the said act, and without reference to the Provincial Legislature, and without regard to the real interests of the Province, from which conduct, under the advice of the Law Officers of the Crown, this House assumes, that if the said act is not in force to disallow such arbitrary and improvident mis-application by the Executive, it cannot be properly put into operation against the constitutional claims of the House of Assembly, and the faith of the British Parliament.

Resolved—That the Act passed in the 57th year of His late Majesty's Reign, granting to His Majesty the necessary supplies for the year 1817, a copy of which act is annexed to this resolution, recognises in the message from His Excellency, recited in the preamble, as well as in the terms of the residue of the said act, that the General Revenue, out of which the excess of the Civil expenditure over and above the grant by the Imperial Parliament was to be supplied, was disposable by the Provincial Legislature.

Resolved—That although the monies raised under the said act should be assumed to be necessarily confined to the defraying the charges of the administration of Justice and support of the Civil Government; yet that is not by any means inconsistent with the expedient and constitutional control of the House of Assembly over the particular expenditure and specified appropriation thereof; but on the contrary, by the subsequent erection of a local Government and Parliament after the similitude of the British Constitution, with the ample powers given to them by the 31st Geo. 3rd, Chap. 31, expressly to provide for the peace, welfare and good government of the country, such expedient and constitutional power over the particular expenditure and specified appropriation of the fund, has become inherent in the House of Assembly, and can only require to be exercised.

Resolved—That the Law of England, whereby the subject is exempt from taxes not granted by common consent of Parliament, and whereby the British Parliament has maintained a superintendance and control over the Civil expenditures and happily preserved the liberties of the British Nation, was not introduced by any statute, but was the ancient, common and fundamental Law, issuing from the first frame and constitution of the Kingdom—and as the Provincial Legislature with the consent of His Majesty have passed an act adopting the Laws of England as the rule for decision in all matters of controversy relative to civil rights, it cannot be reasonably questioned, that corresponding powers and duties appertain to the Provincial Parliament in the conduct of their Provincial concerns, provided such powers and duties are not repugnant to the 31st Geo. 3d, Chap. 31.

Resolved—That the British Act 18 Geo. III. chap. 22, declares that the King and Parliament of Great Britain would not impose any duty, tax or assessment whatever upon any of His Majesty's Colonies, Provinces and Plantations in North America, or the West Indies, except only such duties as it might be expedient to impose for the regulation of Commerce; and that the nett produce of such duties should always be paid and applied to

and for the use of the Colony, Province or Plantation, in which the same should be raised, in such manner as other duties collected by the authority of the respective general Courts or general Assemblies of such Colonies, Province or Plantations should be ordinarily paid and applied; which Act was from the British Nation that the people of the North American Provinces with Provincial Legislatures, should, with the reservation only of Commercial restrictions, through the Assemblies in which they were represented, impose their own taxes, and direct the appropriation of them—and this Province enjoys such a Legislative Assembly as is contemplated by the said Act.

Resolved—That by the 31st Geo. III. chap. 31, it was intended to confer the blessings of the English constitution upon the well tried suffering Loyalists and British Subjects who took refuge in this Province. And this House confides in the magnanimity and justice of the British Nation not to allow the spirit of these Laws and the faith of the British Parliament to be defeated by mere verbal or critical constructions, to the prejudice of the important privileges of the Provincial Parliament, and the subversion of constitutional liberty; both of which are seriously injured and endangered by the assumption of the power by the Provincial Government to apply monies raised from and to and for the uses of this Province, to the Civil Government without the knowledge, consent and controul of Parliament.

Resolved—That this House believes that the British House of Commons never intended and will never sanction such a narrow and illiberal construction of the said Acts taken collectively, and viewed in relation to the interesting and eventful circumstances under which they were framed, as would deny the blessing of true constitutional liberty to the people of this loyal Colony, who, from the concessions made to the revolted Colonies, were driven from their homes, their fortunes and their country.

Resolved—That the injured interests of this Province require, that this House should as-ert and exercise their superintendance and controul over the receipt and expenditure of the whole public Revenue, by which means the constitutional weight of this branch of the Legislature will be restored, the wants and wishes of the people be properly respected, the improvident expenditure of the revenue be corrected, and the resources of the country be efficiently directed to the many and urgent objects of public improvement, without resorting to present taxation, or those further loans which must be eventually paid by increasing the burthens of the people.

Resolved—That the House of Assembly is and always has been ready and willing, dutifully to provide the necessary public supplies out of the monies raised from or to and for the uses of this Province, whenever the same has been desired in His Majesty's name.

Resolved—That the loyalty and attachment of the people of this Province to His Majesty's person and Government, would, if possible, be strengthened by leaving them with their local Legislature and the Executive to their own internal concerns, and by discountenancing all private and injurious representations made for the purpose of counteracting the best directed exertions for the correction of public abuses; which private and injurious representations have hitherto been too successfully made, by those who are interested to promote misrule and protect the authors of it.

Resolved—That the sums granted and appropriated for any special service should be applied by the executive power, only to defray the expenses of that service; and that the application of any surplus of funds to uses for which they were not appropriated, is a misapplication of the public money, a breach of public trust, a violation of the rights and privileges of this House, and subversive of the Government of this Province, as established by law.

Resolved—That the applying any sum of unappropriated money or surplusage of funds to uses not voted or addressed by Parliament, is a misapplication of the public money.

Resolved—That for any person or persons whatsoever employed in the payment of public monies, to pay or cause or direct to be paid any sum or sums of money, for or towards the support of Government, after the Parliament shall have passed appropriating the supply to such services, will be a high crime and misdemeanor, a heavy breach of a public trust, and derogatory to the fundamental privileges of Parliament, and subversive of the constitution.

Resolved—That the chairman be instructed to move for a select committee to draft an address to His Excellency requesting his attention to the foregoing resolutions, expressing the readiness of this House to appropriate the necessary supplies for the public service, if His Excellency shall be pleased to ask the same in His Majesty's name.

Mr. Hornor, seconded by Doctor Baldwin, moves that Messrs. Ketchum and Lafferty be a committee to draft and report an address to His Excellency pursuant to the instructions of the committee of supply.

Which was carried.

Doctor Baldwin, seconded by Mr. James Wilson, moves that 500 copies of these resolutions be printed for the use of members, forthwith.

On which the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Brouse, Buell, Dalton, Ewing, Hamilton, Hornor, Ketchum, Lafferty, Lockwood, Lyons, McCall, Mackenzie, Malcolm, George Rolph, John Rolph, Shaver, Smith, and James Wilson—20.

NAYS—Messrs. Attorney General, Berczy, Bethune, Blacklock, Fraser, Henderson, Longley, McDonald, Satson, Thomson, Wilkinson and John Willson—12.

The question was carried in the affirmative by a majority of eight and it was ordered accordingly.

Mr. Lafferty from the select committee appointed to draft an address to His Excellency the Lieutenant Governor, on the subject of the Resolutions just adopted, reported a draft which was received and read twice, concurred in, and ordered for a third reading this day.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to encourage emigration from foreign parts into this Province," was read the second time, and referred to a committee of the whole House.

Mr. Buell was called to the chair.

The House resumed.

Mr. Buell reported the bill without amendment.

The report was received.

Mr. John Willson, seconded by Mr. Hamilton, moves that the 30th rule

of this House be dispensed with so far as relates to the third reading of the naturalization bill, and that it be now read the third time.

Which was carried, and the bill was read the third time and passed.

Mr. John Willson, seconded by Mr. Hamilton, moves that a message be sent to the Honorable the Legislative Council informing that Honorable House, that this House has assented to the bill entitled "An Act to encourage emigration from foreign parts into this Province."

Which was carried and Messrs. John Willson and Hamilton were ordered by the Speaker to carry the same up to the Honorable the Legislative Council.

Agreeably to the order of the day, the Threshing Machine bill was read the second time and referred to a committee of the whole house.

Mr. Lafferty was called to the chair.

The House resumed.

Mr. Lafferty reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor requesting His Excellency's particular attention to the resolutions of this House and documents accompanying the same, was read the third time and passed and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and Loyal subjects the Commons of Upper Canada in Provincial Parliament Assembled, humbly present to Your Excellency the resolutions of this House and documents accompanying the same, and request your Excellency's particular attention to them.

We further humbly assure your Excellency that if your Excellency shall be pleased in His Majesty's name to desire any supply for the civil Government of this Province, we will cheerfully make every such provision consistent with our duty.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly,  
18th March, 1829.

Mr. John Rolph, seconded by Mr. Lockwood, moves that Doctor Baldwin and Mr. Blacklock be a committee to wait upon His Excellency to learn when he will be pleased to receive the address and documents, and to present the same.

Which was carried.

Agreeably to the order of the day, the House went into committee of supply.

Mr. Shaver was called to the chair.

The House resumed.

Mr. Shaver reported that the committee rose for want of a quorum.

MEMBERS PRESENT—Messrs. Attorney General, Brouse, Blacklock, Hamilton, Ketchum, Lafferty, Lockwood, Mackenzie, George Rolph, John Rolph, Shaver, Wilkinson, and John Willson—13.

At twenty minutes before twelve o'clock (Midnight) the Speaker declared the House adjourned for want of a quorum.

Thursday, 19th March, 1829.

The House met.

Prayers.

The minutes of yesterday were read.

Mr. John Rolph from the select committee on Education, reported that the committee had agreed to report by an address to His Excellency whenever the House would be pleased to receive the same.

The report was received, the address was read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to the order of the day, the Welland Canal bill was read the third time.

On the question for the passing of the bill the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Attorney General, Berczy, Blacklock Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Lafferty, Longley, McLean, Malcolm, Morris, Smith, Terry, Wilkinson, John Willson, and Woodruff—23.

NAYS—Messrs. Baldwin, Brouse, Cawthra, McDonald, Matthews, John Rolph, G. Rolph, Shaver and James Wilson—9.

The question was carried in the affirmative by a majority of fourteen, and the bill was passed and signed.

Mr. Attorney General, seconded by Mr. Dickson, moves, that the title of the bill be "An Act to render effectual certain securities to be given by the Welland Canal Company for a loan advanced by His Majesty's Government, and for other purposes relating to the said Canal, and also for authorising the making a lateral cut from the Welland Canal through the Town of Niagara, to the mouth of the River Niagara, by a company incorporated for that purpose."

Which was carried, and Messrs. Attorney General and Dickson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the fine appropriation bill was read the third time, passed and signed.

Mr. Attorney General, seconded by Mr. McLean, moves that the title of the bill be "An Act to remove difficulty respecting the appropriation of certain fines imposed by law, and thereby to provide more effectually for the carrying into operation certain acts for punishing breaches of the Sabbath and other offences."

Which was carried, and Messrs. Attorney General and Dickson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the threshing machine bill was read the third time.

On the question for the passing of the bill, the House divided and the yeas and nays were taken as follows :

YEAS—Messrs. Baldwin, Brouse, Cawthra, Dalton, Dickson, Fothergill, Hamilton, Henderson, Hopkins, Ketchum, Kilborn, Lockwood, M'Call, M'Donald, Mackenzie, Malcolm, G. Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, James Wilson John Willson and Woodruff—26.

NAYS—Messrs. Attorney General, Baby, Blacklock, Buell, Longley, M'Lean, Matthews, and Morris—8.

The question was carried in the affirmative by a majority of eighteen, and the bill was passed and signed.

Mr. John Rolph, seconded by Mr. Dalton, moves, that the bill be entitled "An Act to grant certain privileges to Thomas Horner."

Which was carried and Messrs. Lefferty and Malcolm, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the House went into committee of supply.

Mr. Shaver was called to the chair.

The House resumed the Black Rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill sent up from this House, entitled "An Act to provide for the survey of the concession lines of the Gore of Fredericksburgh," which they had passed with some amendments, to which amendments they requested the concurrence of this Honorable House; and a bill entitled "An Act to provide for the guiding line in the Township of Lancaster in the Eastern District," which they had passed and to which also they requested the concurrence of this Honorable House.

The bill sent down from the Honorable the Legislative Council, entitled "An Act to provide for the guiding line in the Township of Lancaster in the Eastern District," was read the first time.

The amendments made to the bill entitled "An Act to provide for the survey of the concession lines of the Gore of Fredericksburgh," were read the first time as follows :

Press 1 line 24 after the word "north" insert "allowing for the variation in the concession lines since the original survey,"

Expunge the third, fourth and fifth clauses and insert in their stead.

"And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor Lieutenant Governor, or person administering the Government; to direct the Surveyor General to order the concession lines of the said Gore of Fredericksburgh to be surveyed and marked with monuments and marks as aforesaid, and that the expenses incurred thereby shall be considered as part of the contingent expences of the Surveyor General's Office; and that such lines so surveyed and marked as aforesaid, shall be and are hereby declared to be the true and unalterable concession lines of the Gore of the said Township of Fredericksburgh."

The House went again into committee of supply.

Mr. Shaver in the Chair.

The House resumed.

Mr. Shaver reported two 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, the resolutions were adopted as follows: and leave was granted accordingly.

Resolved—That the Chairman be instructed to move a select committee to draft an appropriate address to His Excellency requesting him to pay Robert Randal the sum of £500 for his public services.

Resolved—That the sum of £750 be granted to His Majesty to enable His Majesty to provide for the completion of the Light House upon the False Ducks Island, with the necessary equipments and appendages to the same.

Agreeably to the order of the day, the Parliament buildings bill was read the second time and committed to the whole House.

Mr. Samson was called to the chair.

The House resumed.

Mr. Samson reported the bill without amendment.

The report was ordered to be received.

Mr. Mackenzie, seconded by Mr. Cawthra, moves that the bill be engrossed and read a third time this day and that the 41st rule be dispensed with so far as it applies to the motion.

Which was ordered.

Captain Matthews from the committee to which was referred the petition complaining of the conduct of Joseph Defields as a Magistrate, presented a report which was received and read.

REPORT—(See Appendix.)

Captain Matthews, seconded by Mr. Mackenzie, moves that Messrs. Horner and Terry be a committee to draft an address pursuant to the report of the select committee on the petition against Joseph Defields, Esq.

Which was carried and ordered.

Mr. Horner from the select committee to draft an address to His Excellency the Lieutenant Governor complaining of the conduct of Joseph Defields as a magistrate, reported a draft which was received and read twice, concurred in and ordered to be engrossed and read a third time this day.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor on the subject of education was read the third time and passed and is as follows :

To His Excellency, Sir John Colborne, Knight commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c. &c. &c.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly represent to Your Excellency that we have taken into consideration the important sub-

ject of education, and have bestowed upon it as much attention as the pressure of public business and the delays usually incident to the first session of a Parliament would permit.

We have directed the officer of our House to furnish Your Excellency with a copy of the first report made to our House upon the subject of education, in which we are happy to find Your Excellency takes so deep an interest.

We trust that Your Excellency regarding the importance of economy, will not continue the appropriation of £300 a year to a President of a general Board of Education, a Board which can be of no use if the District Boards are constituted of persons active, zealous, and conscientious in the discharge of the duties appertaining to their appointment.

By the present law the District reports ought to be made directly to your Excellency by whom they are laid before the Legislature. No systems are improved by being made more complicated, and the objection acquires greater force from the consequent increase in the number of officers drawing upon the Revenue devoted to education, and from the diminished importance of the local boards whose activity and usefulness will vary with the respect following the independence and direct responsibility to Your Excellency.

From the report to be furnished to Your Excellency it will appear, that this unity of system, as it has been termed, has already been employed to favor one to the exclusion of other christian churches.

We shall in our future attention to this subject endeavor to amend the system of common schools, and in the event which Your Excellency gives us reason to anticipate, of a Royal Grammar School, of liberal principles, being established, we shall consider the expediency of altering the present system of District Schools.

We are not prepared to express a wish to incorporate the proposed institution with the University, or to confide the former to the care of persons superintending the latter, and we therefore wholly repose in Your Excellency to originate, organize, and foster a Royal Grammar School, which we wish to be called "Colborne's College," upon the most liberal principles, under the most able masters, and deriving funds from the sources already mentioned by your Excellency.

We are desirous annually to view a statement of the institution, and we will in future sessions, use every exertion, in conjunction with your Excellency, to promote its interests and extend its usefulness.

Under the auspices of Your Excellency we trust it will be conducted upon an economical plan, and be speedily put in operation.

We submit it wholly to your Excellency's consideration, whether a more eligible place might not be selected than the town of York.

MARSHALL S. BIDWELL,

Commons House of Assembly, }  
19th March, 1829. }

Speaker.

Mr. John Rolph, seconded by Mr. Lockwood, moves that Messrs. Buell and McDonald 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. Attorney General, seconded by Mr. Thomson, moves for leave to bring in a bill for granting an additional sum for building a light house on the False Duck's Island.

Which was granted and the bill read.

Mr. Attorney General seconded by Mr. Thomson, moves that the 41st rule of this House be dispensed with so far as it relates to the False Duck's Light House Bill, and that the bill be now read a second time.

Which was carried, and the bill was read a second time, and referred to a committee of the whole House.

Mr. M'Lean was called to the chair.

The House resumed.

Mr. M'Lean reported the bill as amended.

The report was ordered to be received, and the bill to be engrossed and read a third time this day.

Agreeably to the order of the day, Weeks' relief bill was read the second time and committed to the whole House.

Mr. Morris was called to the chair.

The House resumed, the Black Rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill entitled "An Act to incorporate certain persons therein named under the style and title of the Port Hope Harbor and Wharf Company," which they had passed without amendment; and the bill entitled "An Act to incorporate the trustees of the Grantham Academy," to which the Honorable the Legislative Council had made some amendments and to which they requested the concurrence of this House.

The amendments made by the Honorable the Legislative Council to the bill entitled "An Act to incorporate the trustees of the Grantham Academy," were then read as follows :

- Press 3 line 12, after the word "land" insert "with the" after the
- " " " " " word hereditaments" insert the words "thereunto
- " " " " " appertaining,"
- " 4 " 6 Between the word "for" and the word "five" insert
- " " " " " the word "every,"
- " " " 11 Expunge the word "other,"

After the 4th clause insert "and be it further enacted by the authority aforesaid, that no person who is not a natural born subject of His Majesty, or a subject naturalised by act of the British Parliament, or by an act of the Legislature of this Province, shall be capable of being a teacher, master, or assistant, in the said academy."

After the first clause insert "And be it further enacted by the authority aforesaid, that the President of the general Board of Education for the time being, shall have power and authority to visit the said academy, once in each and every year, and to require to be laid before him, and the officers of the said academy are hereby directed to comply with such requisition, the rules, regulations, and bye laws thereof, and also to furnish him with a correct report or statement of the number of the scholars in attendance, and of the different branches taught, and the books used in the said academy. Provided always that nothing herein contained shall be construed to authorise the said President of the General Board of Education in any manner to interfere with the Government or management of the said academy."

The Speaker left the chair.



Mr. Morris resumed the chair of the committee.

The House resumed.

Mr. Morris reported the bill without amendment.

The report was ordered to be received.

Mr. McLean, seconded by Mr. Morris, moves that the 41st rule be dispensed with so far as respects the said bill, and that the same be engrossed and read a third time this day.

Which was carried and ordered.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the bill entitled "An Act to make more effectual provision for the settling the affairs of the late Pretended Bank of Upper Canada" were read a second time and committed to the whole house.

Mr. Radenhurst was called to the chair.

The House resumed.

Mr. Radenhurst reported the amendments.

The report was ordered to be received.

Mr. Thomson, seconded by Mr. Morris, moves, that the 41st rule of the House be dispensed with so far as relates to the amendments, and that the same be read a third time this day.

Which was carried, and the amendments were read the third time, passed and signed and are as follows:

Press 3 line 13, After the word "persons" insert "not being Debtors or Creditors of said institution, or otherwise interested."

G 5 After the word "authority" insert after receiving such payment or compromise as they may deem reasonable and proper."

Mr. Morris, seconded by Mr. Thomson, moves that a message be sent to the Honorable the Legislative Council, informing that body that this House have concurred in their amendments to the bill entitled "An Act to make more effectual provision for settling the affairs of the late pretended Bank of Upper Canada."

Which was carried and Messrs. Morris and Thomson were ordered by the Speaker to carry up the same to the Honorable the Legislative Council.

Agreeably to the order of the day, the Parliament Buildings' bill was read the third time and passed.

Mr. Mackenzie, seconded by Mr. Cawthra, moves, that the bill be entitled "An Act to repeal An Act passed in the seventh year of His present Majesty's reign entitled, An Act to authorise the raising by Debenture a sum of money to be applied in erecting buildings for the use of the Legislature, and to authorise the repairs of the old Parliament Buildings."

Which was carried and Messrs. Morris and Thomson, were ordered by the Speaker, to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Mr. Fraser, seconded by Mr. Blacklock, moves, that the 41st rule be dispensed with so far as relates to the bill sent down from the Honorable the Legislative Council, entitled "An Act to provide for the guiding line in the Township of Lancaster in the Eastern District," and that the same be now read a second time.

Which was carried, and the bill was read the second time and committed to the whole House.

Mr. Buell was called to the chair.

The House resumed.

Mr. Buell reported the bill without amendment.

The report was ordered to be received, and the bill to be read a third time this day.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council entitled, "An Act to provide for the guiding line in the Township of Lancaster in the Eastern District" was read a third time and passed.

Mr. Fraser, seconded by Mr. McLean, moves that a message be sent to acquaint the Honorable the Legislative Council that this House has concurred in the bill sent down from that Honorable House, entitled, "An Act to provide for the guiding line of the Township of Lancaster in the Eastern District."

Which was carried, and Messrs. Fraser and McLean were ordered by the Speaker to carry up the same to the Honorable the Legislative Council.

Agreeably to the order of the day, the Duck's Light House bill was read the third time and passed.

Mr. Bethune, seconded by Mr. Samson, moves, that the bill be entitled "An Act to provide for the completing the Light House on the False Duck's Island, and for the keeping and maintaining the same during the present year."

Which was carried, and Messrs. McLean and Fraser were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. John Rolph, seconded by Mr. Buell, moves, that the amendments to the bill entitled "An Act to incorporate the Trustees of the Grantham Academy," be read a second time this day three months.

Which was carried Nem Con.

PRESENT—Messrs. Baby, Baldwin, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hornor, Ketchum, Leftery, Lockwood, McDonald, Malcolm, Matthews, Morris, Radenhurst, John Rolph, George Rolph, Samson, Thomson, James Wilson and John Willson—29.

Agreeably to the order of the day, Weeks' relief bill was read a third time and passed.

Mr. Morris, seconded by Mr. Henderson, moves, that the bill be entitled "An Act for the relief of Henry Weeks."

Which was carried and Messrs. Morris and James Willson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of Joseph Defields, was read a third time and passed and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and Loyal subjects the Commons of Upper Canada in Provincial Parliament Assembled, humbly represent to your Excellency that this House has enquired into the merits of a petition complaining of the unfitness of Joseph Defields as a Magistrate of the London District.—From Mr. Solicitor General Boulton, the committee have received the following evidence, in the case Parkinson vs. Joseph Defields, the person complained of—"I was Counsel for the Plaintiff, and it was proved to my entire satisfaction, as well as to that of the Jury, that he had fabricated a warrant for a debt due to himself; and had signed the name of a Brother Magistrate thereto, without his consent, therefore I consider him a most improper man to be a Magistrate—I stated this matter to Major Hillier private Secretary to His late Excellency with my opinion of the expediency of his being dismissed from the commission of the Peace; I believe the Honorable James B. McAulay who tried the cause, reported to the Governor the evidence on the trial. I also noticed that his son acted as constable in cases in which he was acting as Magistrate, which I mentioned to him as objectionable.

"From the facts coming to my knowledge, I would not, were I a Magistrate, act with him on the Bench.

"I tried, first, to proceed against him by indictment for forging the warrant, I sent the whole matter before the Grand Jury at the Assizes; and it certainly underwent examination by them; but the Grand Jury made no presentment.

"Two or three of the Grand Jurors told me, it was often by consent, that one Magistrate signed the name of another; and that they thought there was some such understanding in this case."

These matters and transactions took place under the Government of Sir Peregrine Maitland, and we trust that upon strong and well established grounds of complaint coming to the knowledge of the Government against Magistrates, they may be removed from the commission.

MARSHALL S. BIDWELL,

Commons House of Assembly, }  
19th March, 1829. }

Speaker.

Mr. John Rolph, seconded by Mr. Hornor, moves, that Messrs. Matthews and Dalton, be a committee to wait upon His Excellency to learn when he will receive the address and to present the same.

Which was carried.

Mr. Hornor from the select committee to which was referred the petition of Samuel Swan, presented a report with a draft of an address to His Excellency the Lieutenant Governor.

The report was ordered to be received, and was read.

REPORT—(SEE APPENDIX)

The address was read twice, concurred in and ordered to be engrossed and read a third time this day.

Mr. Mackenzie from the committee to which was referred the petition of certain Jurors of the Home District presented a report, which was received and read.

REPORT—(See Appendix.)

Mr. Ketchum, from the select committee, to which was referred the petitions of Leonard Wilcox and John Dolsen, presented a report, which was received and read.

REPORT—(See Appendix.)

Mr. John Rolph from the select committee to which was referred the petition of Doyle McKenny and others, complaining of the Post Office Department, reported an address to His Excellency on the subject, which was received and read twice, concurred in and ordered to be engrossed and read a third time this day.

Mr. Cawthra from the select committee to which was referred the petition of Samuel Lount and others, reported an address to His Excellency the Lieutenant Governor, which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of Post Offices in the London District, was read a third time and passed, and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly represent to Your Excellency, that the settlements on the coast of Lake Erie, including the Townships of Bayham and Mallahyde, as well as the interior of those Townships in the course of the Talbot Road, have become flourishing and populous.—From the remoteness of any Post Office from the inhabitants, they are desirous of having a Post Route established from some convenient Post Office on the route from Vittorra to St. Thomas, a distance of between 50 and 60 miles, in addition to the branch Post from London to Saint Thomas a distance of 20 miles in a different direction. From Otter Creek on the Talbot Road, the inhabitants are desirous of having a branch post to the Lake Settlement, at present the inhabitants of these populous parts in going to a Post Office, are subjected to travel a distance varying from the extreme of 35 miles. They are willing to secure the Department from sustaining any loss, without recognizing the propriety of such a requisition, and only desire that they may under such circumstances be allowed to make their own contract, in a way least burdensome and oppressive to the settlements.

We humbly recommend this subject to Your Excellency's early and favorable consideration, under the assurance that the interposition of Your Excellency will secure to these settlements what they so much desire and deserve.

MARSHALL S. BIDWELL,

Commons House of Assembly, }  
19th March, 1829. }

Speaker.

Mr. John Rolph, seconded by Mr. Buell, moves that Messrs. Blacklock and Baby, be a committee to wait upon His Excellency to learn when he will be pleased to receive the address and to present the same.

Which was ordered.

Mr. Blacklock, seconded by Mr. Fraser, moves that the petition of Catharine Campbell, and others be entered on the Journals.

Which was carried.

PETITION—(See appendix.)

Mr. Blacklock, seconded by Mr. Shaver, moves that the petition of Sewel Cuttler and others, be entered on the Journals.

Which was carried.

PETITION—(See Appendix.)

Agreeably to the order of the day, the Sandwich, Fence and Ditch bill was read a second time and committed to the whole House.

Mr. Hornor was called to the chair.

The House resumed.

Mr. Hornor reported the bill without amendment.

The report was ordered to be received.

Mr. Baby, seconded by Mr. John Rolph, moves that it be engrossed and read a third time this day, and that the 41st rule be so far dispensed with as relates to said bill.

Which was carried.

Agreeably to the order of the day, the bill for the relief of Edward Thomson Philan, which was read the second time and referred to a committee of the whole House.

Mr. Ketchum was called to the chair.

The House resumed.

Mr. Ketchum reported the bill without amendment.

The report was ordered to be received.

Captain Matthews, seconded by Mr. Mackenzie, moves that the 41st rule of this House, be dispensed with as far as relates to the Philan relief bill, and that the same be engrossed and read a third time this day.

Which was carried.

Agreeably to the order of the day, the Receiver General's bill was read a second time and referred to a committee of the whole House.

Mr. Kilborn was called to the chair.

The House resumed.

Mr. Kilborn reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

The report was ordered to be received, and the resolution was adopted as follows:

Resolved—That the Chairman be instructed to move an address to His Excellency, requesting him to take such steps as may be necessary to procure from the Receiver General of this Province ample security, for the public monies passing through his hands.

Mr. Kilborn seconded by Mr. Mackenzie, moves, that Messrs. Hopkins and Brouse be a select committee to draft, and report an address on the resolution respecting the Receiver Generals security.

Which was ordered.

Mr. Hopkins from the committee to draft an address to His Excellency the Lieutenant Governor on the subject of securities of the Receiver General, reported a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Thomson, seconded by Mr. G. Rolph, moves, that it be resolved that the Speaker, be authorised to pay over to the Clerk the balance of the sum granted towards the payment of the contingencies of the present session, said sum being sixty nine pounds nine shillings and four pence halfpenny.

Which was carried.

Mr. Shaver, seconded by Mr. Brouse, moves, that Messrs Mackenzie and McCall, be a committee to draft and report an address to His Excellency, on the resolution from the committee on supply respecting Mr. Randal's remuneration.

Which was carried.

Mr. Mackenzie reported the draft of an address agreeably to the resolution, which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Hopkins from the select committee to whom was referred the petition of Archibald Fletcher, reported 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 ordered to be received, and was read.

REPORT—(See Appendix.)

Mr. Hopkins, seconded by Mr. G. Rolph, moves that the report of the select committee to whom was referred the petition of Archibald Fletcher be referred to the committee of supply.

Which was carried.

Agreeably to the order of the day, the House went into committee of the whole on War losses.

Mr. Hopkins was called to the chair.

The House resumed.

Mr. Hopkins 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, and the resolutions were severally read and put as follows:

Resolved—That it is the opinion of this committee that it is incumbent on the Legislature of this Province, to make every practicable exertion to procure full indemnity to the claimants for losses sustained during the late War with the United States of America.

In amendment Captain Matthews, seconded by Mr. George Rolph, moves that the word "claimants" be expunged and the word "sufferers" substituted.

Which was lost.

The first resolution was then put and carried.

The remaining three resolutions were severally put as follows:

Resolved—That it does not appear to this committee that the case of the sufferers as stated in the humble address of the Legislative Council and House of Assembly to His Majesty in the year 1826, has yet been submitted to the Imperial Parliament.

Resolved—That it would be most satisfactory to the sufferers, and to the Legislature of this Province, that the case of the claimants should undergo the deliberate consideration of Parliament, and more especially since His Majesty's present Secretary of State for the Colonial Department has it in his power from his personal knowledge of the disastrous consequences of the War, and of the character and circumstances of the inhabitants of this Province, to afford the most satisfactory explanations.

Resolved—That it is therefore expedient again to address His Majesty, praying that His Majesty will be graciously pleased to submit the claims of the sufferers in this Province during the late War with the United States of America to the consideration of the Imperial Parliament, and setting forth that large contributions have been made from the limited revenue of this Province, to meet the exigencies and relieve the distresses occasioned by the late war.

Which was carried.

Mr. Attorney General, seconded by Mr. Shaver, moves that Messrs. Dickson and Terry be a committee to prepare an address pursuant to the foregoing resolutions.

Which was carried.

Mr. Dickson from the select committee appointed to draft the address to His Majesty, reported an address which was received and read twice, concurred in, and read the third time and passed, and is as follows:

TO THE KING'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, feeling it to be a duty incumbent upon us to make every practicable exertion to procure relief for those inhabitants of this Province, who sustained losses during the late war with the United States of America, humbly beg leave again to address ourselves to your Majesty in behalf of those sufferers.

We repeat our most grateful acknowledgments to your Majesty for that benevolence which has afforded to our unfortunate fellow subjects some measure of relief, and we will not weary your Majesty on this occasion, by any re-statement of those grounds on which we have formerly ventured to rest the expectations of the claimants to an adequate indemnity against the injuries sustained by them in a national war: a war in which their fidelity and gallantry were as conspicuous as their sufferings were severe.

In our last appeal to your Majesty in behalf of those expectants on the sympathy and generosity of the British Nation, we humbly entreated your Majesty to submit their application to the Imperial Parliament; and we pray Your Majesty to forgive our importunity in again representing to your Majesty, that it would be most satisfactory to the sufferers and to their fellow subjects in this Province, if their case could undergo the deliberate consideration of Parliament, and more especially at this time, since your Majesty's Secretary for the colonies, has it in his power, from his personal knowledge of the disastrous consequences of the war, and of the character and circumstances of the inhabitants of this Province, to afford the most satisfactory explanations.

We are encouraged in our hope of a favorable issue when we reflect that we can lay before your Majesty and the Imperial Parliament the most convincing proofs that the Legislature of this Province has not hesitated to make extraordinary efforts to meet the exigencies and to relieve the distresses of war.

We acknowledge the claims of the sufferers to be such that the indemnity they have so anxiously expected, cannot be much longer deferred.

The resources of this colony are ill able to bear the additional burthen which would be imposed upon them, by an attempt to afford that indemnity, and we therefore earnestly and anxiously urge this last appeal to your Majesty, praying that the case of our fellow subjects may be graciously recommended by your Majesty to Parliament.

We beg to renew, on this occasion, our earnest assurances of faithful devotion to your Majesty's person and government.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly,  
19th March, 1829.

Agreeably to the order of the day, the Sandwich Fence and Ditch Bill was read the third time and passed.

Mr. John Rolph, seconded by Mr. Lockwood, moves that the bill be entitled "An Act to regulate partition fences and ditches in Sandwich in the Western District."

Which was carried, and Messrs. Dickson and Kilborn were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor, founded on the resolution of the committee of supply, to remunerate Robert Randal, Esq. was read the third time and passed and signed, and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the commons of Upper Canada, in Provincial Parliament assembled, humbly represent to your Excellency, that Robert Randal, Esquire, at a time when the people of this province justly felt themselves profoundly interested in a measure likely to be consummated into a law, did, at the solicitation of a large number of the inhabitants, proceed to England, with a petition numerously signed, for the purpose of laying the anxious wishes of the petitioners before His Majesty's Government, by whom he was recognised as an agent. For his patriotic, disinterested and successful service, the people have, through their representatives, attempted to remunerate him out of the monies raised from them for their happiness and welfare. The provision made by this House for that purpose, by bill; has failed in the Legislative Council; and we

therefore are constrained to appeal to your Excellency to pay Robert Randal the sum of £200 out of any monies at the disposal of Your Excellency, and which sum we will never cease to exert ourselves to redeem,

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
19th March, 1829. }

Mr. Mackenzie, seconded by Mr. Lyons, moves that Messrs. John Rolph and Matthews be a committee to wait upon His Excellency with the said address.

Which was carried.

Mr. John Rolph, seconded by Mr. Buell, moves that it be resolved, that it is a high infringement of the liberties and privileges of the commons of Upper Canada, for any members of the Legislative Council to concern themselves, or interfere with the elections of members to serve for the commons in Provincial Parliament.

Which was carried.

Mr. John Rolph, seconded by Mr. Baell, moves that it be resolved, that the various statutes in England, restraining the interference of certain persons, and public officers, from interfering with elections, and excluding them from the representative body of the people, and for preserving elections free from treating, bribery, and corruption, are in force in this Province, under the general adoption of the laws of England, so far as they are not repugnant to the constitutional act; and that this House will hereafter rigidly maintain and enforce the observance of those laws.

Which was carried.

Mr. Dickson from the select committee to carry up to the Honorable the Legislative Council the bill entitled "An Act to regulate partition fences and ditches in Sandwich, in the Western District," and to request their concurrence thereto, reported having done so.

The Master in Chancery brought down from the Honorable the Legislative Council the bill sent up from this House entitled, "An Act to make valid, under certain restrictions, the registry of deeds and conveyances made by the register of the County of Northumberland, under an appointment adjudged to be invalid" which they had passed without amendment.

Captain Matthews, seconded by Mr. Dalton, moves that it be resolved, that it is and shall hereafter be considered highly criminal and a gross violation of the privileges of this House, for any person or persons at any future election of members to serve in this House to hold out any expectation or to promise any promotion, Commission or office, in expectation or in reward for his vote.

Which was carried.

Agreeably to the order of the day, the bill for the relief of Edward Thomson Philan, was read the third time and passed.

Captain Matthews, seconded by Mr. Morris, moves that the title of the bill be "An Act for the relief of Edward Thomson Philan."

Which was carried and Messrs. Matthews and James Wilson were ordered by the Speaker, to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Adjourned.

Friday, 20th March, 1829.

The House met.

Prayers.

The minutes of yesterday were read.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor, relative to further securities to be required of the Receiver General for monies passing through his hands, was read the third time, passed and signed and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and Loyal subjects, the Commons of Upper Canada, in Provincial Parliament Assembled, humbly request Your Excellency to take such steps as may be necessary to require the Receiver General of this Province, to give ample security for the public monies passing through his hands.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
20th March, 1829. }

Mr. Mackenzie, seconded by Mr. Cawthra, moves, that Messrs. Lefferty and Ketchum, be a committee to wait upon His Excellency with the address on the Receiver General's securities.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor on behalf of Samuel Swan, was read the third time, passed, and signed and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, request Your Excellency's attention to the claim of Mr. Swan, whose petition, and the result of the enquiries upon it, will be furnished to Your Excellency, by the Clerk of our House.

We cannot trace the disappointments of Mr. Swan in the loss of the im-

provements he made upon two parcels of land to any error or fault of his own; but on the contrary, it appears to have originated entirely in the Government office appointed to issue the King's Patent. Under these circumstances, we humbly submit to your Excellency's consideration the propriety and justice of granting to Samuel Swan an adequate compensation in land or otherwise.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
20th March, 1829. }

Mr. Hornor, seconded by Mr. Smith, moves that Messrs. Dalton and Thomson, be a committee to wait upon His Excellency to learn when he will be pleased to receive the address of this House respecting Samuel Swan, and to present the same.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of lowering the Waters of Lake Simcoe, by deepening the channel through which they descend, was read the third time, passed and signed and is as follows:

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

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the commons of Upper Canada, in Provincial Parliament assembled, humbly represent to your Excellency, that it has been by petition laid before this House, and to some extent confirmed by evidence, that the waters of Lake Simcoe might be lowered several feet, at a small expense, so as to reclaim from the Lake 50,000 acres of land at present inundated, without injuring the navigation of the Lake, or any other advantages which may be contemplated from the use of its waters. We therefore humbly refer it to your Excellency to enquire how far this step can be taken with advantage and to inform us at our next Session with the result.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
20th March, 1829. }

Mr. Cawthra, seconded by Mr. Mackenzie, moves that Messrs. Hornor and James Wilson be a committee to wait upon His Excellency to learn when he will be pleased to receive the address of this House respecting the lowering of the waters of Lake Simcoe, and to present the same.

Which was ordered.

Mr. Dalton from the select committee to which was referred the petition of Thomas McMahon, of St. Catharines, 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 ordered to be received, and was read.

REPORT—(See Appendix.)

Mr. Attorney General, seconded by Mr. Dickson, moves that the resolutions and address of this House on the subject of the losses, be communicated to the Honorable the Legislative Council, with a request that they may be pleased to concur in the same.

Which was carried.

Doctor Baldwin, seconded by Mr. Ketchum, moves that the petition of Joseph Cawthra, and 1628 others, be entered on the Journals.

Which was ordered.

PETITION—(See appendix.)

Agreeably to the order of the day, the Brock Land tax bill was read the second time and referred to a committee of the whole House.

Mr. Malcolm was called to the chair.

The House resumed.

Mr. Malcolm reported progress and obtained leave to sit again to-morrow.

Mr. Buell from the select committee on Education, informed the House that the committee had agreed to several resolutions which he was directed to submit for the adoption of the House, whenever it would be pleased to receive the same.

The report was ordered to be received, and the resolutions were severally put and carried as follows:

Resolved—That the thanks of this House are due to His Majesty for his gracious intentions in erecting and endowing a University in this Province.

Resolved—That much erroneous information has been communicated to His Majesty's Government upon that subject, under which mis-information this House apprehends the charter was granted, with provisions not suited to the condition and wishes of the people for whose benefit it was intended.

Resolved—That it is inexpedient that the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, should be Chancellor of the said University, because all such responsible situations should be filled by persons who are amenable to some tribunal for their public conduct.

Resolved—That the provision requiring the President of the said University to be a clergyman in holy orders of the United Church of England and Ireland, and to hold his office during pleasure, is highly inexpedient, because in the only Seminary of general learning in the country, all collegiate offices and literary rewards, should be conscientiously awarded according to moral and intellectual merit, should be enjoyed under no dependant tenure; and should be held forth as incentives to all candidates for academic honours, without making such honors subservient to favoritism.

Resolved—That it is for the above reasons highly inexpedient, that the Archdeacon of York, for the time being, by virtue of his office, should be at all times, president of the said University.



Resolved—That the provision requiring the President and the seven professors constituting the College Council, to be members of the said established united church, and to subscribe the thirty-nine articles, is highly inexpedient.

Resolved—That the Chancellor, President, and members of the Council, the professors and other teachers of the said University, ought, after the organization of the same, to be elected by a senate, composed of the members of the Council, and others who have taken a degree in the said University above Bachelor of Arts, having their names on the books of the College, such election to be made from the graduates of the said University or from the graduates of the Universities of England, Ireland, or Scotland, of sufficient standing in their respective Universities to be candidates for such office or trust.

Resolved, that it would be expedient that the Chancellor elect of the said University should preside in a court with powers, jurisdiction and proceedings, corresponding to those possessed by the Chancellor of the University of Cambridge in his court, so far as to enable him, assisted by the Chief Justice of the King's Bench for the time being, to hear, try, and determine any appeal to his court by any person whatever, suspended by any authority from his office in the said University.

Resolved—That it is inexpedient that the degree of Doctor of Divinity should be confined to those who subscribe to the 39 articles of the said established and united Church; but that it should be obtainable by all graduates, who, professing the christian faith, shall, after due and impartial public examinations in the public schools of the said University, evince the classical, biblical, and other learning and qualifications, proper to be acquired by candidates for such an honor.

Resolved—That it would be expedient if the teaching of Doctrinal Divinity were confined to the examination of the Students, by questions put by the Professor out of the Bible, in the same manner as the classics in the University of Cambridge are examined upon, and taught any science out of standard authors, leaving discretionary latitude to the Professors, only, in lecturing on biblical criticism, theology, evidences of christianity, sacred history, and whatever collateral branches of learning may be appointed for candidates for holy orders; by which means would be obviated the principal difficulties apprehended from the same professors being the instructors of students professing the faith of different denominations of christians.

Resolved—That whatever in the said charter in any degree gives a sectarian character to the said University, ought to be wholly done away.

Resolved—That with the exception of the exclusive and sectarian principles, and unequal distribution of wealth, prevailing in the Universities of Cambridge and Oxford, it is highly expedient to follow their institutions and modes of instruction, making from time to time such modifications as experience may point out.

Resolved—That without the patriotic, disinterested and impartial conduct in those to whose wisdom and management the infancy of this institution shall be confided: without a strict observance of economy in the whole system, without inducing from Great Britain and Ireland professors of acknowledged learning and worth, liberally paid, but not with that extravagance which would merge the rewards of honor in the sordid expectation of pecuniary gain and without making grandeur of schemes and appearance yield to immediate practical and ostentatious utility, the University cannot gain public confidence or realize the gracious intentions of His Majesty.

Resolved—That this House trusts, that no hopes for modification of the present Charter will suspend the exertions of His Excellency to put into operation Colborne College, and by the observance of those liberal principles which His Excellency has already been pleased to patronize, and recommend, to open with as little delay as possible, opportunities of Education, no way inferior to those contemplated by the proposed University.

Mr. Thomson, seconded by Mr. Buell, moves that the Clerk be instructed not to receive any sheets of the Journals of this Session, which are not printed in strict conformity with the orders given by the printing committee for his guidance; and that the Journals be printed by Francis Collins and the appendix by John Carey and W. L. Mackenzie, as directed by said committee.

Which was carried and ordered.

Mr. John Rolph, seconded by Mr. Dalton, moves that an humble address be presented to His Excellency the Lieutenant Governor, with the resolutions of this House on the subject of the University charter, and requesting His Excellency's attention to the same; and that Messrs. Morris and Baldwin be a committee to draft and report the same.

Which was carried and ordered.

Mr. Morris from the select committee just appointed, reported an address accordingly, which was received, read twice, concurred in, and ordered for a third reading this day.

Mr. Thomson from the select committee on the contingent expences of the present session, informed the House that they had agreed to a report, which he was ready to submit whenever the House would be pleased to receive the same.

The report was ordered to be received and was read as follows:

The committee appointed to superintend the contingencies of the present session, respectfully beg leave to submit the following charges for the consideration of your Honorable House.

FOR SERVICES PERFORMED IN THE CLERK'S OFFICE.

	£	s.	d.	£	s.	d.
William P. Patrick	100	7	6			
David Jardine	61	5	0			
William Coates	53	5	0			
Nicholas Crawford	54	10	0			
Alfred Patrick	56	8	4			
Charles Secord	41	10	0			
Thomas Vaux	8	1	8			
	£375	7	6			
Less allowed by statute	25	0	0	350	7	6
Amount calculated to complete the services of the present session				300	0	0
The amount carried over.				650	7	6

	£	s.	d.	£	s.	d.
The amount brought forward				650	7	6
<b>SUNDRY PERSONS FOR LABOUR.</b>						
Thomas Ross per account	3	14	6			
Sheriff	7	11	8			
M. & R. Meighan	0	17	6			
Crown Office	33	16	6			
				46	0	2
<b>SUNDRY PERSONS FOR PRINTING.</b>						
Robert Stanton	51	0	0			
Francis Collins	26	3	10			
John Carey	26	11	3			
William L. Mackenzie	40	5	1			
				144	0	2
<b>STATIONARY &amp;c.</b>						
Lesslie & Sons	237	4	10			
Peter M'Phail	28	13	0			
				265	19	10½
<b>CLERK, EXTRA SERVICES.</b>						
Distributing Statutes	50	0	0			
Superintending Printing	40	0	0			
Index to Journal	10	0	0			
Paid Postage of letters to and from Members	5	3	10			
				105	3	10½
<b>OFFICE MESSENGERS.</b>						
John Reiley during the recess	36	0	0			
John Doel	12	10	0			
				48	10	0
<b>HOUSE MESSENGER.</b>						
Samuel M'Murray				20	0	0
<b>POSTAGE OF THE PRESENT SESSION.</b>						
James Howard Post Master's account				258	2	4
Robert Sullivan Librarian						
His Salary	50	0	0			
His Contingent account	6	15	0	56	15	0
Estimate for Printing Journals				300	0	0
Estimate for a New Mace				10		
				1667	14	0½
Less placed at the Clerk's disposal				69	9	4
Deduct £33 16 6 Clerk Crown,						
" 51 Stanton,				1598	4	8
" 7 11 8 Sheriff				92	8	2
				£ 1505	16	16

SERGEANT AT ARM'S ACCOUNT.

1 James Iredale's account as pr. voucher	2	9	6
2 I. Collinbus	3	19	11
3 M. & R. Meighan	29	3	9
4 John Reilly	10	3	1½
5 George Dennison	37	13	9
6 Maurice Malone		13	9
7 The Church Wardens	7	10	0
8 Hugh M'Clinchey	8	7	6
9 Thomas Carfrae	45	11	7½
10 John Bekie, clerk to land Commissioners	5	0	0
Hugh Carfrae, Door keeper to do.	5	0	0
Deputy Serjeant at Arms	50	0	0
Wm. Knott, Door keeper House of Assembly	20	0	0
John Reilly, messenger to do.	40	0	0
Wm. Allaway, messenger 80 days, at 5s.	20	0	0
James Bridgland, 80 days at 5s.	20	0	0
Thomas Hickley, 89 days, at 5s.	22	5	0
Arresting and committing to Gaol Allan McNabb Esq.	2	6	8
Arresting H. J. Boulton, Esq.	1	3	4
11 Messrs. Petch and Milburne's account	3	10	0
John Bennott employed during the sickness of Jas. Bridgland, in his place, 35 days at 5s.	6	15	0
12 Wm. Bell's account	1	16	1½
	£ 345	9	0½

H. C. THOMSON,  
Chairman.

Contingent Account of the Honorable the Legislative Council, 1st Session 10th Parliament, 20th day of March, 1829.

	£	s.	d.
In the Clerk's Office	708	10	2
The Gentleman Usher, for the expences of the House	213	2	7½
	£ 921	12	9½

Approved, J. BABY,  
Speaker,

Mr. Thomson, seconded by Mr. Fraser, moves that the House do now resolve itself into a committee of the whole, on the report of the committee upon the contingent accounts of the present session.  
Which was carried, and Mr. Fraser was called to the chair.

The House resumed, the black rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill sent up from this House entitled, "An Act to make good certain monies issued and advanced in pursuance to the addresses of the Commons House of Assembly, at the last and present sessions of Parliament," and the bill entitled "An Act the better to protect the Mississippian tribes living on the Indian Reserve of the River Credit, in their exclusive right of fishing and hunting therein," which they had passed without amendment.

The Speaker left the chair.

Mr. Fraser resumed the chair of the committee.

The House resumed, the black rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill sent up from this House, entitled "An Act to render effectual certain securities to be given by the Welland Canal Company for a loan advanced by His Majesty's Government, and for other purposes relating to the said canal, and also for authorising the making a lateral cut from the Welland Canal through the town of Niagara, to the mouth of the River Niagara, by a company incorporated for that purpose," which they had passed without amendment.

The Speaker left the chair.

Mr. Fraser resumed the chair of the committee.

The House resumed.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor on the subject of the University charter was read the third time passed and signed and is as follows:

To His Excellency Sir John Colborne, Knight commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c. &c. &c.

*May it please Your Excellency,*

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request your Excellency's favourable attention to the resolutions accompanying this address, and we further humbly thank your Excellency for the interest your Excellency has manifested for the promotion of education in this Province, in a way suited to the wishes, feelings and genius of the people,

Commons House of Assembly, } MARSHALL S. BIDWELL,  
20th March, 1829. } *Speaker,*

Mr. John Rolph, seconded by Mr. Honor, moves that Messrs. Buell and Dickson be a committee to wait upon His Excellency to learn when he will be pleased to receive the address and resolutions, and to present the same.

Which was ordered.

Agreeably to the order of the day, the House went into committee of the whole on the report of the select committee on the contingent expenses of the present session.

Mr. Fraser in the chair.

The House resumed, the black rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill sent up from this House entitled "An Act for the appointment of commissioners to treat on the part of this Province with commissioners on the part of the Province of Lower Canada, on matters of mutual interest between the said Provinces," which they had passed with some amendments, and to which they requested the concurrence of this Honorable House.

The House went again into committee on the report on the contingent expenses of the present session.

Mr. Fraser was called to the chair.

The House resumed, the black rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council the bill sent up from this House, entitled "An Act to provide for the completing the Light House on the False Duck's Island, and for the keeping and maintaining the same during the present year," which they had passed without amendment.

The committee resumed.

Mr. Fraser in the chair.

The Speaker took the chair, the black rod being at the door.

The Master in Chancery brought down from the Honorable the Legislative Council a message, which the Speaker read as follows:

MR. SPEAKER,

The Legislative Council have adopted the resolutions and address to His Majesty on the subject of indemnity to the sufferers in the late war with the United States of America, and have appointed two members as a committee who will be ready to meet a committee of the House of Assembly, for the purpose of presenting the same to His Excellency the Lieutenant Governor, this day.

Legislative Council Chamber, }  
20th day of March, 1829. } JAMES BABY,  
*Speaker.*

The Speaker left the chair.

Mr. Fraser resumed the chair of the committee.

The House resumed.

Mr. Fraser reported that the committee had agreed to five resolutions, which he was instructed to submit for the adoption of the House.

The report was ordered to be received, and four resolutions relative to warrants for the contingencies of this session were severally put and adopted as follows:

Resolved—That an humble address be presented to His Excellency the Lieutenant Governor, praying him to issue his warrant in favor of Grant Powell, Esq. clerk of the Honorable the Legislative Council, for the sum of £708 10s. 2d.

Resolved—That His Excellency be requested to issue his warrant in favor of William Lee, Esq. Gentleman Usher of the black rod, for certain

contingent expenses of the Honorable the Legislative Council during the present session, for the sum of £213 2s. 7d.

Resolved—That His Excellency be requested to issue his warrant in favor of James Fitzgibbon, Esq. clerk of the House of Assembly, to enable him to pay the contingent expenses of his office, for the sum of £1505 16 6.

Resolved—That His Excellency be requested to issue his warrant in favor of the Sergeant at Arms, to enable him to pay the contingent expenses of his office, for the sum of £315 9 0d.

On the question for passing the fifth resolution, the House divided and the yeas and nays were taken as follows:

YEAS—Messrs. Baby, Brisbane, Cavithra, Dalton, Fothergill, Hamilton, Hopkins, Honor, Ketchum, Lockwood, Lyons, McCall, McDonald, Malcolm, Matthews, Peterson, George Rolph, John Rolph, Smith, James Wilson and Woodruff—21.

NAYS—Messrs. Attorney General, Bethune, Ewing, Fraser, Henderson, Kilborn, Longley, McLean, Morris, Radenhurst, Sanson, Shaver, Terry, Thomson, Wilkinson and John Willson—16.

The question was carried in the affirmative by a majority of five, and it was resolved, that the sum of £51 now claimed by the Editor of the Gazette, for furnishing members with the said paper, be allowed and included in a sum necessary to pay the same, with the demand of Francis Collins, John Carey, and William Lyon Mackenzie, who also furnished members with their papers under the order of this House.

Mr. Thomson, seconded by Mr. Geo. Rolph, moves that Messrs. Radenhurst, and Shaver be a committee to draft an address pursuant to the resolution just adopted.

Which was ordered.

Mr. Radenhurst from the committee to draft an address, agreeably to the last order, reported a draft which was received and read twice, concurred in, and ordered for a third reading to-day.

Mr. Attorney General, seconded by Mr. John Willson, moves that an humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the address to His Majesty in favor of the sufferers by the late war, and that Messrs. Morris and Dickson be a committee to prepare and report the same.

Mr. Morris from the select committee reported an address accordingly, which was received, read twice, concurred in, read a third time and passed, and is as follows:

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

*May it please Your Excellency,*

We, His Majesty's dutiful and loyal subjects, the commons of Upper Canada, in Provincial Parliament assembled, humbly request your Excellency, to forward our address to His Majesty on the subject of the losses sustained during the late war by the inhabitants of this Province, to His Majesty's Principal Secretary of State for the Colonies, to be by him presented to His Majesty.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
20th March, 1829. } *Speaker.*

Mr. Morris, seconded by Mr. John Willson, moves that Messrs. Attorney General, Dickson, Terry, and Woodruff, be a committee jointly, with the committee on the part of the Honorable the Legislative Council, to wait on His Excellency the Lieut. Governor, with the address to His Majesty in favor of the sufferers by the late War; and that the address to His Excellency the Lieutenant Governor be communicated to the Honorable the Legislative Council for their concurrence therein and that a message be sent to that Honorable House with the same.

Which was carried, and Messrs. Attorney General and Dickson were ordered by the Speaker to carry the message to the Honorable the Legislative Council.

Agreeably to the order of the day, the address to His Excellency the Lt. Governor, praying His Excellency would issue his warrants in favor of the respective officers of the two Houses of the Legislature, for the contingent expenses of the present session, was read third time and passed, and is as follows:

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

*May it please Your Excellency,*

We, His Majesty's dutiful and Loyal subjects, the Commons of Upper Canada, in Provincial Parliament Assembled, request that your Excellency will be pleased to issue your warrant to the Receiver General of this Province, in favor of Grant Powell, Esq. Clerk of the Honorable the Legislative Council, for the sum of £708 10 2, for certain contingent expenses during the present session.

Also in favor of William Lee, Esq. Gentleman Usher of the black rod, for certain contingent expenses of the Honorable the Legislative Council, during the present session for the sum of £213 2 7d.

Also in favor of James Fitzgibbon, Esq. Clerk of the House of Assembly, to enable him to pay the contingencies of his office for the present session, for the sum of £1505 16 6.

Also in favor of the Sergeant at Arms, to enable him to discharge the Contingent expenses of his office for the present session, for the sum of £315 9 0d.

Which sums His Majesty's faithful Commons will make good during the next Session of the Provincial Legislature.

Commons House of Assembly, } MARSHALL S. BIDWELL,  
20th March, 1829. } *Speaker.*

Mr. Thomson, seconded by Mr. John Rolph, moves that Messrs. Lofferty and Kilborn be a committee to wait upon His Excellency the Lieutenant Governor, to learn when His Excellency will be pleased to receive the address of this House and to present the same.

Which was ordered.

Mr. Kilborn, seconded by Mr. Henderson, moves, that it be resolved, that the printing of this House has hitherto caused much difficulty and labour to such members as have been appointed on committees to superintend the same, without affording that satisfactory result or diminution of expense which the public have reason to look for.

On which debates ensued.

The previous question being moved, viz. shall the question be now put, it was carried and Mr. Kilborn's resolution was then put.

On which the House divided and the Yeas and Nays were taken as follows:

YEAS—Messrs. Attorney General, Baby, Bethune, Blacklock, Brouse, Buell, Dalton, Ewing, Fothergill, Fraser, Hamilton, Henderson, Kilborn, Longley, McDonald, Mackenzie, McLean, Malcolm, Matthews, Morris, Peterson, Radenhurst, John Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson and John Willson—30.

NAYS—Messrs. Baldwin, Cawthra, Ketchum, G. Rolph, and James Wilson—5.

The question was carried in the affirmative by a majority of twenty-five, and it was resolved accordingly.

Captain Matthews from the select committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, founded on the complaints against Joseph Defields, a justice of the peace in the London District, reported that the committee had presented the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

I transmit the copy of a letter written to Mr. Defield's by the direction of my predecessor, which will shew that he was considered no longer a Magistrate.

Copy,

Government House,  
York, 24th November, 1827.

SIR,

It having been represented to the Lieutenant Governor, that in the course of a proceeding against you at the last Assizes, for the District of London, you were found by the verdict of a Jury to have acted in a manner tending highly to bring your character as a Magistrate into discredit, His Excellency felt it necessary to call for a report of the case referred to from the Judge who presided at the trial, and he regrets exceedingly to find from that report, that from the evidence adduced, you appeared to the Court to have acted in a manner especially unbecoming a Magistrate.

His Excellency being unwilling to anticipate the final decision of the question, has forborne to notice the subject until the time has elapsed, within which the verdict of the Jury might have been excepted to; if you had had grounds for disputing its justice or legality. But, having learnt that no such steps have been taken, His Excellency has felt himself under the necessity of directing me to acquaint you, that in the next Commission of the Peace for the London District, your name will not be inserted.

JOSEPH DEFIELD'S Esq.  
&c. &c. &c.  
Bayham, London District.

I have the honor to be  
Sir,  
Your most obt. humble Servt.  
(Signed) G. HILLIER.

Captain Matthews from the select committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, praying for remuneration for Robert Randal, Esq. and to present the same, reported having done so, and that His Excellency had been pleased to give thereto the following answer:

GENTLEMEN,

The bills which are now before me for my assent prevent my giving a due consideration to the subject of this address at present; but I shall direct my attention to it during the recess.

Mr. Hornor from the select committee to carry up to His Excellency the address of this House, relative to lowering the waters of Lake Simcoe, reported having done so, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

The bills which are now before me for my assent prevent my giving a due consideration to the subject of this address at present; but I shall direct my attention to it during the recess.

Mr. Dalton from the select committee to carry up to His Excellency the address of this House relative to the case of Samuel Swan, reported having done so, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

The bills which are now before me for my assent prevent my giving due consideration to the subject of this address at present, but I shall direct my attention to it during the recess.

Mr. Buell from the select committee to carry up to His Excellency the address of this House on the subject of Education, reported having done so, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

The bills which are now before me for my assent, prevent my giving a due consideration to the subject of this address at present; but I shall direct my attention to it during the recess.

Doctor Baldwin from the select committee to carry up to His Excellency the address of this House on the subject of Crown Revenue, reported having presented the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

When I communicated to the House of Assembly, in my reply to one of its addresses, that the Revenue placed by law at the disposal of His Majesty for the public service, was sufficient to defray the charges for the civil government, and administration of justice, I imagined it was known to the House, that as long as the Act of 1774 (14 Geo. 3d chap. 88) remains in force, His Majesty's Government have no choice but to execute its provisions; and that the law as interpreted by the highest authorities to which it is possible to resort, imposes upon the Lord's Commissioners of His Majesty's Treasury, the duty of making the appropriation referred to.

Of my duty under that statute, and His Majesty's instructions, there can be no doubt; but I must observe, that the House of Assembly, in passing the Resolutions which I shall have leisure fully to examine during the recess, appears not to have adverted to the recognition in several Provincial Acts, of the right of His Majesty to appropriate the duties, levied for the purposes above mentioned.

Mr. Attorney General from the joint committee of both Houses appointed to present to the Lieutenant Governor their Joint address, praying His Excellency to transmit the Joint address of both Houses to His Majesty on behalf of the sufferers in this Province during the late war, to His Majesty Principal Secretary of State for the Colonies, reported having done so, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMAN,

In compliance with the request of the two Houses of the Legislature, I will forward their Joint address to the King, to His Majesty's Secretary of State for the Colonies.

Mr. Lofferty from the select committee to present to His Excellency the address of this House on the subject of the contingent expenses of the present Session, reported having done so, and that His Excellency had given thereto the following answer:

GENTLEMEN,

I shall comply with the request contained in this address.

Mr. Lofferty from the select committee to present to the Lieutenant Governor, the address of this House, requesting His Excellency to take such steps as may be necessary to require the Receiver General of this Province to give ample Security for the public monies passing through his hands, reported having done so, and that His Excellency had given thereto the following answer:

GENTLEMEN,

The bills which are now before me for my Assent, prevent my giving a due consideration to the subjects of this address at present, but I shall direct my attention to them during the recess.

Mr. Dickson from the select committee to present to His Excellency the address of this House, with the resolutions relative to the University, reported having done so, and that His Excellency had given thereto the following answer:

GENTLEMEN,

I thank you for this address and I shall not fail to give immediate attention to the resolutions which accompany it.

Mr. Blacklock, from the select committee to present to the Lieutenant Governor the address of this House, on the subject of Post Offices in the London District, reported having done so, and that His Excellency had given thereto the following answer:

GENTLEMEN,

The bills which are now before me for my assent, prevent my giving a due consideration to the subject of this address, and accompanying Resolutions, at present; but I shall direct my attention to it during the recess.

At half past 5 o'clock P. M. The 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; and having withdrawn, the Speaker and the House forthwith proceeded to the bar of the Legislative Council Chamber, when His Excellency the Lieutenant Governor was pleased to assent, in His Majesty's name, to the following bills, viz:

"An Act to repeal An Act passed in the forty fourth year of George the third, entitled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof."

"An Act to provide for the admission of the evidence of Quakers, Menonists, Tunkers, and Moravians, in Criminal cases."

"An Act to provide for the erection of a Light House on Long Point, in Lake Erie."

"An Act to make good certain monies issued and advanced in pursuance of the addresses of the Commons House of Assembly, at the last and present sessions of Parliament."

"An Act to improve the navigation of Lake Ontario, by authorising the construction of a harbour at Cobourg, by a joint stock company."

"An Act to authorise detention of debtors in certain cases."

"An Act relative to confiscated estates."

"An Act to provide for the survey of a part of the Township of Oxford, in the Johnstown District."

"An Act to incorporate certain persons for the purpose of holding lands for a free church in Dundas, in the District of Gore."

"An Act to incorporate certain persons for the purpose of making a turnpike road, in the county of Halton, under the name of "the Dundas and Waterloo turnpike company."

"An Act to provide for a commission of Lunacy and Idiocy, in the case of Peter Vanalstine."

"An Act to enable the trustees of the Methodist Episcopal Church, in York, to exchange certain real estate now holden by them, for other real estate in or near the said town of York."

"An Act to make more effectual provision for settling the affairs of the late pretended Bank of Upper Canada."

"An Act to afford greater facility in procuring testimony upon claims to lands in this Province, by the heirs or devisees of the original nominees of the Crown, or their assignees."

"An Act to amend part of an act passed, in the eighth year of the reign



of his present Majesty, entitled "An Act to incorporate certain persons therein mentioned, under the style and title of the Catarqui Bridge Company."

"An Act to alter the time of holding the Court of General Quarter Sessions of the Peace, in the Ottawa District."

"An Act to incorporate certain persons therein named, under the style and title of the Port Hope Harbour and Wharf Company."

"An Act to make valid under certain restrictions, the Registry of deeds and conveyances, made by the Register of the county of Northumberland, under an appointment adjudged to be invalid."

"An Act the better to protect the Mississagua tribes living on the Indian reserve of the River Credit, in their exclusive right of fishing, and hunting therein."

"An Act to render effectual certain securities to be given by the Welland Canal Company for a loan advanced by His Majesty's Government, and for other purposes relating to the said Canal, and also for authorising the making a lateral cut from the Welland Canal through the town of Niagara, to the mouth of the River Niagara, by a company incorporated for that purpose."

"An Act to provide for the completing the Light House on the False Duck's Island, and for the keeping and maintaining the same during the present year."

"An Act to provide for the guiding line in the Township of Lancaster in the Eastern District."

And was pleased to reserve for the signification of His Majesty's pleasure, the bills entitled :

"An Act to make valid certain marriages heretofore contracted, and to provide for the future solemnization of Matrimony, in this Province."

"An Act for the relief of Mary Lawrence."

"An Act to encourage emigration from foreign parts, into this Province."

His Excellency was then pleased to address the two Houses with the following most gracious speech.

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

I cannot close this session without expressing my regret that the people will derive no immediate advantage from your deliberations, on two subjects of primary importance, improvement of public schools, and the measures that should be adopted to ensure good roads and safe bridges, throughout the Province.

In allowing your roads to remain in the present state, the great stimulus to agricultural industry is lost.

*Gentlemen of the House of Assembly,*

I thank you for your offer of making a provision for the support of the civil government, which I should have gladly accepted in His Majesty's name, had not the Revenue, arising from the Statute of the 14th Geo. 3d, chap. 68, the appropriation of which, for the public service, is under the controul of the crown, appeared quite sufficient to defray the expenses of the current year : an intimation to this effect was conveyed to you in my reply to one of your addresses early in the present month.

*Honorable Gentlemen and Gentlemen,*

In Legislating for the general and local interests of the Province, due time should be afforded to each branch of the Legislature for the consideration of bills that may be forwarded for assent.

In consequence of the number of bills, addresses, and resolutions, that have been transmitted to me a few hours since, it becomes necessary to remind you that serious embarrassment may be experienced from the business of the Province being thus suffered to accumulate towards the conclusion of the session, and I am persuaded that you will coincide with me in thinking that this inconvenience should in future be remedied.

After which, the Honorable the Speaker of the Legislative Council, declared that it was His Excellency's pleasure that this Parliament be prorogued to Wednesday, the 29th day of April next, and declared the Parliament prorogued to the said twenty-ninth day of April, to be then and here holden.

JAMES FITZGIBBON,  
Clerk of Assembly.

# INDEX TO THE JOURNALS.

The marks \*, † and ‡ denote divisions on the question.

## A.

- Accounts Contingent, 5, 6, 9, 11, 27, 48, 51, 54, 71, 73, 74.
- "    Public 16, 33.
- Acts private (notice of motion to require petitioners to pay the expense of passing such,) 7.
- Address to His Excellency, on the subject of militia fines, 5, 8, 9\*, 10, answer 12.
- "    "    for information relative to the names of Townships, No. of acres in each, &c. 5, 9, 10, answer 12.
- "    "    for correspondence, &c., on the removal of Judge Willis, 5, 9, 10, answer 12.
- "    "    for account of monies paid by Quakers, &c., 6, 10, 11\*, answer 12.
- "    "    requesting a sum of money in aid of the contingent expenses of the session, 6, 9, 11, answer 11.
- "    "    in answer to His Excellency's speech at the opening of the session, 7, reply 10.
- "    "    on the subject of the war losses, 7, 20, answer 24.
- "    "    on the subject of the Provincial debt, 9, 16, answer 17.
- "    "    requesting a copy of the instructions to the Honorable Peter Robinson, relative to Crown Lands, 12\*, 13, answer 15, 17.
- "    "    requesting the loan of a copy of the report by the committee of the British House of Commons, on the Canadas, 15, 20\*, answer 21.
- "    "    on behalf of Francis Collins, 19\*, answer 21, 23\*.
- "    "    requesting detailed accounts of monies received from the Canada Company and of the appropriation thereof, 20, answer 23, 28.
- "    "    motion for one, to request His Excellency to issue his warrant in favor of F. Collins for £133 18 6, 21 †.
- "    "    requesting an account of Casual and Territorial Revenue, and of funds for the erection of an University, 23, 24, 26, answer 26, 37.
- "    "    for information relative to the income, &c., of the Receiver General, 26, 27, answer 28, 30.
- "    "    with copy of resolutions on the subject of appointing commissioners to treat with those of Lower Canada on matters of mutual interest, 29, 30, answer 40.
- "    "    for information relative to lands reserved near the mouth of Otter Creek, 31, 32, answer 34, 49.
- "    "    for information relative to lands reserved for schools, 31, 32, answer 33.
- "    "    for accounts from District Treasurers' of assessments on lands 33, answer 39.
- "    "    requesting to be informed who compose the Executive Council, 40, answer 42, 49.
- "    "    for an account of Still Licenses, 43, 51.
- "    "    relative to population and assessment returns, 43, 44, answer 48.
- "    "    on the subject of settlement duty, 45, 46, answer 48.
- "    "    on the subject of the road leading through the lands reserved for the Moravian Indians, 46, 47, answer 50.
- "    "    on the subject of Indian lands, reserved on the River Credit, 49, 50, answer 62.
- "    "    relative to Crown Reserves on Otter Creek, 51, answer 54.
- "    "    requesting information relative to the proceeds of forfeited estates, 53.
- "    "    requesting a statement of monies paid by the Receiver General of Lower Canada, to the Receiver General of this Province, 51, answer 54, 60.
- "    "    requesting His Excellency to transmit addresses to the King respecting Judge Willis and Francis Collins, 57, 61, 62, 63, 66, answer 68.
- "    "    with resolutions on reserves, Supply, Revenue, &c. &c. 67, 68, answer 75.
- "    "    on the subject of Education, 69, answer 75.
- "    "    relative to a complaint against Joseph Desfields as a Magistrate, 69, 70, answer 75.
- "    "    on the subject of Post Offices in the London District, 70, answer 75.
- "    "    requesting Him to transmit the address to the King on War losses, 71, 74, answer 75.
- "    "    appealing to Him to pay Robert Randal £500, 71, answer 75.
- "    "    requesting Him to require from the Receiver General ample security for the public monies passing through his hands 71, 72, answer 75.
- "    "    on behalf of Samuel Swan, 70, 73, answer 75.
- "    "    on the subject of lowering the waters of Lake Simcoe, 70, 72, answer 75.
- "    "    on the University charter and with Resolutions thereon, 75, 74, answer 75.
- "    "    requesting His Excellency to issue His Warrants in favor of the respective officers of the two Houses for the amount of the contingencies of the present Session, 74, answer 75.
- "    "    to His Majesty on behalf of Francis Collins, 56, 57 †.
- "    "    on the removal of Judge Willis, 60 †, 61.
- "    "    on the subject of the War losses, 71.
- Admonition of the Speaker to Henry John Boulton, 39 †.
- Agriculture and commercial interests of the Province 5, 8, 25.
- Assessment and Population returns, 39, 43, 44, 48.

Award of the Arbitrators relative to division of duties levied at the Port of Quebec, 26.

## B.

- Bank of Upper Canada, 5, 6, 7, 62, 67.
- Bill, Abolition of imprisonment for debt, 5, 8, 48 †.
- "    Abolition of the punishment of whipping females, 5.
- "    Absconding debtors, 11, 25.
- "    Attachment of property, 15, 49, 54 †.
- "    Brock land tax, 13, 26, 72.
- "    Catarqui Bridge, 42, 64, Royal Assent 75.
- "    Certain trespassers, 29.
- "    Civil list repeal, 5, 11, 15 †, 16.
- "    Clergy Reserves, 43, 44, 44 †.
- "    Cobourg Harbor, 19, 26, 27, 29, 30, 41, 42.
- "    2nd do. 43, 45, 46, R. A. 75.
- "    Commissioners appointment, 64, 65 †, 66, 74.
- "    Clerks of the Peace's fees regulation, 51.
- "    District officers residence, and hours of business, 41.
- "    District Court, 51, 62, 63.
- "    District Road 25.
- "    Dower, 5, 8, 12, 16, 17 †, 18 †.
- "    Duck's Island Light House, 69, 70, R. A. 76.
- "    Dundas free Church Incorporation, 49, 52, 54, 61, R. A. 75.
- "    Eastern District, Gaol and Court House, 36.
- "    Eastwood's relief, 51, 53, 54.
- "    Emigration, 65, 68, Reserved 76.
- "    Entry and Detainer, 26.
- "    Estates, to confirm titles thereto, 45, 46.
- "    Farmers' Incorporation, 46.
- "    Fine appropriation, (to prevent Sabbath breaking,) 47, 62, 69.
- "    Forfeited Estates, 44, 48, 49, R. A. 75.
- "    Felons' Counsel, 43.
- "    Gaol Limits, 21, 45, 50, 52.
- "    Glass Company, 31, 34, 62, 65, 66.
- "    Gore of Fredericksburg survey, 24, 51, 52, 69.
- "    Grantham Academy, 33, 45, 69, 70 †.
- "    Guiding line of Lancaster, 47, 69, 70, R. A. 76.
- "    Hallowell survey, 44, 62.
- "    Hall's relief, 21, 33.
- "    Hastings separation, 29 †.
- "    Headborough, to declare the duties of, 41, 45.
- "    Heir and Devisee, 64, R. A. 75.
- "    Highway, 5, 51, 53, 61, 62.
- "    Indian Fishery protection, 49, 65, 66, 66 †, R. A. 76.
- "    Indian liquor selling License, 38, 41.
- "    Indulgent Creditors relief, 6, 12, 15 †, 16, 24, 46, 48, 59, 62, 63, R. A. 75.
- "    Intestate Estate, 6, 13, 23 †, 24 †.
- "    Jury, 5, 11, 14, 41.
- "    King's Bench practice amendment, 41.
- "    Kingston Bank, 63, 64, 67, 70, R. A. 75.
- "    Kingston Town Council, 24, 52 †, 53.
- "    Kingston Police, 45.
- "    Law of Evidence amendment, 14, 24, 51, 52.
- "    Lawrence relief, 44, 61, 62, Reserved 76.
- "    Light House, Long Point, Lake Erie, 10, 14 †, 33 †, R. A. 75.
- "    Line fence, 15, 41.
- "    Loan, 19, 26, 53, 53 †, 57, 61, 63, 65.
- "    London District division, 15, 24, 24 †.
- "    Marriage, 5, 9, 13, 28, 46, 47, Reserved 76.
- "    Matthew's relief, 64 †.
- "    Methodist Church lands, 51, 62, 63, R. A. 75.
- "    Mill dam, 50, 61.
- "    McBride's relief, 25.
- "    Members seats, to be vacated in certain cases, 5, 24.
- "    Militia law amendment, 11.
- "    Newcastle Gaol and Court House, 24, 51 †.
- "    Northumberland registry, 19, 28, 65, 66 †, R. A. 76.
- "    Norfolk Gaol and Court House, 25.
- "    Ottawa District Court, 60, 64, R. A. 76.
- "    Oxford Survey, 23, 51, 52, R. A. 75.
- "    Parliament Buildings, 53, 69, 70.
- "    Parish and Town Officers, 6, 13, 14, 41.
- "    Phelan's relief, 51, 52, 71, 72.
- "    Physic and Surgery, 7, 11, 21 †.
- "    Prince Edward Separation, 7, 23, 47, 48 †.
- "    Printers' remuneration, 32, 32 †, 51, 65.
- "    Porter's relief, 55, 64.
- "    Port Hope Harbor, 15, 28, 65, 66, R. A. 76.
- "    Primogeniture law amendment, 5, 6.
- "    Quakers' Evidence, 12, 19, 28, 29 †, R. A. 75.
- "    Randal's remuneration, 43, 44 †.
- "    Real estate, relative to advertising sale thereof under execution, 64 †.
- "    Real estate, to confirm titles thereto, 45, 46.
- "    Receiver General, 54, 71.
- "    Road and Bridge, 62, 63.
- "    Sabbath breaking Suppression, 47, 62, 68.
- "    Sandwich fence and Ditch, 64, 71.
- "    Sale of Medicine, 19, 41.
- "    Salmon preservation, 24, 45.
- "    Scarborough survey, 62, 63.
- "    Sedition law repeal, 5, 9, 12, 12 †, R. A. 75.
- "    Sheriff's appointment, 7, 46.
- "    Shop and Tavern Licence, 43, 51, 53, 65, 66 †, 67 †.
- "    Spirituous liquor selling licence, 12, 42, 53, 54, 57.

## INDEX.

Bills Strobridge's relief, 50, 53, 62, 63 †, 65 †.  
 " Surveyors of Highways appointment, 53.  
 " Saint Catharine's incorporation, 43, 45.  
 " Sunday School appropriation repeal, 5.  
 " Theal's relief, 26, 53, 63.  
 " Threshing machine, 63, 68, 69 †.  
 " To make good certain monies, 36, 37, 41, 42, R. A. 75.  
 " Town's representation, 40, 45.  
 " Unitarian relief, 19 †, 20, 31 †, 32.  
 " Vanalsie's relief, 47, 62, 63, R. A. 75.  
 " Waterloo Turnpike Road, 59, 61, R. A. 75.  
 " Weeks relief, 62, 69, 70.  
 " Welland Canal, 62, 65 †, 66, 66 †, 68 †, R. A. 76.  
 " Windham Survey, 52, 64, 65.  
 " Wolf destruction, 27, 45.  
 " York Police law amendment, 49.  
 Boulton, Henry John, Solicitor General, proceedings relative to, 37 †, 38 †, 39 †.  
 Boundary line of the Province, Eastern, 15, 45, 46 †.  
 Northern, 19.  
 Boundaries of Districts, 7, 15.  
 Burlington Bay Canal, 23, 24, 50, 63, 62, 63 †, 65 †.

### C.

Canada Committee of the Imperial Parliament, Report of, relative to, 15, 20 †, 21, 40, 66.  
 Canada Company, relative to monies received from, 20, 23, 28, 29 †, 32.  
 Canal proposed to connect the Saint Lawrence with the Bay of Fundy, 39.  
 Chaplain of the House of Assembly, order relative to Clergymen officiating as such during his absence, 46 †.  
 Clergy Reserves relative to, 23, 44, 44 †.  
 Clerk of the Honorable the Legislative Council, proceedings relative to, 14, 16, 17, 20 †.  
 Collins, Francis Memorial of, &c. 21, 22.  
 Commercial and agricultural interests of the Province, 5, 8, 25.  
 Commission of the Honorable Peter Robinson as Commissioner of Crown lands, 17.  
 Contingent expenses, proceeding relative thereto, 5, 6, 9, 11, 27, 51, 54, 71, 73, 74.  
 Committee of the whole on His Excellency's speech, 6, 6 †.  
 ' on the agricultural and commercial interests of the Province, 8, 25.  
 ' on the rules of the House, 5, 8 †.  
 ' on education, 12.  
 ' on settlement duty, 15, 41, 42 †.  
 ' on petition of Joseph Cawthra, and others, 18 †, 37, 38, 40, 49 †, 60, 60 †.  
 ' on Resolutions of the Legislature of Lower Canada on matters of common concern, 20, 25, 26, 30.  
 ' on Supply, 21, 43 †, 45, 50 †, 53, 54, 57 to 59, 62, 67, 68, 69.  
 ' on the Answer of His Excellency to Address in favor of Francis Collins, 22 †, 22 †.  
 ' on Clergy reserves, 23.  
 ' on His Excellency's Message relative to the Militia laws, 27.  
 ' on the Parliament Buildings, 27.  
 ' on the Hamilton Outrage, 29, 51 †,  
 ' on the answer of His Excellency, relative to War losses, 29, 31, 33, 34, 71.  
 ' on Printers' claims, 31 †.  
 ' on appropriation of monies paid by the Canada Company, 32.  
 ' on the Eastern boundary line of the Province, 46 †.  
 ' on improving the principal highways, 47.  
 ' on the report of the select Committee on the petition of Francis Collins, 55, 56.  
 ' on report of the select Committee on the expenses of the present session, 74.

Committee, select, on Contingent expenses of the Legislature, 5, 6, Report, 51.  
 " on the state of the old Parliament House, 6, 9, Report, 27, 31.  
 " to draft and report an Address in answer to His Excellency's Speech at the opening of the Session, 7, Report, 7.  
 " on the Post office Department, 7, 9, 1st Report, 34, 2nd Report, 62.  
 " on Otter Creek, 9, 13, Report, 31, 51.  
 " on Education, 9, 13, 14, 1st Report, 31, 2nd Report, 63, 3rd Report, 68, 4th Report, 72.  
 " on the Public Roads, 9.  
 " to search the Journals of the Legislative Council on the mode of opening the Session, 10, 12, Report, 14, 16.  
 " on internal navigation between the Bay of Quinte and Presqu' isle Harbor, 10.  
 " on Privilege, 12, Report, 44.  
 " to inquire into the Costs of the several Courts, 12, 19.  
 " on Agriculture, 11, 14, 25.  
 " on Commerce, 11, 14.  
 " on Finance, 16, 18, 25, Report, 57 †.  
 " to Superintend the Printing, 16, 18 †.  
 " on Despatch relative to Loan, 17, Report, 19.  
 " on the removal of Judge Willis, 18 †, 25, Report, 46.  
 " on Expiring laws, 20, Report, 39.  
 " on the road from Dundas to the Town Plot, London, 24, 25.  
 " on His Excellency's message with Burlington Canal Papers, 24, Report, 50.  
 " on the York Contested Election, 25, Report, 44.  
 " on the bill from the Honorable the Legislative Council on Forcible Entry and detainer, 26.  
 " to superintend the Contingencies of the present Session, 26, 1st Report, 27, 2nd Report, 54.  
 " on the Distribution of the Rideau Canal Maps, 29, 49, Report, 51, 52.  
 " to enquire into the state of the Commission of the Peace, 29.

Committee, on the laws relative to opening and laying out roads, 30.  
 " on the message of His Excellency relative to the Receiver General's salary, &c. 31, Report, 54.  
 " on the Hamilton outrage, 32, 33 †, 1st Report, 55 †, 36 †, 2nd Report, 37 †, 38 †, 39 †, 40, 3rd Report, 64.  
 " of Conference, on the subject of the Library, 37, 38, Report, 41, 41.  
 " Select, on Message of His Excellency relative to the False Ducks Light House, 41.  
 " of Conference, on the Cobourg Harbor bill, 42, Report, 42.  
 " Select, on Message of His Excellency with Assessment and Population returns, 43.  
 " (Motion for) on the state of the Highways and Bridges, 47.  
 " of Conference, on the loan bill, 63, Report, 65.  
 " on the bill for the relief of certain Printers, 65, Report, 65.

### D.

Deputy Post Master General, letter from to His Excellency's Secretary, 18.  
 Debentures, 18.  
 Debt of the Province, 9, 16, 17, 18, 19, 26, 53 †, 57, 61, 63, 65.  
 Districts, boundaries of, 7, 15.  
 District Schools, 13, District and Common School Reports, 39.  
 District treasurers, accounts of, 39.  
 Despatch relative to loan, 17.  
 Durham contested Election, 13, 24, 25.  
 Duties on importation at Quebec, 20.

### E.

Eastern boundary line of the Province, 15, 45, 46 †.  
 Education, 9, 13, 14, 23, 24, 31, 32, 33, 37, 39, 49, 63, 68, 72.  
 Elections, Resolutions relative to freedom of, 38, 72.  
 Elections controverted, relative to, 24, 36, 61 †.  
 Election, Durham, contested, 13, 24, 25.  
 Election, York, contested, 5, 8, 9, 11, 12, 24, 25, Report, 44.  
 Executive Council, Resolution relative to, 40, 42, 49.  
 Expiring laws, 20, 39.

### F.

Fines, Militia, 5, 8, 9 †, 10.  
 Fines, Quakers, &c. 6, 10, 11 †, 12.  
 Finance, 16, 18, 25, 57 †.  
 Forfeited Estates, 28, 41, 44, 53.

### H.

Hall, P. F. documents annexed to his petition ordered to be returned to him, 48.  
 Hamilton Outrage, 29, 31\*, 32, 32\*, 35\*, 36\*, 37\*, 38\*, 39\*, 40\*, 43\*, 44\*, 64.  
 Highways, relative to, 10, 15, 25, 29, 50\*, 57 to 59, 62.  
 Hospital, message from His Excellency relative to, 17.  
 Hume, Joseph, Esquire, a member of the Imperial Parliament, letter from to the Speaker, 11.

### I.

Impeachment of certain Magistrates of the London District, by Captain Matthews, notice thereof given, 65.  
 Indian Chiefs of the Rice Lake, Petition of, 22, 23.  
 Indians of the River Credit, Petition of, 30, 49, 50, 62.  
 Indians of the Moravian Town, 47, 50.

### J.

Journals of the Honorable the Legislative Council, Committee to search on the mode of opening the present Session, 10, 15\*, 16.  
 " of the Honorable the Legislative Council, Committee to search relative to the Printers' remuneration bill, 51, Report, 65.  
 " of Assembly read, relative to the Presqu' Isle and Bay of Quinte Navigation, 6, 10.  
 " of Assembly read, relative to officers and servants of the House, 12.  
 " relative to public roads, 15, 25.  
 " relative to the Eastern Boundary line of the Province, 15, 45.  
 " relative to the Library, 24.  
 " relative to the War losses, 24.  
 " relative to Samuel Ryckman, 25.  
 " relative to the petition of T. Smith and W. J. Weatherhead, 47.  
 " relative to a petition of Arad Smally, 62.  
 " relative to Edward T. Philan, 51.  
 " relative to a Petition of Jane McKercher Livingston, 62, 64.  
 " members to have access to, with leave to take Extracts therefrom every day during the recess from ten o'clock A. M. till three o'clock, P. M. 61 †.  
 " instructions to the Clerk relative to printing thereof, 73.  
 Judges, message relative to, 16.  
 Judge Willis, proceedings on his case, 5, 9, 10, 12, 15\*, 18, 25, 46, 60\*, 61\*, 62, 63.

### L.

Letters received by Members, Postage of to be paid, 5, 23\*.  
 Library, relative to, 21, 37, 38, 41, 42.  
 Light House on False Duck's Island, 20, 41, 69, 70, 76.  
 Light House on long Point, Lake Erie, 10, 14 †, 20, 33 †, 75.  
 Loan, relative to, 9, 16, 17, 18, 19, 26, 53, 53 †, 57, 61, 63, 65.  
 Losses sustained during the late War, 7, 20, 24, 29, 32, 33, 34, 71, 72, 74.

### M.

McNab, Allan N. proceedings relative to, 35, 35 †, 36 †, 37 †, 43 †, 44 †, 46 †, 47 †.  
 Maps of the Rideau Canal, relative to their distribution, 29 †, 51, 62.  
 Members may have access to and take extracts from the Journals during the recess, 61.



# INDEX.

Members sworn in on the meeting of Parliament, 4.  
 Militia fines, 5, 8, 9 †, 10.  
 Militia laws, 11.  
 Morgan, Julius, papers annexed to his petition ordered to be returned to him, 40.  
 Message from His Excellency, conveying His Majesty's answer to the address of the Assembly on the subject of monies arising from the sale of lands—on the charter of the University, &c. 13, 14.  
 Message from His Excellency conveying His Majesty's answer to the address of the Assembly on the subject of the Independency of the Judges, 16.  
 Message from His Excellency with a copy of a despatch relative to the proposed loan, 17.  
 Message from His Excellency acquainting the House that after the Session the Hospital will be appropriated to its proper use, 17, 18.  
 Message from His Excellency with documents relative to the office and duties of Commissioners of Crown lands, 17.  
 Message from His Excellency with statement of Debentures, 18.  
 Message from His Excellency with copy of a letter from the Deputy Post Master General, 18.  
 Message from His Excellency with copy of a letter from His Excellency the Administrator of Lower Canada, and a resolution of the House of Assembly of that Province relative to duties navigation, &c. 20, Proceedings thereon 25, 26, 29, 30, 40.  
 Message from His Excellency with copy of a report of the Commissioners on the False Ducks' Light House, 20.  
 Message from His Excellency with documents relative to the erection of a Light House on Long Point in Lake Erie, 20.  
 Message from His Excellency with reports of the Burlington Canal Commissioners, 23, 24.  
 Message from His Excellency with report of the Arbitrators on division of duties received at Quebec, 26.  
 Message from His Excellency recommending alteration in the Militia laws, 26.  
 Message from His Excellency with statement of payments to be made by the Canada Company, and an extract from a report of the Commissioners of Forfeited Estates, 28.  
 Message from His Excellency with a petition from the Indians on the River Credit, 30.  
 Message from His Excellency with documents respecting the office of Receiver General, 30.  
 Message from His Excellency with a statement of the funds for the University, 37.  
 Message from His Excellency with Population and Assessment Returns, 39.  
 Message from His Excellency with reports on Education, 39.  
 Message from His Excellency with copies of accounts of District Treasurers, 39.  
 Message from His Excellency with documents relative to a proposed Canal between the St. Lawrence and the Bay of Fundy, 39.  
 Message from His Excellency with report from Commissioners on Internal Navigation, 49.  
 Message from His Excellency with report of the Western District School, 49.  
 Message from His Excellency with a return of reserves on Otter Creek, 49.  
 Message from His Excellency with estimates of sums in aid of the civil Expenditure of this Province, voted by the Imperial Parliament before 1827, 60.  
 Message from His Excellency with copy of the Report of the Executive Council on the petition of Henry Weeks, 60.  
 Message from the Honorable the Legislative Council stating that on the delivery of two bills at their bar the members of the House of Assembly had omitted the usual form of requesting the concurrence of the Council, 53.  
 Message from the Honorable the Legislative Council stating that that House cannot proceed upon any bill sent up from the Assembly after 4 P. M. the following day, 67.  
 Message from the Honorable the Legislative Council stating that that House had concurred in the address and resolutions relative to War War losses, 74.

## N.

Names of members sworn in on the meeting of Parliament, 4.  
 Navigation of the Saint Lawrence and Ottawa, 20, of the St. Lawrence and Bay of Fundy, 39.  
 Navigation, internal, documents relative to, received and referred to a select Committee, 49.  
 Northern boundary line of the Province, 19.

## O.

Officers and servants of the House 12, 46 †.  
 Order of the day, Items thereon to be placed at the foot thereof in certain cases, 45.  
 Otter Creek, 9, 13, 31, 32, 34, 49, 51, 51.

## P.

Parliament House, Committee to report on the state thereof, 6, 9, 13, 16, 27, 31, 53.  
 Parliament Prorogued, 76.  
 Penitentiary, 15.  
 Petitions, tabular statement of those presented during the present and two last sessions praying for pecuniary aid for roads, &c. ordered to be laid before the House, 23, 34.

Petitions, resolution moved that this House will not receive any for private Bills after the first twenty days of each Session, 61.

## PETITIONS OF

Adams, Joshua, of the township of Bathurst, 40, 41. Report 70.  
 Alward, Reuben, of York, 37, 38, 52.  
 Appleton, Thomas, of the town of York, 46, 49.  
 Baldwin, Robert, of York, 16, 19.  
 Ball, Wm. M. of the township of Niagara, 21, 22, 23, 42, 45.  
 Beach, Barnabas, and others, of the Midland District, 43, 45. Report 45.  
 Beadle, Chauncey, and others, Trustees of the Grantham Academy, 19, 21. Report 33.  
 Beamish, Wm. of the Newcastle District, 43, 45.  
 Beasley, Richard, and others, Magistrates of the Gore District, 28, 30.  
 Beard, George, and others, of York, 24, 26.  
 Beattie, T. and others, of Percy, 41, 43. Report 24.  
 Benson, James and others, of Darlington, 34.  
 Biggar, Charles, and others, of Trafalgar, 34, 35, 37. Report 47.  
 Boswell, Walter, and others, of the township of Hamilton, 19. Report 24.  
 Boswell, Walter, and others, of Cobourg, 5, 8. Report 19.  
 Boswell, Walter, and others, of the Newcastle District, 41, 43.  
 Boulton, Henry John, and others, of the town of York, 43, 45.  
 Brant, John, and others, on the Lake road to Burlington, 30, 32, 34. Report 57.  
 Brant, John, Superintendent Indian Department, 31, 33.  
 Brown, Joseph, and others, of Niagara, 33, 34.  
 Buckley, N. P. of York, 5, 6, 12.  
 Burk, James, and others, 5, 6, 13, 25.  
 Burr, Rowland, and others, of Vaughan, 5, 6, 8. Report 57.  
 Burr, Rowland, and others, of the County of York, 19, 21. Report 57.  
 Burrell, Thomas, and others, of Toronto, 19, 21. Report 54.  
 Burwell, Mahlon, of Port Talbot, 31, 33. Report 31.  
 Butler, T. and John Crooks, 34, 35.  
 Cameron, John, and others, of Glengarry, 8, 11. Report 57.  
 Cameron, John M. A. of the village of Hamilton, 11, 13.  
 Cameron, Donald, and others, of Thora, &c., 13, 16, 18. Report 57.  
 Cameron, Duncan, and others, of Glengarry, 38, 41.  
 Campbell Catherine, and other Innkeepers of the Eastern District, 46, 49, 54, 71.  
 Carfrae, Thomas, Junior, and others, of the town of York, 43, 43 †.  
 Carter, Robert, and others, of the Newcastle District, 43, 45. Report 24.  
 Cass, Simeon, and others, of Hawkesbury, 34.  
 Catarqui, Bridge Company, 40, 42. Report 42.  
 Cawthra, Joseph, and others, of the Home District, 14, 18. Report 46, 72.  
 Chisholm, John, of Burlington Bay, Collector, 25, 27, 28.  
 Chisholm, John, and John Brant, of Flamboro', 37, 38, 39.  
 Christie, Duncan, and others, of the township of Oxford, 6, 10. Report 23.  
 Christie, Hugh, and others of Glengarry, 59.  
 Collins, Francis, of York, 5, 6, 1st Report 19, 2d. Report 29, 3d Report 41, 4th. Report 41, 5th Report 54.  
 Collins, Francis, of York, 6, 10. Report 54.  
 Collins, Francis, of York, 28, 30, 33.  
 Cook, John, and others of the County of Dundas, 19, 21.  
 Cornell, Wm. and others of the Home District, 27, 29. Report 57.  
 Cornish, Peter, and others in the Gaol at Brockville, 46, 49.  
 Cowin, Jeremiah, and others of Blewheini, 28, 29, 31.  
 Crooks, John, and others of the Niagara District, 34, 35.  
 Cunningham, Wm. and others of Hallowell, 6, 10. Report 44.  
 Cutler, Sewell, and others of Stormont, 45, 48, 71. Report 51.  
 Deacon, Job, and others of Adolphustown, 22, 24.  
 Decow, John, and others of the County of Lincoln, 3, 11. Report 31.  
 Decow, John, and others of Thorold, 38, 40, 41.  
 Deeming, Henry, and others of the Eastern District, 45, 48. Report 51.  
 Dillabough, John, and others of Do. 45, 48. Report 51.  
 Dingman, John, of Westminster, 12, 31, 37.  
 Dix, Charles, and others of Matilda 31, 33.  
 Dolsen, John, of Dover, 44, 45. Report 70.  
 Dugre, Joseph, and others of the Western District, 5, 8. Report 10.  
 Eastwood and Skinner, of York, 11, 13. Report 33.  
 Eby, Benjamin, and others 5, 8.  
 Executive Committee, Ernestown and Kingston Road society, 16, 19. Report 57.  
 Fairbairn, Robert, and others of Darlington, 34, 37.  
 FitzGerald, Denis, late Adjutant Incorporated Militia, 21, 23, 25. Rept. 64 †.  
 Fletcher, Alexander, and others of Darlington, 34.  
 Fletcher, Archibald, of Trafalgar, 38, 41, 42. Report 71.  
 Forrest, Robert, and others of Kingston, 19, 21. Report 45.  
 Forsyth, William, of Niagara Falls, 8, 11.  
 Forsyth, Wm. of Niagara Falls, 14, 18, 20. Report 51.  
 Foster, Ezekiel, and others of Norfolk, 11, 13. Report 15.  
 Fraser, Isaac, and others of the Midland District, 43, 45. Report 45.  
 Gillet, J. B. and others of the township of Haldimand, 43, 45.  
 Goodhue, George J. and Roswell Mount, of the London District, 28, 30. Report 48.  
 Gaugh, John, of Oro, 13, 16, 25. Report 65.  
 Grant, Alexander, and others of the Ottawa District, 34. Report 57.  
 Hall, P. F. of Kingston, 6, 10. Report 15.  
 Hamilton, Henry, and others of York, 10, 12. Report 27.  
 Hamilton, Henry, and others of York, 21, 22, 23.  
 Hands, William, and others of Essex, 5, 8. Report 57.  
 Hands, William, and others of the Western District, 16, 19. Report 64.  
 Henry, Robert, and others of the District of Newcastle, 27, 29. Report 24.  
 Hollingshead, Jacob, and others of the Home District, 31, 33.  
 Holme, William, and others of the London and Gore Districts, 22, 24, 26.  
 Hoople, George, of Oranbruck, 56, 61.  
 Horne, R. C. of York, 18, 19, 21. Report 53.  
 Hornor, Thomas, of Burford, 56, 57. Report 63.  
 Hord, Truman, and others of Edwardsburgh, 12, 14. Report 57.  
 Indian, Chiefs of the Rice Lake, 22, 23.  
 Indians, of the River Credit, 30. Report 49.  
 Jackson, Jethro, and others of the Midland District, 34, 35. Report 45.

# INDEX.

## PETITIONS OF

Johnson, Andr. w. and others of Prince Edward, 5, 6, Report, 25.  
 Jones, Wm. T. and others of Grenville and Leeds, 33, 34, Report 57.  
 Keeler, Jacob, and others, Trustees of the Grantham Academy, 19, 21, Report 33, 43.  
 Keeler, Joseph, and others of the Township of Haldimand, 32, 33.  
 Kirby, James, and others, 53, 57.  
 Kirby, John, and John McAnay of Kingston, 62, 63, Report 63.  
 Lake, James, of the Finest Town and Kingston road society, 16; 19, Report 57.  
 Lampman, Adam, and others of Norfolk, 45, 48, Report 10.  
 Langs, Jacob, and others of Norfolk, 44, 46, 48, Report, 52.  
 Lawrence, Mary, 41, 43, Report 41.  
 Lewis, J. C. and others of Sandwich, 22, 25.  
 Lount, Samuel, and others of the Home District, 32, 33, 34, Report, 70.  
 McBride, Edward, and others of Niagara, 3, 11, Report, 51.  
 McBride, Edward, of Niagara, 24, 26, 37.  
 McCall, Thomas, and others of Dunwich, 25, 27, 37, Report, 57.  
 McCullum, Peter, and others of the Home District, 27, 29, 33, Report 57.  
 McCormick, Thomas, and others of the Township and District of Niagara, 34, 35, Report 40.  
 McDonell, Alexander, and others of the Eastern District, 37, 38.  
 McDonell, Alexander, and others of the Ottawa District, 46, 49.  
 McEnery, James, and others of Scarborough, 22, 24, Report, 54.  
 McGill, Peter, Proprietor of the Mariposa Iron Works, 56, 57, Report, 57.  
 McIntosh, Charles, and others of York, Jurors, 37, 38, 47, Report, 70.  
 McIntosh, James, and others Masters of vessels, 21, 22, 23.  
 McIntosh, A. and others of Oxford and Middlesex, 34, 35.  
 McKay, Wm. and others of Nelson, 21, 23, Report, 49.  
 McKenny, Doyle, and Henry Fisher of Middlesex, 38, 41, Report, 70.  
 McLahan, Thomas, of St. Catharine's, 46, Report, 72.  
 McMullan, Alexander, and others of Grenville, 28, 30, Report 57.  
 McNaughton, Donald, and others of Abingburgh, 35, 37, Report, 70.  
 Malcolm, Daniel, and others of Fitcham, 36, 40, 41, Report, 69.  
 Mackland, Thomas, and others of Kingston, 11, 13, Report, 45.  
 Macindale, John, of the Town of Delhi, 37, 38, Report, 44.  
 Matthews, John, of Lobo, 61, Report, 61.  
 Misner, John, and others of Norfolk, 19, 21, Report, 52.  
 Morgan, Julius, 29, 31, 40, Report, 48.  
 Munson, Thomas, D. of York, 5, 6, 9, 11, 12, Report, 41.  
 Mount, Roswell, of Carradoc, 82, 51.  
 Mount, Roswell, and George J. Goodhue of the London District, 28, 30, Report 48.  
 Nelson, Henry, and others of the County of Hastings, &c 22, 25, Report, 29 †.  
 Nichols, Wm. and others of Markham, 13, Report, 54.  
 Ogden Johnathan, of Port Hope, 40, 42, Report 57.  
 Overfield, Manuel, and others of Waterloo, 42, 43, Report, 59.  
 Parkins, E. and others of St. Catharine's, 33, 34, Report, 43.  
 Perkins, Charles, 12, 14, 37.  
 Perry, John, of Lanisil, 19, 12, Report, 57.  
 Paterson, James, and others, of Tyendenaga, 11, 13, Report, 57.  
 Peim, John, and others, of Wainfleet &c. 11, 18, 57.  
 Pidan, W. W. and others of Yarmouth and Southwold, 22, 25, Report, 54.  
 Phillips, Ziba, M. of Augusta, 28, 29.  
 Phillips, Ziba, M. and others, in Gas in Johnstown District, 59.  
 Porter, John, D. of the Township of York, 19, 23, Report, 55.  
 Post, Jordan, Junior, and others, of York, 13, 16, 19.  
 Powell, Israel, and others of Windham, 52, Report, 52.  
 Prior, Charles, and others, of the Gore District, 23, 30, Report, 45.  
 Putman, John, of Berne, 39, 41, 59, Report 64.  
 Rapelje, A. A. and others, of Norfolk, 37, 38, 39, Report, 57.  
 Reynolds, Geo. and others, of Blenheim, 27, 29.  
 Richardson, Lot, and others, of Edwardsburgh, 31, 33.  
 Robridge, Charles, and others, of Northumberland, 40, 42, Report, 57.  
 Ryckman, Samuel, Deputy Surveyor, 22, 24.  
 Sager, Staats, and others, of Tyendenaga, 34, 37.  
 Scofield, Ira, and others, of Middlesex, 35, 37, 39, Report, 47.  
 Scofield, Ira, and others of do 56, 61.  
 Scott, John, and others, of Etobicoke, &c 3, 11, Report, 57.  
 Shade, Absalom, and others, of Dunfries &c. 5, 8, Report, 59.  
 Sheppard, Joseph, and others, proprietors of the Farmer's Store in York, 30, 32, 33, Report, 46.  
 Sifton, Joseph, of the County of Middlesex, 14, 18, 35.  
 Smith, John, B. and others, of Port Hope, 22, 25, Report, 28.  
 Smith, Jacob, Junior, and others, of Fredericksburg, 5, 8, Report, 24.  
 Spike, Bryant, and others, of Portland, 35, 37, Report, 57.  
 Stephens, Robert, and others, in the Bathurst District, 37, 38, 41.  
 Stewart, Alexander, and others, of Niagara, 43, 45.  
 Stewart, Thomas, A. and others, of the Newcastle District, 12, 14, Report, 24.  
 Stoyell, Thomas, and others, Electors of York, 5, 9, 9, 11, 12, Report, 44.  
 Stoyell, Thomas, and others, of York, 13, 19, Report, 72.  
 Stoyell, Thomas, and others, Trustees of the Methodist Episcopal Church in York, 49, 50, Report, 51.  
 Strabridge, James, G. 21, 23, Report, 50.  
 Stuart, Rev. Geo. O'Kill, and others, of the Town of Kingston, 49, 50, Report, 45.  
 Sumner, W. J. and others, of Nasagawiyi, 19, 21, Report, 27, 41.  
 Swan, Samuel, of Kingston, 5, 6, Report, 70.  
 Theal, Samuel, of Granum, 5, 6, Report, 26.  
 Thomas, John, of the Newcastle District, 52, 54.  
 Throop, Benjamin, and others, of Cobourgh, 12, 14, Report, 24.  
 Tripp, John, and others of the Midland District, 38, 46, Report, 45.  
 Vanalstine, Allan, of Marysburg, 33, 31, Report, 47.  
 Vandyke, Cynthia, of Fredericksburg, 25, 27.  
 Vandyke, and others, of Fredericksburg, 52, 54.  
 Ward, Geo. and others, of Mosa, 25, 27, 35, Report, 46.  
 Warren, J. B. of the Home District, 29, 31, 33, Report, 57.  
 Waters, Charles, and others, Justices of the Ottawa District, 33, 31, Report, 60.  
 Weeks, Henry, of Elizabethtown, 23, 30, 60, Report, 62.

Welland Canal Company, 54, 59, Report, 62.  
 White, Henry, and others, of Middlesex and Oxford, 21, 23, 1st Report 31, 2d Report, 51.  
 White, M. and others, of Lobo, 34, 35, Report, 57.  
 Whitesides, Thomas, and others, of Scarborough, 21, 23, 25, Report, 54.  
 Whiting, Benjamin, and others, of Upper Canada, 28, 29.  
 Wilcox, Leonard, of York, 29, 31, Report, 70.  
 Wildgoose, James, of York, 50, 53, 54.  
 Williams, John, T. and others, of the Newcastle District, 14, Report, 24.  
 Williams, Stephen, and others, of Tyendenaga, 43.  
 Willson, John, Esq. late Speaker, 43, 44, 45, Resolution relative to, 54.  
 Wilson, Geo. of Chinguacousy, 11, 13.  
 Wood, Alexander, of York, 11, 13, 14, Report, 19.  
 Wood, Israel, and others, of the London, District, 5, 6, 59, Report, 15.  
 Wood, Samuel, of Grantham, 54.  
 Wright, Malcolm, and others, of Scarboro', 22, 24, 25.  
 Yeoward, Frederick, of Mount Pleasant, 31, 33.  
 Population and Assessment Returns, 39, 43, 44, 48.  
 Post Office, 7, 10, 34, 36 †, 62, 70.  
 Postage on letters received by Members, to be paid, 5, 23 †.  
 Presquise and Bay of Quinte Navigation, 6, 10.  
 Printing Committee to superintend it, 16, 16 †.  
 Printing, resolutions relative thereto, 24 †.  
 Privilege, question of, 14, 16, 17, 20 †, 26, 44.  
 Proclamation proroguing Parliament to 16th June, 1828, - - 1.  
 do. do. do. to 19th July, - - - 1.  
 do. dissolving the late Parliament - - - 1.  
 do. proroguing the new Parliament to 20th Sept. - 1.  
 do. do. do. to 29th Oct. - 1.  
 do. do. do. to 4th Dec. - 4.  
 do. calling the Parliament to meet on the 8th January, - 4.  
 Public Account, 16, 33.  
 Public debt, 9, 16, 17, 18, 19, 26, 53 †, 57, 61, 63, 65.

## Q.

Quakers, Tinkers, &c. 6, 10, 11 †, 12.  
 Questions and votes of the House, to be published in the Lobby, 19, to be discontinued, 45.  
 Quorum, motion proposing an alteration thereof, 34 †.  
 Quorum, House adjourned for want of, 68.

## R.

Ra dal, Robert, Esquire, resolutions and other proceedings relative to, 43, 44 †, 49.  
 Receiver General, proceedings relative to the office of, 26, 27, 28, 30, 31, 51, 54, 55, 71, 72.  
 Reply to Address in answer to His Excellency's Speech on opening the Session, 10.  
 Report of select Committee to search the Journals of the Honorable Legislative Council on the mode of opening the present Session, 14, 15.  
 Report of the Select Committee on the petition of P. F. Hall, 15.  
 1st " " " on petition of F. Collins, 19.  
 2nd " " " " " " " 29.  
 3rd " " " " " " " 41. } referred to the Committee of privilege, 46.  
 4th " " " " " " " 41. }  
 5th " " " " " " " 54. }  
 Report of Burlington Bay Canal Commissioners, 23.  
 Report of Select Committee on Parliament Buildings, 27, 31.  
 " " " on Petition of W. J. Sumner, 27, 41.  
 Report of Commissioners of Forfeited Estates, 23.  
 Report of Select Committee on Petition of Eastwood and Skinner, 33.  
 " " " on the Post Office Department, 34, 36 †, 1st Report 62, 2nd Report, 70.  
 1st " " " on the Hamilton outrage, 35 †.  
 2nd " " " " " " 37, 40.  
 3rd " " " " " " 61.  
 " " " on Expiring Laws, 39.  
 Reports on Education, brought down by Mr. Secretary Mudge, 39, 49.  
 Report and evidence of the Committee of the British House of Commons on the civil Government of the Canadas, 200 copies of, ordered, 40, how to be distributed, 66.  
 Report of Committee of Conference on the Library, 41, 42.  
 " " " on the Cobourg Harbor bill, 42.  
 Report of Select Committee on Privilege, 44.  
 " " " on the York Controverted Election, 44.  
 " " " on the case of Judge Willis, 46.  
 " " " on Petition of Geo. Ward and others, 46.  
 " " " on Petition of Charles Biggars and others, 47.  
 " " " on the Petition of Ira Scofield and others, 47.  
 " " " on the Petition of Roswell Mount and others, and of J. Morgan, 43.  
 " " " on the Petition of Wm. McKay and others, 48.  
 " " " on the Petition of Jacob Keefor and others, 33, 48.  
 " " " on the Petition of the Indians on the River Credit, 49.  
 Report of the Commissioners of Internal Navigation, sent down by His Excellency, 49.  
 Report of Select Committee on the Petition of Wm. Forsyth, 51.  
 " " " on Contingencies, 27, 51, 54.  
 " " " on the distribution of the Rideau Canal Maps, 51, 52.  
 " " " on the Navigation of Paterson's Creek, 52.  
 " " " on the Petition of R. C. Horne, 53.  
 " " " on Finance, 57 †.  
 " " " on the case of Henry Weeks, 62.  
 " " " on Education, 31, 63, 68.  
 " " " on the Petition of John Putman, 64.  
 " " " on the Petition of Denis FitzGerald, 64 †.  
 " " " of Conference on the loan bill, 65.  
 " " " of Conference on the Printers' relief bill, 65.

## INDEX.

- Report of Select Committee on the Petition of John Gough, 65.  
 " " " on the Petition against Joseph Defields, 69, 70.  
 " " " on the Petition of Samuel Swan, 70.  
 " " " of certain Jurors of the Home District, 70.  
 " " " on the Petition of Wilcox and Dolsen, 70.  
 " " " on the Petition of Doyle McKenny and others, 70.  
 " " " on the Petition of Archibald Fletcher, 71.  
 " " " on the Petition of Thomas McMahon, 72.  
 " " " on Contingent expenses of the session, 73, 74 †.
- Resolutions on commerce and Agriculture, notice of by Mr. Dalton, 5, 8.  
 " on His Excellency's Speech at the opening of the Session, 6 †.  
 " for standing Committees, 11.  
 " on the York Contested Election, 12, 44.  
 " on Parliament Buildings, 13.  
 " relative to appointment of Trustees of District Schools, 13.  
 " on District boundaries, 15.  
 " on Report of Select Committee relative to searching the Journals of the Honorable the Legislative Council on the mode of opening the present session, 15 †, 16.  
 " on the letter of the Clerk of the Honorable the Legislative Council, 16.  
 " of the Honorable the Legislative Council on the conduct of their Clerk, 17.  
 " on the appointment of Commissioners to meet Commissioners from Lower Canada, on matters of common concern to both Provinces, 20, 25, 26, 29.  
 " on the actual residence of certain officers of Districts, 21, 52.  
 " on His Excellency's answer to the address in behalf of Francis Collins, 22 †, 23 †.  
 " relative to Writs of summons to witnesses in Controverted Elections, 24.  
 " on His Excellency's message with the Joint resolution of the two Houses in Lower Canada, 25, concurred in by the Honorable the Legislative Council, 26, other proceedings, 29, 30.  
 " and other proceedings on the Hamilton outrage, 31 \*, 35 \*, 36 \*, 38 \*, 39 \*, 40 \*, 43 \*, 44 \*, 64.  
 " on claims of certain Printers, 31 \*.  
 " for adding to the Library certain sundry periodical, and other publications, 37.  
 " relative to freedom of Elections, 38, 72.  
 " on Settlement duties, 42.  
 " on the appointing of the subordinate officers and servants of the House, 46 \*.  
 " relative to the office of Chaplain, 46 \*.  
 " relative to Highways, 50 †, 57, to 59.  
 " relative to a scale of appropriation of money for Roads and Bridges, 50.  
 " on the case of F. Collins, 55 †, 56 †.  
 " appropriating money for Roads and Bridges in the several Districts, 57, to 59.  
 " limiting the time for petitioning against the return of any member to the first fourteen days of the Session next after the return, 36, 61.
- " allowing the members of Assembly to have access to the Journals between 10 A. M. and 3 P. M. during the recess, and to take extracts, &c. 61.  
 " on Reserves, Supply, Revenue, &c. &c. 67 †, 68 †.  
 " relative to Robert Randal, 43, 69.  
 " relative to the Light House on the Duck's Island, 69.  
 " relative to the War Losses, 71, 72.  
 " on the subject of the University, Education &c. 72.  
 " on the contingencies of the present Session, 73, 74.  
 " on printing, 75 †.
- Revenue, casual, and Territorial, account of requested, 23, 51, 60, 67 †, 68 †.  
 Revenue, relative to that levied at Quebec, 51, 54, 60.  
 Roads, relative to, 10, 15, 25, 29, 50 †, 57, to 59, 62.  
 Rules of the House, motion to revise them, 5, 8.  
 Rules relative to Printing, suspended, 24 †.
- S.
- Speaker, proceedings on the election of, 4 5.  
 Speech of His Excellency on the opening of the Session, 5.  
 Proceedings thereon, 5, 6, 7 †. Address in answer 7. Reply, 10.  
 Schools, District and Common, relative to, 13, 39, 49.  
 Settlement duty, 15, 41, 42 †, 45, 46, 48.  
 Schedule of Public accounts, 16.  
 Supply Committee of the whole thereon, 21, 43 †, 45, 50 †, 53, 54, 57 to 59, 62, 67, 68, 69.  
 Sherwood, Mr. Justice, letter from to His Excellency on the case of Francis Collins, 21.  
 Summons to Wm. M. Jarvis, Sheriff Gore District, to be issued by the Speaker, 31 †, 32 †.  
 Speech of His Excellency at the closing of the Session, 76.
- T.
- Tunkers, Quakers, &c. 6, 10, 11 †, 12.
- U.
- Unitarians, 19, 20, 31 †, 32.  
 University, 13, 23, 24, 26, 27, 63, 69, 72.
- V.
- Vaux, Thomas, nominated by the Clerk to be employed in his office, and approved of by the Speaker and the House, 62.  
 Votes and questions to be published in the Lobby, 19, to be discontinued, 45.
- W.
- Warrant for the Commitment of Allan McNab, 36.  
 " for His enlargement, 47.  
 Willis, Mr. Justice, proceedings relative to, 5, 9, 10, 12, 15 †, 18, 25, 46, 60 \*, 61 \*, 62, 63.
- Y.
- York contested Election, 5, 8, 9, 11, 12, 24, 25. Report, 44.