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*Thomas C. Digby*

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**J O U R N A L S**

OF THE

**LEGISLATIVE ASSEMBLY.**

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VOL. 2.

# JOURNALS

OF THE

# LEGISLATIVE ASSEMBLY

OF THE

# PROVINCE OF CANADA.

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FROM THE 8th DAY OF SEPTEMBER TO THE 12th DAY OF OCTOBER,

IN THE YEAR OF OUR LORD

1842.

AND IN THE SIXTH YEAR OF THE REIGN OF OUR SOVEREIGN LADY

QUEEN VICTORIA.

---

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

---

SESSION, 1842.

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Printed by the Order of the Legislative Assembly.

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KINGSTON :—Printed by ROBERT STANTON.—1842.

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# PROCLAMATIONS.

Proclamation  
proroguing  
Parliament to  
the 31st day  
of December.

Province of } **RICHARD DOWNES JACKSON.**  
*Canada.* }

**VICTORIA**, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, Queen, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on the twenty-fifth day of the present month of October, to have been commenced and held, and to every of you—

Greeting :

A PROCLAMATION.

**WHEREAS** on the eighteenth day of September, now last past, we thought fit to prorogue our Provincial Parliament to the twenty-fifth day of this present month of October, at which time, at our town of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we 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 Saturday, the fourth day of December, now next ensuing, you meet us in our Provincial Parliament, at our town of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein do as may seem necessary.—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 *Richard Downes Jackson*, K. C. B. Administrator of the Government of our said Province, Lieutenant-General Commanding our Forces in *British North America*, &c. &c. &c.

At *Kingston*, this nineteenth day of October, in the year of our Lord one thousand eight hundred and forty one, and in the fifth year of our reign.  
*R. D. J.*

By Command,

*S. B. Harrison,*  
Secretary.

Proclamation  
proroguing  
Parliament to  
the 13th January.

Province of } **R. D. JACKSON.**  
*Canada.* }

**VICTORIA**, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, Queen, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned

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and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on Saturday, the fourth day of December, now next ensuing, to have been commenced and held, and to every of you—

Greeting :

A PROCLAMATION.

**WHEREAS** on the nineteenth day of October, now last past, we thought fit to prorogue our Provincial Parliament to Saturday, the fourth day of December, now next ensuing, at which time, at our town of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving subjects, we 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 thirteenth day of January, now next ensuing, you meet us in our Provincial Parliament, at our town of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—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 *Richard Downes Jackson*, K. C. B. Administrator of the Government of our said Province, Lieutenant-General Commanding our Forces in *British North America*, &c. &c. &c.

At *Kingston*, this thirtieth day of November, in the year of our Lord one thousand eight hundred and forty-one, and in the fifth year of our reign.  
*R. D. J.*

By Command,

*S. B. Harrison,*  
Secretary.

Province of } **R. D. JACKSON.**  
*Canada.* }

**VICTORIA**, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, Queen, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on Thursday, the thirteenth day of January, now next ensuing, to have been commenced and held, and to every of you—

Greeting :

A PROCLAMATION.

**WHEREAS** on the thirtieth day of November, now last past, we thought fit to prorogue our Provincial Parliament to Thursday, the thirteenth day

Proclamation  
proroguing  
Parliament  
to the 23d  
February.

of

of January, now next ensuing, at which time, at our town of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving Subjects, we have thought fit, by and with the advice of our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these Presents enjoining you, and each of you, that on Tuesday, the twenty-second day of February, now next ensuing, you meet us in our Provincial Parliament, at our town of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary. 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 *Richard Downes Jackson*, K. C. B. Administrator of the Government of our said Province of *Canada*, and Lieutenant-General commanding our Forces in British *North America*, &c. &c. &c. at *Kingston*, this seventh day of January, in the year of our Lord one thousand eight hundred and forty-two, and in the fifth year of our reign.

R. D. J.

By Command,

*T. D. Harrington*,

Deputy C. C. in Chancery.

Province of } *CHARLES BAGOT*.  
*Canada* }

*VICTORIA*, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, Queen, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on Tuesday, the twenty-second day of February, now next ensuing, to have been commenced and held, and to every of you—

Greeting:

A PROCLAMATION.

**W**HEREAS on the seventh day of January, now last past, we thought fit to prorogue our Provincial Parliament to Tuesday, the twenty-second day of February, now next ensuing, at which time, at our town of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving Subjects, we 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 Saturday, the second day of April, now next ensuing, you meet us in our Provincial Parliament, at our town of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—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 right trusty and well-beloved Sir *Charles Bagot*, G. C. B. one of our most Honourable Privy Council, Governor-General of British *North America*, and Captain-General and Governor-in-Chief in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice-Admiral of the same, &c. &c. &c.

At *Kingston*, this seventeenth day of February, in the year of our Lord one thousand eight hundred and forty-two, and in the fifth year of our reign.

C. B.

By Command,

*T. D. Harrington*,

Deputy C. C. in Chancery.

Province of } *CHARLES BAGOT*.  
*Canada* }

*VICTORIA*, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, Queen, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on Saturday the second day of April, now next ensuing, to have been commenced and held, and to every of you—

Greeting:

A PROCLAMATION.

**W**HEREAS on the seventeenth day of February, now last past, we thought fit to prorogue our Provincial Parliament to Saturday the second day of April, now next ensuing, at which time, at our town of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving Subjects, we 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 May, now next ensuing, you meet us in our Provincial Parliament, at our town of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—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 right trusty and well-beloved Sir *Charles Bagot*, G. C. B. one of our most Honourable Privy Council, Governor-General of British *North America*, and Captain-General and Governor-in-Chief in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c.

At *Kingston*, this twenty-fourth day of March, in the year of our Lord one thousand eight hundred and forty-two, and in the fifth year of our reign.

C. B.

By Command,

*Felix Fortier*,

C. C. in Chancery.

Province of } *CHARLES BAGOT*.  
*Canada* }

*VICTORIA*, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, Queen, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on Wednesday the eleventh day of May, now instant, to have been commenced and held, and to every of you—

Greeting:

Proclamation  
proroguing  
Parliament to  
the 2d April.

Proclamation  
proroguing  
Parliament to  
the 11th May.

Proclamation  
proroguing  
Parliament to  
the 16th June.

A PROCLAMATION.

**W**HEREAS on the twenty-fourth day of March, now last past, we thought fit to prorogue our Provincial Parliament to Wednesday, the eleventh day of May, now instant, at which time, at our town of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving Subjects, we 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 Saturday, the eighteenth day of June, now next ensuing, you meet us in our Provincial Parliament, at our town of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein to do as may seem necessary.—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 right trusty and well-beloved Sir *Charles Bagot*, G. C. B. one of our most Honourable Privy Council, Governor-General of British *North America*, and Captain-General and Governor-in-Chief in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c.

At *Kingston*, the sixth day of May, in the year of our Lord one thousand eight hundred and forty-two, and in the fifth year of our reign.

By Command,  
*Felix Fortier*,  
C. C. in Chancery.

C. B.

Proclamation proroguing Parliament to the 27th July.

Province of } *CHARLES BAGOT*.  
*Canada* }

**VICTORIA**, by the Grace of God, of the United Kingdom of *Great Britain* and *Ireland*, Queen, Defender of the Faith, &c. &c. &c.

To our beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on Saturday, the eighteenth day of June, now instant, to have been commenced and held, and to every of you—

Greeting:

A PROCLAMATION.

**W**HEREAS on the sixth day of May, now last past, we thought fit to prorogue our Provincial Parliament to Saturday, the eighteenth day of June, now instant, at which time, at our town of *Kingston*, you were held and constrained to appear: Now Know Ye, that for divers causes and considerations, and taking into consideration the ease and convenience of our loving Subjects, we 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-seventh day of July, now next ensuing, you meet us in our Provincial Parliament, at our town of *Kingston*, there to take into consideration the state and welfare of our said Province of *Canada*, and therein do as may seem necessary.—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 right trusty and well-beloved Sir *Charles Bagot*, G. C. B. one of our most Honourable Privy Council, Governor-General of British *North America*, and Captain-General and Governor-in-Chief in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice-Admiral of the same, &c. &c. &c.

At our Government House, at *Montreal*, the ninth day of June, in the year of our Lord one thousand eight hundred and forty-two, and in the fifth year of our reign.

C. B.

By Command,  
*Felix Fortier*,  
C. C. in Chancery.

Province of } *CHARLES BAGOT*.  
*Canada* }

**VICTORIA**, by the Grace of God, of the United Kingdom of *Great Britain* and *Ireland*, Queen, Defender of the Faith, &c. &c. &c.

Proclamation convening Parliament at the town of *Kingston*, on the eighth day of September.

To our well-beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on Wednesday, the twenty-seventh day of July, now instant, to have been commenced and held, and to every of you—

Greeting:

A PROCLAMATION.

**W**HEREAS the meeting of our Provincial Parliament stands prorogued to the twenty-seventh day of July, instant, nevertheless, for certain causes and considerations, we have thought fit further to prorogue the same to Thursday, the eighth day of September next, so that you nor any of you, on the said twenty-seventh day of July, instant, at our town of *Kingston*, 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 enjoining you and every of you, and all others in this behalf interested, that on Thursday, the said eighth day of September next, at our town of *Kingston*, aforesaid, personally you be and appear, for the *Despatch of Business*, to treat, do, act and conclude, upon those things which in our said Provincial Parliament, by the Common Council of our said Province, may by the favour of God be ordained.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province of *Canada* to be hereunto affixed:

Witness our right trusty and well-beloved the Right Honourable Sir *Charles Bagot*, Knight Grand Cross of the Most Honourable Order of the Bath, one of our Most Honourable Privy Council, Governor-General of British *North America*, and Captain-General and Governor-in-Chief in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice-Admiral of the same, &c. &c. &c.

At our Castle of *St. Lewis*, in our city of *Quebec*, in our said Province, this eighteenth day of July, in the year of our Lord one thousand eight hundred and forty-two, and in the sixth year of our reign.

C. B.

By Command,  
*Felix Fortier*,  
C. C. in Chancery.

Province

Proclamation convening Parliament at the township of Kingston, on the eighth day of September.

Province of )  
Canada. ) **CHARLES BAGOT.**

**VICTORIA**, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, Queen, Defender of the Faith, &c. &c. &c.

To our well-beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at our town of *Kingston*, on Thursday, the eighth day of September, now next ensuing, to have been commenced and held, and to every of you—

Greeting:

A PROCLAMATION.

**WHEREAS** the meeting of our Provincial Parliament stands called *for the Despatch of Business*, on Thursday, the eighth day of September next, at our town of *Kingston*, at which place you were held and constrained to appear: Now Know Ye, that 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 enjoining you, and every of you, and all others in this behalf interested,

that on Thursday, the eighth day of September next, in our township of *Kingston*, you personally be and appear, *for the Despatch of Business*, to treat, do, act, and conclude, upon those things, which in our said Provincial Parliament, of our said Province, may by the favour of God be ordained.

Proclamation convening Parliament at the Township of Kingston, on the eighth day of September.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province of *Canada* to be hereunto affixed:

Witness our right trusty and well-beloved the Right Honourable Sir *Charles Bagot*, G. C. B. one of our most Honourable Privy Council, Governor-General of *British North America*, and Captain-General and Governor-in-Chief in and over our Provinces of *Canada, Nova Scotia, New Brunswick*, and the Island of *Prince Edward*, and Vice-Admiral of the same, &c. &c. &c.

At *Kingston*, this twenty-third day of August, in the year of our Lord one thousand eight hundred and forty-two, and in the sixth year of our reign.

C. B.

By Command,  
*Felix Fortier*,  
C. C. in Chancery.

J O U R N A L S,  
OF THE  
LEGISLATIVE ASSEMBLY\*  
OF  
C A N A D A.

SESS. 1842.

*Jovis 8<sup>o</sup> die Septembris ;*

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

Message to attend the Governor-Gen'l.

**A** MESSAGE from His Excellency, the Governor General, by *Frederick Starr Jarvis*, Esquire, Gentleman Usher of the Black Rod :

Mr. Speaker,

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

Accordingly Mr. Speaker, with the House, went to the Council Chamber :—And being returned ;

Writs issued in the Recess.

Mr. Speaker acquainted the House, that he had issued his Warrants to the Clerk of the Crown in Chancery, to make out new Writs for the election of Members to serve in the present Provincial Parliament, in the room of Members whose seats had become vacant; and that the Clerk of this House had received from the said Clerk of the Crown in Chancery, the following Certificates of Returns of Members, elected during the recess, upon the said new Writs.

Office of the Clerk of the Crown in Chancery,  
*Kingston, 14th June, 1842.*

Fourth Riding  
County of York.

Province of *Canada*.

This is to certify that, in virtue of a writ of election, dated the thirty-first day of August, last past, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer for the Fourth Riding of the County of *York*, (*Benjamin W. Smith*), for the election of one Member for the said Fourth Riding of the County of *York*, in the place and room of *Robert Baldwin*, Esquire, who, being chosen a Member for the said Fourth Riding of the County of *York*, and also for the County of *Hastings*, hath made his election to serve for the said County of *Hastings*; *Louis Hypolite Lafontaine*, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the twenty-first day of September, one thousand eight hundred and forty-one, (addressed to *Thomas Amiot*, Esquire, late Clerk of the Crown in Chancery,) which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,  
Clerk of the Legislative Assembly.

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Office of the Clerk of the Crown in Chancery,  
*Kingston, 14th June, 1842.*

Province of *Canada*.

County of  
*Vercheres*.

This is to certify that, in virtue of a writ of election, dated the fourth day of December, now last past, issued by His Excellency, Sir *Richard Downes Jackson*, Administrator of the Government, and directed to the Returning Officer of the County of *Vercheres*, (*Alexis Pinet*, Esquire,) for the election of a Member for the said County of *Vercheres*, in the room of *Henri Desrivieres*, Esquire, who, since his election for the said County, hath resigned his seat; *James Leslie*, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the twenty-eighth day of December, now last past, (addressed to *Thomas Amiot*, Esquire, late Clerk of the Crown in Chancery,) which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,  
Clerk of the Legislative Assembly.

Office of the Clerk of the Crown in Chancery,  
*Kingston, 14th June, 1842.*

Province of *Canada*.

County of  
*Nicolet*.

This is to certify that, in virtue of a writ of election, dated the twenty-first day of January, now last past, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the County of *Nicolet*, (*Bazile Lupien*, Esquire,) for the election of a Member for the said County of *Nicolet*, in the room of *A. Norbert Morin*, Esquire, who hath resigned his seat; *Louis Michel Viger*, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the fifteenth of February, now last past, (addressed to *Thomas Amiot*, Esquire, late Clerk of the Crown in Chancery,) which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,  
Clerk of the Legislative Assembly.

Office of the Clerk of the Crown in Chancery,  
*Kingston, 22nd April, 1842.*

Province of *Canada*.

County of the  
*Lake of Two Mountains*.

This is to certify that, in virtue of a writ of election, dated the twenty-ninth day of March, last past, issued  
by

by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the County of the *Lake of Two Mountains*. (*Daniel de Hertel*, Esquire,) for the election of a Member for the said County of the *Lake of Two Mountains*, in the room of *Colin Robertson*, Esquire, deceased, whose seat has become vacant: *C. John Forbes*, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the eighteenth day of April, instant, which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,

Clerk of the Legislative Assembly.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 14th June, 1842.

Province of *Canada*.

This is to certify that, in virtue of a writ of election, dated the ninth day of May, now last past, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the County of *Bellechasse*. (*Leger Lanniere*, Esquire,) for the election of a Member for the said County of *Bellechasse*, in the room of *Augustin Guillaume Ruel*, Esquire, who has vacated his seat by his acceptance of the office of Registrar of the District of *Rimouski*: *Abraham Targeon*, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the sixth day of June, instant, which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,

Clerk of the Legislative Assembly.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 10th July, 1842.

Province of *Canada*.

This is to certify that, in virtue of a writ of election, dated the tenth day of June last, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the County of *Rouville*. (*Hiram W. Hitchcock*, Esquire,) for the election of a Member for the said County of *Rouville*, in the room of *Alphonse Melchior DeSalaberry*, Esquire, whose seat has become vacant by his acceptance of an office of profit, under the Crown; *William Walker*, Advocate, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the seventh day of July, instant, which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,

Clerk of the Legislative Assembly.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 16th July, 1842.

Province of *Canada*.

This is to certify that, in virtue of a writ of election, dated the ninth day of June last, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the County of *Saint Maurice*. (*C. E. Gagnon*, Esquire,) for the election of a Member for the said County of *Saint Maurice*, in the room of *Joseph Edouard Turcotte*, Esquire, who hath resigned his seat; *Joseph Edouard Turcotte*, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the eighth day of July, instant, which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,

Clerk of the Legislative Assembly.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 14th July, 1842.

Province of *Canada*.

County of  
*Oxford*.

This is to certify that, in virtue of a writ of election, dated the sixteenth day of June last, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the County of *Oxford*. (*John Scatchard*, Esquire,) for the election of a Member for the said County of *Oxford*, in the room of *Francis Hincks*, Esquire, who has resigned his seat: the Honourable *Francis Hincks* has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the sixth day of July, instant, which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,

Clerk of the Legislative Assembly.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 12th August, 1842.

Province of *Canada*.

County of  
*Leinster*.

This is to certify that, in virtue of a writ of election, dated the twelfth day of July, last past, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the County of *Leinster*. (*Philip Mount*, Esquire,) for the election of a Member for the said County of *Leinster*, in the room of *Jean Moysse Raymond*, Esquire, whose seat hath become vacant by his acceptance of the office of Registrar of the District of *Leinster*; *Jacob De Witt*, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the eighth day of August, instant, which is lodged of record in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,

Clerk of the Legislative Assembly.

Office of the Clerk of the Crown in Chancery,  
*Kingston*, 27th August, 1842.

Province of *Canada*.

County of  
*Ottawa*.

This is to certify that, in virtue of a writ of election, dated the twelfth day of July, last past, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the County of *Ottawa*. (*James F. Taylor*, Esquire,) for the election of a Member for the said County of *Ottawa*, in the room of the Honourable *Charles Dewey Day*, whose seat hath become vacant by his acceptance of the office of Puisne Judge of Her Majesty's Court of King's Bench, for the District of *Montreal*; *Denis Benjamin Papineau*, Esquire, has been returned, as duly elected, accordingly, as appears by the return of the said writ, dated the seventeenth day of August, instant, which is lodged in my office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,

Clerk of the Legislative Assembly.

[For the notifications made to Mr. Speaker, and resignations connected with the above Returns, see Appendix (A) at the end of this volume.]

*Louis Hypolite Lafontaine*, Esquire, Member for the Fourth Riding of the County of *York*; *James Leslie*, Esquire, Member for the County of *Vercheres*; *Louis Michel Viger*, Esquire, Member for the County of *Nicolet*; *Charles John Forbes*, Esquire, Member for the County of the *Lake of Two Mountains*; and *Jacob De Witt*, Esquire, Member for the County of *Leinster*.

Members take  
oath.

County of  
*Bellechasse*.

County of  
*Rouville*.

County of  
*Saint Maurice*.

*Leinster*, having previously taken the oath, according to law, and subscribed, before the Commissioners, the Roll containing the same, took their seats in the House.

Fines, penalties and forfeitures bill.

*Ordered.* That the Honourable Mr. *Harrison* have leave to bring in a Bill to regulate the appropriation of Fines, Penalties, and Forfeitures.

He accordingly presented the said Bill to the House; and the same was received and read for the first time, and ordered to be read a second time on this day week.

Mr. Speaker reports Speech.

Mr. Speaker then reported that, when the House did attend His Excellency, the Governor-General, this day, in the Legislative Council Chamber, His Excellency was pleased to make a Speech to both Houses of the Provincial Parliament; of which, Mr. Speaker said he had, to prevent mistakes, obtained a copy, which he read to the House, and is as followeth:—

Speech.

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

The melancholy event which marked the close of the last Session, and which must still be fresh in your memory and your regrets, has imposed upon me the responsibility of maturing and carrying into effect numerous important measures, and has caused a corresponding necessity for delay in calling you together.

Since you last met, several events of interest to this Province and the British Empire have occurred, the issue of which has been mercifully directed by Providence for the security and advantage of both.

The birth of a Prince, destined, under God's protection, to occupy the British Throne, is a source of rejoicing to all Her Majesty's faithful subjects; and you will, I am sure, join with me in cordial congratulations to the Queen and Her August Consort upon this event, so conducive to their domestic happiness, and so auspicious for the nation.

You will also, I am confident, unite with one voice in thanksgiving to Almighty God, that He has been pleased to avert from our beloved Sovereign the danger to which she has been exposed by the treasonable attempt of an assassin, and by the malice of the reckless and wicked; and will join in the prayer, that He will continue to watch over, and long to preserve, a life so justly dear to all classes of Her Majesty's subjects.

I rejoice that I am able to acquaint you, that a Treaty between *Great Britain* and the *United States* has been signed on the part of Her Majesty, and since ratified by the Federal Senate, by which the important questions affecting this Province and the *United States* have been adjusted. From this happy settlement, the ratification of which by Her Majesty I hope soon to be able to announce to you, I augur the most favourable consequences to the Province, in the maintenance of peace, the restoration of confidence, and the devotion of the undivided energies of its inhabitants to the internal advancement and the development of the vast resources of the country. These have been among Her Majesty's chief objects in the negotiation of this Treaty; and I am commanded by the Queen to state to you, that no wish is nearer to Her Majesty's heart, than that, under Her rule and the protection of Her Crown, all Her faithful subjects in *Canada* may rest in undisturbed peace—may feel themselves to be one people with their fellow subjects in the British Islands—and may increase in wealth, prosperity, and contentment, founded on the possession and rational enjoyment of a free and essentially British constitution.

Gentlemen of the House of Assembly,

I have unfeigned satisfaction in informing you that Her Majesty's Government have redeemed, in the

fullest manner, the munificent promise made by their predecessors, to guarantee the Loan contemplated by this Province; and I shall lay before you, without delay, the Act of the Imperial Parliament which gives effect to their intention. I have been in correspondence with Her Majesty's Government upon the mode in which the assistance thus given can be made most available to the Province, and I shall have occasion to make an important communication to you upon this subject. In the meantime, I have adopted every means at my command to obviate the inconveniences of delay, and to advance the Public Works; and I hope, before the expiration of the present season, to be able to extend them considerably. I have directed that full information, as to the operations of the past year, shall be laid before you.

It has been found impracticable to carry into effect in *England* the arrangement proposed last year for the assistance of deserving emigrants. In redemption, however, of the pledge made upon this subject, Her Majesty's Government have obtained from Parliament a grant of money in aid of destitute emigrants upon their arrival in this country. It will, meanwhile, be satisfactory to you to know, that, although the number of emigrants who have arrived directly from the Mother Country, or through the neighbouring States, during the present season, has been much larger than during the corresponding period of last year, no serious destitution has prevailed among them, which would render it necessary for me to apply to you to devise means for their relief; and I have every reason to hope that there are the best prospects of their ultimate success and prosperity.

The condition of the Public Revenue is highly satisfactory. The patriotic measure, adopted by the Legislature during the last Session, to provide by means of increased taxes upon imports for restoring the credit of the Province, and meeting the charge about to be created for the completion and extension of the Public Works, has been eminently successful. The Tariff of the Imperial Parliament for the British Possessions in *North America*, framed, as it is, in a most generous spirit as regards this Province, will promote essentially its financial and commercial interests. The provisions of the Imperial Act will probably call for corresponding alterations in the Provincial scale of duties; and I shall, at an early period, require your advice and assistance in making the Revenue Laws of this Province consistent in themselves, and harmonious with the enactments of the Imperial Parliament.

Her Majesty's Government have evinced a most liberal disposition in the consideration of the duties on agricultural produce, in connection with the trade of *Canada*; and I am led to hope that an arrangement may be made to extend the market for Canadian produce, in a manner alike advantageous to this Province and the Mother Country.

I have directed that the accounts of the Revenue and Expenditure of the past year, with the Estimates for the ensuing year, be laid before you.

Honourable Gentlemen and Gentlemen,

I have given much attention to the operation of the great measures passed last Session, and I shall have occasion to propose to you modifications in certain of them, with the view of giving effect to their provisions, in development of the principles on which they are founded, and in harmony with the spirit of those institutions under which they are framed.

The important measure for the establishment of District Councils, the details of which experience alone could perfect, will come under revision; and I hope for your cheerful aid in considering the amendments which will be proposed, with the view of removing all obstacles to the smooth and efficient operation of these Institutions.

I have



Speech.

I have endeavoured to work out the objects which the Legislature contemplated in passing an Act for the promotion of Education; and I have not hesitated to adopt such measures as I deemed to be indispensable to the accomplishment of their intentions, until the subject could again be brought under their consideration; but it will be necessary to introduce several amendments into the measure, in order to ensure its successful and beneficial operation. In the meantime, it is gratifying to know the impulse which has been given to Education, in its higher as well as in its elementary branches. The result cannot fail to confer the most material benefits upon the whole Province.

The re-organization of the Militia is also a subject to which I shall have to call your attention, as the present seems a favourable opportunity to alleviate unnecessary pressure upon the people, and to place this arm of the public defence upon a sounder and more satisfactory footing.

In perfecting these and other measures which will be brought before you, and in all your labours for the advancement of the welfare of the Province, you may rely upon my cordial co-operation and support. It is my earnest hope that a spirit of moderation and harmony may animate your councils and direct your proceedings. The Province has at length happily recovered from a state of severe trial and danger, and a bright dawn now opens upon its prospects. The promise of peace, secured upon an honourable and advantageous basis—the re-establishment of tranquillity and security—the restoration of financial credit and commercial confidence, with the enjoyment of free and permanent institutions—are blessings for which *Canada* has reason to be grateful, and which, I feel assured, it will be your effort to preserve, and your pride to perpetuate.

On motion of Mr. *Henry Smith*, seconded by Mr. *Dunlop*,

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

The Honourable Mr. Attorney General *Draper*, a Member of the Executive Council, rose in his place and acquainted Mr. Speaker, and the House, that the Honourable *Hamilton H. Killaly*, a Member of this House for the Town of *London*, had resigned his seat, having, since his election, accepted the office of President of the Board of Works, of this Province.

*Ordered*, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to make out a new Writ for the election of one Member, to serve in the present Parliament, for the Town of *London*, in the room and place of the Honourable *Hamilton H. Killaly*, who, since his election, hath accepted the office of President of the Board of Works, of this Province.

On motion of the Honourable Mr. Attorney General *Draper*, seconded by the Honourable Mr. *Harrison*,

*Ordered*, That the Speech of His Excellency, the Governor General, this day delivered to both Houses of the Provincial Legislature, be taken into consideration on Monday next.

On motion of Mr. *Cartwright*, seconded by the Honourable Mr. Attorney General *Draper*,

*Ordered*, That two hundred and fifty copies of the said Speech, be printed, in each of the English

and French languages, for the use of the Members of this House.

*Resolved* That a standing Committee, of five Members, be forthwith appointed, to superintend the printing of this House during the present Session, and that the said Committee have power to report from time to time.

*Ordered*, That Mr. *Morris*, the Honourable Mr. *Neilson*, Mr. *Parent*, Mr. *Johnston*, and Mr. *Merritt*, do compose the said Committee.

The following Petitions were severally brought up, and laid on the table.

By Mr. *Merritt*, the Petition of *George Adams*, and others, of the District of *Niagara*; and the Petition of the *North American Committee* of the Colonial Society. Two Petitions brot up.

Mr. Speaker communicated to the House a Report received from the Librarian, of the present state of the Library of the House, pursuant to a Standing Order of the 19th June, 1841; and also, Library.

A Report upon the division of the Books in the Library, belonging to the Legislature of the late Province of *Upper Canada*, between the Legislative Council and Assembly of *Canada*.

[For the said Reports, see Appendix (B.) at the end of this Volume.]

Then on motion of the Honourable Mr. Attorney General *Draper*, seconded by Mr. *Dunlop*,  
The House adjourned.

Veneris 9<sup>o</sup> die Septembris, 1842.

**WILLIAM Walker**, Esquire, Member for the County of *Rouville*, having previously taken the oath, according to Law, and subscribed before the Commissioners, the Roll containing the same, took his seat in the House. Member takes oath.

Mr. Speaker laid before the House, General Statements and Returns of Baptisms, Marriages, and Burials, in the Districts of *Quebec*, *Montreal*, and *Three Rivers*, for the year 1841, received from the Prothonotaries of the said Districts, in conformity to the Act of the Legislature of the late Province of *Lower Canada*, 6th *George IV.* cap. 8. Returns, Baptisms, &c.

[For the said Statements and Returns, see Appendix (C.) at the end of this Volume.]

The following Petitions were severally brought up, and laid on the table. Two Petitions brot up.

By Mr. *Price*, the Petition of *James McCarthy*, and others.

By Mr. *LaFontaine*, the Petition of *William Rea*, and others, of the Townships of *East* and *West Gwillimbury*.

Mr. *Hale*, Chairman of the Select Committee appointed to try the merits of the Petition of *Robert Melville*, and *John McBride*, Electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting Member for the said Town of *Niagara*, reported to the House, that they met this day at noon, according to Law, and were obliged to adjourn without proceeding to business, in consequence of the absence of Messieurs, *Quesnel*, *Chesley*, *Woods*, and *Thorburn*, Members of the said Committee, without leave of the House. Niagara Election Com. reports.

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

*Resolved*,

Postage to Members ordered to be paid by Clerk.

London (Town) Writ.

Consideration of Speech.

Speech printed.



Routine of  
business.

*Resolved*, That the ordinary Routine of the daily proceedings in this House, in the transaction of business, be as follows (after reading the minutes of the preceding day):—

BRINGING UP Petitions.  
THIRD READING OF Bills.  
READING PETITIONS.  
REFERRING PETITIONS.  
NOTICES TO BE GIVEN.  
PRESENTING REPORTS BY STANDING AND  
SELECT COMMITTEES.  
ORDERS OF THE DAY.

Timber duties,  
&c.

The Honourable Mr. *Neilson* moved, seconded by Mr. *Kimber*, that an humble address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House any Despatch or Despatches, Addressed by or on the part of the Provincial Government to Her Majesty's Secretary of State for the Colonial Department, on the subject of the joint Address of both Houses of the Legislature, of the twentieth of August, one thousand, eight hundred, and forty one, relating to the Timber Duties, and also of any answers received on the subject matter of the said Address.

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

Pardon to State  
offenders.

The Honourable Mr. *Neilson* moved, seconded by Mr. *Kimber*, that an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of any Despatch or Despatches addressed by or on the part of the Provincial Government to Her Majesty's Secretary of State for the Colonies, on the subject of the humble Address of this House, for Her Majesty's Free Pardon, Indemnity, and Oblivion, for acts connected with the late troubles in *Upper and Lower Canada*, and also a copy of any answer or answers, or correspondence relating to the said Address, received from any of Her Majesty's responsible advisers in *England*.

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

Niagara Election.

Mr. *Small* moved, seconded by Mr. *Price*, That the Report of the Select Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting Member for the said Town of *Niagara*, be now read.

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

The said report was read accordingly.

*Resolved*.—That such Members of the said Committee as have not yet arrived, in *Kingston*, be excused their non-attendance in the Committee Room this day, pursuant to the Statute in such case made and provided.

*Resolved*.—That such Members of the said Committee as have arrived in *Kingston*, and were not in attendance, in the Committee Room this day, pursuant to the Statute in such case made and provided, be called upon by the Speaker for their excuses.

The said Members being called upon by Mr. Speaker, Messieurs *Woods*, and *Chesley*, severally rose in their places and explained the cause of their absence.

*Resolved*.—That Messieurs *Woods* and *Chesley*, having explained the cause of their absence from the Committee, be excused their non-attendance on the said Committee this day in the Committee

Room of this House, according to the Statute in such case made and provided.

Mr. *Roblin*, Chairman of the Select Committee appointed to try the merits of the Petitions of divers Electors of the second Riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue Election and Return of *George Duggan*, Esquire, the sitting Member for the second Riding of the County of *York*, reported to the House, that the Honourable *Francis Hincks*, a Member of the said Committee, and Nominee for the Petitioners, having vacated his seat as a Member of the Legislative Assembly, since he was so nominated, and being again returned to represent the same Constituency, the Committee desire the opinion of the House, whether or not the said Honourable *Francis Hincks*, is disqualified from further sitting or acting as a Member thereof.

Then on motion of Mr. *Small* seconded by the Honourable Mr. Attorney General *Draper*.  
The House adjourned till Monday next.

Lunæ 12<sup>o</sup> die Septembris 1842.

**A**BRAMHAM Turgeon, Esquire, Member for the County of *Bellechasse*, and *Denis Benjamin Papineau*, Esquire, Member for the County of *Ottawa*, having previously taken the oath according to Law, and subscribed, before the Commissioners, the Roll containing the same, took their seats in the House.

Mr. Speaker laid before the House, a Statement of the affairs of the "*Champlain and St. Lawrence Rail Road*" as required by the 49th Section of the Act 2nd Will: IV. cap. 28, of the late Province of *Lower Canada*.

[For the said Statement see Appendix (D.) at the end of this Volume.]

The following Petitions were severally brought up, and laid on the table.

By the Honourable Mr. *Neilson*, the Petition of the Minister, Elders, and Trustees of *St. Andrew's Church of Quebec*.

By Mr. *Durand*, the Petition of divers Inhabitants, of the Township of *Wilmot*.

By Mr. *Small*, the Petition of *Franklin White*, and others, Inhabitants of *Markham*, and other places.

By Mr. *Boutillier*, the Petition of the Municipal Council of the District of *St. Hyacinth*.

By Mr. *Forbes*, the Petition of *J. Lefebvre de Bellefeuille*, and others, of the Parish of *St. Eustache*.

By Mr. *Yule*, the Petition of divers Proprietors and Inhabitants of the County of *Chambly*.

By the Honourable Mr. *Jones*, the Petition of *Charles Miller*, of *St. Armand*.

By Mr. *Boswell*, the Petition of *George S. Boulton*, of *Cobourg*; and the Petition of *Malcolm McGregor*, and others, of *Peterborough*.

By Mr. *Roblin*, the Petition of *Robert C. Wilkins*, and others, of the Township of *Ameliasburg*, in the *Prince Edward* District.

By Mr. *Moore*, the Petition of the Municipal Council of the District of *Sherbrooke*.

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

Of *George Adams*, and others, of the District of *Niagara*, praying that a certain provision of the Act to incorporate the *Niagara* District Bank may be repealed.

Of the *North American* Committee of the Colonial Society, setting forth the importance of a free trade

with *Great Britain* in the agricultural productions of *British North America*, and praying that a duty may be laid on the importation of those productions, to protect the farmers of this Province from the competition of Foreigners.

Jos. McCarthy.

Of *James McCarthy*, and others, praying for amendments to the District Council Act.

Inhabitants of E. & W. Gwillimbury.

Of *William Rea*, and others, of the Townships of *East and West Gwillimbury*, praying that a certain portion of the Township of *West Gwillimbury* be annexed to the *Home District*.

Niagara Election.

*Mr. Hale*, Chairman of the Select Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, Electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting Member for the said Town of *Niagara*, reported to the House, that the Committee met on the tenth instant, at ten o'clock, A. M., according to law, and were obliged to adjourn, without proceeding to business, in consequence of the absence of Messieurs *Quesnel* and *Williams*, without leave of the House.

On motion of the Honourable *Mr. Jones*, seconded by *Mr. Hale*,

Duty on agricultural products.

*Resolved*, That this House will, on Wednesday next, resolve itself into a Committee of the whole House, to take into consideration the expediency of imposing a Duty on the Agricultural Products of the neighbouring States, when imported into this Province.

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

Contingents.

*Resolved*, That a Special Committee of nine Members be appointed, to whom the Contingent Accounts and Expenses of this House, during the present Session, shall be referred, with power to report from time to time, and to send for persons, papers, and records.

*Ordered*, That *Mr. Thorburn*, *Mr. DeWitt*, *Mr. Cartwright*, *Mr. Leslie*, *Mr. Merritt*, *Mr. Morris*, *Mr. Parent*, the Honourable *Mr. Neilson*, and *Mr. Alywin*, do compose the said Committee.

Rules of the House.

*Mr. Henry Smith* moved, seconded by *Mr. Merritt*, That a Committee of five Members be appointed, to take into consideration the propriety of altering or amending certain Rules of this House, adopted at its last Session.

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

Printing.

*Resolved*, That *Mr. Merritt* be excused from serving on the standing Committee, appointed to superintend the Printing of this House, during the present Session, and that the House do now proceed to appoint another Member.

*Ordered*, That *Mr. DeWitt* be added to the said Committee.

Lower Canada contested Elections.

On motion of the Honourable *Mr. Neilson*, seconded by the Honourable *Mr. Baldwin*,

*Ordered*, That the entry in the Journals of this House, of the last Session, of the thirteenth September last, of the Resolutions of the House, on the subject of the loss, in the Legislative Council, of the Bill for preventing any failure of Justice on certain outrages, alleged as having occurred during the late General Elections in the Counties of *Terrebonne*, *Montreal*, *Vaudreuil*, *Beauharnois*, *Chambly*, and *Rouville*, be now read; and that the Petitions referred to in the said Bill be also read.

The said Entry and Petitions were read accordingly.

*Resolved*, That a Special Committee, of seven Members, be appointed, to proceed to the enquiry mentioned in the said Resolutions—to report with all convenient speed, and that the said Committee have power to send for persons, papers, and records.

*Ordered*, That the Honourable *Mr. Neilson*, *Mr. Quesnel*, *Mr. Roblin*, the Honourable *Mr. Baldwin*, the Honourable *Mr. Attorney-General Draper*, *Mr. Holmes* and *Sir Allan N. MacNab*, do compose the said Committee.

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

Election Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday, the twenty-sixth instant.

*Ordered*, That *Mr. Leslie* have leave to bring in a Bill to restore, for purposes relative to the election of Members of the Legislative Assembly, the ancient boundaries and limits of the City of *Montreal*.

Limits of Montreal Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

*Ordered*, That *Mr. Cameron* have leave to bring in a Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, and for other purposes relative to the same.

Bill for measurement of timber, masts, &c.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

*Ordered*, That *Mr. Cartwright* have leave to bring in a Bill, to render lands in the hands of Executors and Administrators more available, as assets, for the payment of debts.

Bill to render lands more available as assets.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday the twenty-sixth instant.

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

Judges' Independence Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

On motion of *Mr. Aylwin*, seconded by *Mr. Henry Smith*,

*Resolved*, That the Honourable *Francis Hincks*, a Member of the Select Committee, appointed to try the merits of the Petitions of divers Electors of the Second Riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue election and return of *George Duggan*, Esquire, the sitting Member for the said Second Riding of the County of *York*, and the Nominee of the Petitioners against the return of the said *George Duggan*, having vacated his seat in this House during the recess, has, although re-elected for the same County, ceased to be a Member of the said Committee, and is legally incompetent to serve upon the said Committee, unless re-appointed.

York Election Committee.

The order of the day, for taking into consideration the Speech of His Excellency, the Governor-General, delivered to both Houses of the Provincial Legislature,

Speech.

ture, at the opening of the present Session, being read,

*Ordered.* That the said order of the day be postponed until to-morrow, and that it be then the first order of the day.

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

The House adjourned.

*Martis, 13<sup>o</sup> die Septembris, 1842.*

10 Petitions  
brought up.

**T**HE following Petitions were severally brought up, and laid on the table:—

By the Honourable Mr. *Neilson*, the Petition of *John Bonner* and *William Petry*, of *Quebec*.

By Mr. *Thompson*, the Petition of *Richard Brown*, and others, of the County of *Haldimand*.

By Mr. *Barthe*, the Petition of *E. Cox*, and others, of the Township of *Kingsey*, and other places.

By Mr. *Thorburn*, the Petition of the Municipal Council of the District of *Niagara*, relating to District and Common School Acts; the Petition of the Municipal Council of the District of *Niagara*, relating to Assessments; the Petition of the Municipal Council of the District of *Niagara*, relating to Free Trade with *Great Britain*; the Petition of the Municipal Council of the District of *Niagara*, relating to the *Queenston Road*; the Petition of the Municipal Council of the District of *Niagara*, relating to Roulette Tables, and other idle games; and the Petition of the Municipal Council of the District of *Niagara*, relating to the District Town.

By Mr. *Simpson*, the Petition of Messieurs *Macpherson*, *Crane*, and Company, and others.

Speech.

The order of the day for taking into consideration the Speech of His Excellency, the Governor General, delivered to both Houses of the Provincial Legislature at the opening of the present Session, being read:

Res. in answer  
to Speech.

Mr. *Forbes*, moved to resolve, seconded by Mr. *J. S. Macdonald*, That an humble Address be presented to His Excellency, the Governor General, to thank His Excellency for His gracious Speech from the Throne:

To congratulate His Excellency upon his arrival in this Province, as the Representative of our Most Gracious Sovereign:

To assure His Excellency that we are fully aware that the melancholy event that marked the end of last Session, and which is fresh in our memory, and our regrets, left to His Excellency the arduous task of maturing and carrying into effect numerous important measures of the last Session, and that it must have caused a corresponding necessity for delay in assembling this Provincial Parliament:

That the announcement of several events of great public interest, which have occurred, since the last meeting of the Provincial Parliament, requires, likewise, the expression of thanks to His Excellency; and that we cordially join in His Excellency's acknowledgement of the Mercy of Providence, which has directed these events for the security and advantage of this Province, and of the British Empire:

That we, in common with all Her Majesty's faithful subjects, do sincerely rejoice in the birth of a Prince; destined, under God's protection, to occupy the British Throne; and that we shall gladly avail ourselves of the opportunity afforded, by the present Session, to offer to the Queen, and Her August Consort, our hearty congratulations upon this event, so conducive to their domestic happiness, and so auspicious to the nation:

That we unite in one voice in thanksgiving to Almighty God, that He has been pleased to avert from our beloved Sovereign the danger to which she

has been exposed, by the wicked and treasonable attempt of an assassin; and that we fervently join in the Prayer that He will continue to watch over, and long preserve, a life so justly dear to all classes of Her Majesty's subjects:

Res. in answer  
to Speech.

That we thank His Excellency for notifying to us the signature of a Treaty, between *Great Britain* and the *United States*, on the part of Her Majesty, and ratified by the federal Senate, by which the important questions, affecting this Province and the *United States*, have been adjusted. From this happy settlement we augur the most favourable consequences to this Province, in the maintenance of peace, the restoration of confidence, and the devotion of the individual and collective energies of the Inhabitants of *Canada* to the internal advancement and development of the vast resources she possesses; and that we gratefully acknowledge the Royal solicitude for the welfare of this Province, which placed these among Her Majesty's chief objects in the negotiation of the Treaty; and we receive with gratitude the assurance which, by Her Majesty's command, His Excellency conveys to the Provincial Parliament, that no wish is nearer her heart than that, under her Rule and the Protection of her Crown, all her faithful subjects in *Canada* may rest in undisturbed peace—may feel themselves to be one people with their fellow subjects in the British Isles—and may increase in wealth, prosperity, and contentment, founded on the possession and rational enjoyment of a free and essentially British Constitution:

That we learn, with the greatest satisfaction, that Her Majesty's Government has redeemed, in the fullest manner, the munificent promise, previously made, to guarantee the Loan contemplated by this Province; and that we shall have great pleasure in receiving, from His Excellency, the Act of the Imperial Parliament, which gives effect to such intention; that we shall consider, with the greatest care, the important communication which it is His Excellency's intention to lay before us, on the subject of His Excellency's correspondence with Her Majesty's Government, as to the mode in which the assistance thus given can be made most available to the Province; that we thank His Excellency for the adoption of every means, at His Excellency's command, to obviate the inconveniences of delay, and to advance useful Public Works; and that we are rejoiced to hear the expression of His Excellency's hope to be able to extend them considerably during the present season:

That we have great pleasure in learning from His Excellency, that although it has been found impracticable to carry into effect the arrangement proposed last year for the assistance of deserving Emigrants, Her Majesty's Government, in redemption of the pledge made upon this subject, has obtained from Parliament a grant of money in aid of destitute Emigrants, upon their arrival in this country; and that it is satisfactory to us to know, that although the number of Emigrants who have arrived directly from the Mother Country, or through the neighbouring States, during the present season, has been much larger than during the corresponding period of last year, no serious destitution has prevailed amongst them, which would render it necessary for His Excellency to apply to this House to devise means for their relief; and that we join with His Excellency in the pleasing hope that there are the best prospects of their ultimate success and prosperity:

That it is very gratifying to this House to understand, from His Excellency, that the condition of the public revenue is highly satisfactory, and that the patriotic measure adopted by the Legislature, during the last session, to provide, by means of increased taxes upon imports, for restoring the credit of the Province, and meeting the charge about to be created, for the completion and extension of the Public Works, has been eminently successful:

That

Res. in answer  
to Speech.

That we are of opinion that the Tariff of the Imperial Parliament for the British Possessions in *North America*, framed, as it is, in a most generous spirit, as regards this Province, will promote, essentially, its financial and commercial interests; and that we shall attend with promptitude to the making such necessary alterations in the Provincial scale of duties, as will make the Revenue Laws of this Province consistent in themselves, and harmonious with the enactments of the Imperial Parliament:

That we hear with pleasure and gratitude, that Her Majesty's Government has evinced a most liberal disposition in the consideration of the duties on agricultural produce, in connection with the trade of *Canada*: and that we shall be rejoiced to assist in any arrangement for extending the market for Canadian produce, in a manner alike advantageous to this Province and the Mother Country:

That we shall consider, with the greatest care, the modifications which may be proposed, with a view to giving effect to the great measures of the last Session, which have engaged His Excellency's attention, for the furtherance of their provisions, and in development of the principles on which they are founded, and in harmony with the spirit of the Institutions under which they are framed:

That we shall most cheerfully give our assistance in considering the important measure for the establishment of District Councils, the details of which experience alone can perfect, with a view to introducing such amendments as will remove all obstacles to the smooth and efficient working of these Institutions:

That we shall give our most serious attention, likewise, to the important subject of Education, in order to secure the successful and beneficial operation of the Act passed for its promotion; and that, in the meantime, we are gratified to notice the impulse which has been given to Education, in its higher as well as in its elementary branches—the result of which cannot fail to confer the most essential benefits upon the whole Province:

That we fully concur with His Excellency in thinking the present a favourable opportunity for the re-organization of the Provincial Militia; and that we shall be rejoiced to aid in the adoption of any measure to alleviate unnecessary pressure upon the people, and to place this arm of the public defence upon a sounder and more satisfactory footing:

That we do humbly thank His Excellency for His assurance that, in perfecting these and other measures, and in all our labours, we may rely upon His Excellency's cordial co-operation and support; that we see the Province at length happily recovered from a state of severe trial and danger, and that a bright dawn now opens upon its prospects; that we fully appreciate the promise of peace, secured upon an honourable and advantageous basis—the re-establishment of tranquillity and security—the restoration of permanent credit and commercial confidence, with the enjoyments of free and solid institutions. That these are blessings for which *Canada* has reason to be grateful, and which we assure His Excellency it will be our effort to preserve and our pride to perpetuate.

Amendment.

The Honourable Mr. *Baldwin* moved in amendment, seconded by Mr. *Barthe*, That all the words after "That," in the said motion, be struck out, and the following substituted: "an humble Address be presented to His Excellency, the Governor-General, to thank His Excellency for his most gracious Speech from the Throne, at the opening of the present Session of the Provincial Parliament, and to convey to His Excellency, with an assurance of our regret, for the painful circumstances under which the Government of his Predecessor was

"brought to a close—our hearty congratulations on His Excellency's assumption of the Government of this Province; and to assure His Excellency, that, in the discharge of the high and important duties to which he has been called, His Excellency will at all times receive from this House that support to which, as the Representative of the Sovereign, His Excellency is constitutionally entitled, and of our having no reason to doubt that His Excellency's exercise of the Royal Prerogative, in selecting the present as the period for calling us together, was with a view to the benefit of the public service:

"To assure His Excellency that we sincerely rejoice to learn, that several events of interest to this Province and the British Empire have, since we last met, been, in their issue, mercifully directed by Providence for the security and advantage of both:

"That the birth of a Prince, destined, under God's Providence, to occupy the British Throne, is to us, as it must be to all Her Majesty's faithful subjects, a source of the sincerest joy, and that it will afford us the highest satisfaction to join in cordial congratulations to the Queen and Her August Consort upon this event, so conducive to their domestic happiness, and so auspicious for the nation:

"That we unite, with one voice, in thanksgiving to Almighty God, that He has been pleased to avert from our beloved Sovereign the danger to which she has been exposed by the treasonable attempt of an assassin, and by the malice of the reckless and wicked; and we most heartily join in the prayer that the same Providence will continue to watch over, and long preserve, a life so justly dear to all classes of Her Majesty's subjects:

"That we have received with great satisfaction the information that a Treaty between *Great Britain* and the *United States of America* has been signed on the part of Her Majesty, and since ratified by the Federal Senate, by which the important questions affecting this Province and the *United States* have been adjusted; and that, could we be assured that our domestic affairs would be placed upon a basis calculated to insure the confidence and conciliate the affections of the great mass of the people, in both sections of the Province, we should augur the most favourable consequences from the assurance thus afforded, that peace will be maintained, and that our undivided energies would be thus left to be directed to the advancement and development of those resources which a merciful Providence has so bountifully bestowed upon us:

"That we feel a just confidence that the accomplishment of such happy results has been among Her Majesty's chief objects in the negotiation of the Treaty; and that we receive, with the most profound respect and sincere affection, the assurance, which His Excellency has by the Royal Command conveyed to us, that no wish is nearer to Her Majesty's heart than that, under Her rule and the protection of Her Crown, all Her faithful subjects in *Canada* may rest in undisturbed peace—may feel themselves to be one people with their fellow subjects in the British Islands—and may increase in wealth, prosperity, and contentment; and to assure His Excellency that, for the preservation of these blessings, Her Majesty's faithful Commons of *Canada* desire no other political guarantee than the undisturbed enjoyment of the British Constitution, in all its integrity, as applicable to our condition as one of the Colonial Dependencies of that mighty Empire to which it is still our pride to belong:

"That the high character of the British Government, for fidelity to its pecuniary engagements, gave us a full assurance that its promise to guarantee a Loan for the Province would be faithfully redeemed; and that the Act of the Imperial Parliament which gives effect to that promise, as well as the other information and the communication which

Amendment.

"His

Amendment.

"His Excellency has promised should be laid before us, will receive our most respectful attention :

"That when we shall receive the information respecting the Public Works, which His Excellency has directed to be laid before us, that most important subject will not fail to engage our best attention ; and that it will afford us much satisfaction to find that every means at the command of the Government has been adopted to obviate the inconveniences of delay, and advance those most important objects of public interest :

"That we regret to learn that it was found impracticable to carry into effect, in *England*, the arrangements proposed last year for the assistance of deserving Emigrants ; but we are happy to be informed that Her Majesty's Government have obtained from the Imperial Parliament a grant of money in aid of destitute Emigrants upon their arrival in this country ; and that it is, in the meantime, satisfactory to this House to learn from His Excellency, that though the number of Emigrants who have arrived in the Province during the present season has been much greater than during the corresponding period of last year, no serious destitution has, in His Excellency's opinion, prevailed among them, which, from the means taken to stimulate emigration before arrangements were made for the immediate employment of the Emigrants, we were led to fear might, to some extent at least, have unhappily been the case ; and that we rejoice to learn that, in His Excellency's opinion, there exist such flattering prospects of their ultimate success and prosperity :

"That we shall be happy to find that the condition of the Public Revenue is so satisfactory, and that the measures adopted by the Provincial Parliament during the last Session to provide, by means of taxes upon Imports, for meeting the charge about to be created for the completion and extension of the Public Works, and other exigencies of the Province, have been eminently successful :

"That we will give our most respectful attention to the Tariff of the Imperial Parliament for the British Possessions in *North America* ; and also to the Revenue Laws of the Province, to which His Excellency has directed our attention, with a view to render the latter as harmonious with the enactments of the Imperial Parliament as may be found practicable :

"That this House rejoices to learn that Her Majesty's Government have evinced a liberal disposition in the consideration of the duties on agricultural produce, in connection with the trade of the Province ; and that there is, in the opinion of His Excellency, a hope that an arrangement may be made to extend the market for Canadian produce, in a manner alike advantageous to this Province and the Mother Country :

"That the accounts of the Revenue and Expenditure of the last year will not fail, when laid before us, to receive our most attentive consideration :

"That we regret that the great measures passed during the last Session of the Provincial Parliament were not framed so as to command His Excellency's approbation, and that they should have been found such as not only to render necessary amendment in their details, but to require, in His Excellency's opinion, modifications, in order to give to them principles in harmony with the spirit of the institutions under which they were enacted ; but that this House feels bound respectfully to represent to His Excellency, that while they cannot recognize in the head of the Government the constitutional right to propose specific measures for their adoption, they will, nevertheless, at all times, be most ready to apply their most attentive consideration to any subject to which His Excellency may deem it his duty to direct their attention, with a view to frame

Amendment.

"such measures thereon as the interests of the Province may seem to require ; and that the Act for the establishment of District Councils in *Upper Canada*, as well as the Ordinance of the late Special Council of *Lower Canada*, for the establishment of similar institutions in that part of the Province, shall engage their early attention :

"That this House is thankful to His Excellency for the desire evinced by him for the accomplishment of the wishes of Parliament in carrying into effect the Act for the promotion of Education, and that they rejoice that an impulse has been given to that important source of both public and private happiness and prosperity, in its higher as well as its elementary branches ; and feel assured that the result cannot fail to confer the most important benefits upon the whole Province :

"That to the reorganization of the Militia we shall most readily direct our attention, and rejoice that the present appears a favourable opportunity to alleviate unnecessary pressure upon the people, and to place this arm of the public defence upon a sounder and more satisfactory footing :

"That we are deeply sensible of the great importance of the various matters to which His Excellency has thus been pleased to direct our attention, and feel the utmost satisfaction in the assurance so consonant to the feelings which must ever animate the breast of a true representative of a constitutional Sovereign, that in endeavouring to perfect these measures, as well as in all our labours for the advancement of the welfare of the Province, we may rely with confidence upon His Excellency's cordial co-operation :

"To assure His Excellency that we are most anxious that our counsels should be animated, and our proceedings directed, by that spirit of harmony which is best calculated to lead to results at once useful and permanent :

"That we rejoice in the promise of peace, secured, as we are assured by His Excellency, upon an honourable and advantageous basis, and that we are far from being insensible to the advances which have been made towards the re-establishment of tranquillity and security, and feel grateful to the Almighty for the blessings we are yet permitted to enjoy, and which His Excellency may be assured we shall omit nothing within our power to preserve :

"But that we feel it essential, not only to the satisfactory result of our deliberations on these matters, but to the successful and happy conduct of His Excellency's Government in general, to the preservation of harmony between the different branches of the Provincial Parliament, and to the peace, welfare, and good government of the Province, which this House is persuaded it is the anxious desire of Her Majesty's Government to promote, that the chief advisers of His Excellency, constituting the Provincial Administration under him, should be men possessed of the confidence of the Representatives of the People ; and that we therefore feel it a duty which we owe as well to our Sovereign and our country as to His Excellency himself, to avail ourselves of this the earliest opportunity afforded us, respectfully to submit to His Excellency that that confidence is not reposed in His Excellency's present advisers."

On motion of the Honourable Mr. Neilson, seconded by Mr. Small,

Ordered, That the main motion, and proposed amendment thereto, be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Armstrong took the chair of the Committee ; and after some time spent therein,

Mr.



Mr. Speaker resumed the chair:

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

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

Then, on motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. Attorney-General *Draper*.

The House adjourned.

*Mercurii 14<sup>o</sup> die Septembris, 1842.*

5 Petitions  
brot up.

**T**HE following Petitions were severally brought up, and laid on the table:—

By the Honourable Mr. *Neilson*, the Petition of *William Phillips*, and other landed proprietors of the District of *Nicolet*.

By Mr. *Thorburn*, the Petition of *Henry Smith*, Warden and principal Superintendent of the Provincial Penitentiary.

By Mr. *Walker*, the Petition of *Nicholas Sparks*, of *Bytown*.

By Mr. *Sherwood*, the Petition of *P. L. Fraser*, and others, freeholders of the *Ottawa* District.

By Mr. *Price*, the Petition of the President, Directors, and Company, of the Bank of *Upper Canada*.

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

St. Andrew's  
Church, Quebec.

Of the Minister, Elders, and Trustees, of *St. Andrew's* Church, of *Quebec*, praying an aid for a School.

Inhabitants of  
Wilmot

Of divers Inhabitants of the Township of *Wilmot*, praying not to be separated from the *Wellington* District.

Inhabitants of  
Markham.

Of *Franklin White*, and others, Inhabitants of *Markham*, and other places, praying for a survey of a certain line of road through *Scarborough* and *Markham*.

Mun. Council of  
St. Hyacinthe

Of the Municipal Council of the District of *St. Hyacinthe*, praying that certain amendments be made to the Ordinance establishing Municipal Councils in *Lower Canada*.

Inhabitants of  
St. Eustache.

Of *J. Lefebvre de Bellefeuille*, and others, of the Parish of *St. Eustache*, praying an aid for re-building the Church and Convent destroyed during the late Rebellion.

Inhabitants of  
Chambly.

Of divers Proprietors and Inhabitants of the County of *Chambly*, praying that the privileges of the Mutual Insurance Act of *Canada East* be extended to them.

C. Miller.

Of *Charles Miller*, of *Saint Armand*, praying an indemnity for losses sustained during the late Rebellion.

G. S. Boulton.

Of *George S. Boulton*, of *Cobourg*, praying for the extension of the time for re-payment of a loan from the Provincial funds.

Inhabitants of  
Peterborough.

Of *Malcolm McGregor*, and others, of *Peterborough*, praying that the President of the Board of Works be authorised to liquidate certain debts contracted by the Commissioners appointed to superintend the works on the Inland Waters of the *Newcastle* District.

Inhabitants of  
Ameliasburgh.

Of *Robert C. Wilkins*, and others, of the Township of *Ameliasburgh*, in the *Prince Edward* District, praying for a Legislative enactment confirming a survey made by Mr. *Wilmot*.

Of the Municipal Council of the District of *Sherbrooke*, praying that the Ordinances establishing District Councils in *Lower Canada*, be amended. Sherbrooke Municipal Council.

Of certain Municipal Councillors of the *Home* District, praying that any application to remove a portion of the Township of *West Guillimbury* out of the proposed new District of *Simcoe*, may be rejected. Municipal Councillors of Home District.

*Resolved*, That the Petition of *Franklin White*, and others, Inhabitants of *Markham*, and other places, be referred to a Select Committee composed of Messieurs *Small*, *Williams*, *Price*, and *Duggan*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records. Markham Petition referred.

*Resolved*, That the Petition of *George Adams*, and others, of the District of *Niagara*, presented to the House on the eighth instant, be referred to a Special Committee to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records. Niagara Petition referred.

*Ordered*, That Mr. *Merritt*, Mr. *Holmes*, Mr. *L. M. Viger*, Mr. *Thompson*, and Mr. *Leslie*, do compose the said Committee.

*Resolved*.—That the Petition of *George S. Boulton*, of *Cobourg*, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records. Petition of G. S. Boulton, referred.

*Ordered*.—That Mr. *Boswell*, Mr. *Williams*, Sir *Allan N. McNob*, Mr. *Merritt*, and Mr. *Aylwin*, do compose the said Committee.

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

*Resolved*.—That this House will, on Monday next, resolve itself into a Committee of the whole House, to consider the expediency of continuing and amending an Act passed by the Legislature of the late Province of *Upper Canada*, in the first year of Her Majesty's Reign, intituled, "An Act to authorize the establishment of Boards of Boundary Line Commissioners within the several Districts of this Province." Boundary Line Commissioners' Bill.

*Resolved*.—That a Special Committee be appointed to examine and ascertain the most feasible means of removing obstructions in the navigation of the *Ottawa* and River *St. Lawrence*, and at the same time to extend their enquiries to all other communications of transport within the Province, and to report thereon with all convenient speed; with power to send for persons, papers, and records. Ottawa and St. Lawrence navigation.

*Ordered*.—That Mr. *Crane*, Mr. *Papineau*, Mr. *Merritt*, Mr. *Johnston*, the Honourable Mr. *Baldwin*, Mr. *D. McDonald*, and Mr. *Simpson*, do compose the said Committee.

On motion of Mr. *Hamilton*, seconded by Mr. *Aylwin*,

*Resolved*.—That this House, will, on Monday next, resolve itself into a Committee of the whole House, to consider the expediency of repealing certain parts of an Act of the last Session, imposing Duties on Salt, Nets, and other fishing tackle. Salt and Fishing tackle, duty Bill.

On motion of Mr. *Henry Smith*, seconded by Mr. *Roblin*,

*Resolved*.—That the Select Committee appointed to try the merits of the Petitions of divers electors of the second Riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue Election and return of *George* York Election.

*George Duggan*, Esquire, the sitting Member for the said second Riding of the County of York having been reduced to less than nine members, for three successive days, be dissolved.

On motion of Mr. *Baldwin*, seconded by Mr. *Kimber*.

*Resolved*.—That the Petitions of *Connell James Baldwin*, Esquire, and others, complaining of the undue Election and return of *George Duggan*, Esquire, the sitting Member for the second Riding of the County of York, be taken into consideration to-morrow, at three o'clock, p. m., the Select Committee appointed to try the said Petition, having been reduced to a less number than nine, and having continued so during three sitting days of the present Session.

Address, Congratulation.

On motion of the Honourable Mr. Attorney General *Draper*, seconded by Mr. *Simpson*,

*Resolved*.—That an humble Address be presented to Her Majesty, offering to Her Majesty the cordial congratulations of this House, on the birth of the Prince of Wales, and that a similar Address be presented to His Royal Highness, Prince *Albert*, and that a Special Committee of three Members be named for the purpose of preparing the said Address.

*Ordered*.—That the Honourable Mr. Attorney General *Draper*, Mr. *Lafontaine*, and the Honourable Mr. *Moffatt*, do compose the said Committee.

*Resolved*.—That an humble Address be presented to Her Majesty, to declare the heartfelt gratitude of Her Majesty's faithful Commons of this Province, that it has pleased Divine Providence to shield their beloved Sovereign from the treasonable attempt of a reckless and wicked assassin; and expressing their earnest prayer that the same Almighty Power will continue to watch over, and long to preserve a life so justly dear to all classes of Her Majesty's subjects;—and that the Committee to which was referred the last resolution, do prepare the said Address.

Answer to Speech.

The order of the day for the House in Committee on the draught of a proposed Address to His Excellency, the Governor-General, in answer to His Excellency's Speech at the opening of the Session, and on the proposed amendment to the said draught, being read,

*Ordered*.—That the said order of the day be postponed until Friday next.

Agricultural products.

The order of the day for the House in Committee to take into consideration the expediency of imposing a Duty on the Agricultural products of the neighbouring States, when imported into this Province, being read,

*Ordered*. That the said order of the day be postponed until Monday next.

Then, on motion of Mr. *Duggan*, seconded by Mr. *Barthe*.

The House adjourned.

*Jovis 15<sup>o</sup> die Septembris, 1842.*

York contested Election.

THE hour appointed for taking into consideration the Petitions of *Connell James Baldwin*, Esquire, and others, complaining of the undue Election and return of *George Duggan*, Esquire, as a Member to represent the second Riding of the County of York, in this present Parliament, being come,

The House proceeded to the appointment of a Select Committee to try and determine the merits of the said Petitions.

The Serjeant-at-Arms was directed by Mr. Speaker to go with the mace to the places adjacent and require the attendance of the Members on the business of the House;

And he went accordingly;

And being returned, the House was counted and, more than thirty Members being present,

Mr. Speaker called upon the Petitioners, their Counsel or Agents, to appear at the Bar.

*John Ross*, Esquire, appeared at the Bar as Counsel for the Petitioners.

Mr. Speaker called upon the sitting Member, his Counsel or Agent, to appear at the Bar.

The sitting Member appeared at the Bar in his own behalf.

Mr. Speaker then desired the Serjeant-at-Arms to lock the doors;

And the doors being locked accordingly, and the order of the day for taking the said Petitions into consideration, being read, the attestation of the Speaker was taken from off the Box, in which, agreeably to the Statute, the names of all the Members of the House were sealed up, and the same was read by the Clerk, as follows:

I attest that this Box was, on the fifteenth day of September, 1842, made up in my presence, in the manner directed by an Act passed in the fourth year of the Reign of His late Majesty King *George* the Fourth, intituled, "An Act to repeal an Act passed in the forty-fifth year of His late Majesty's Reign, intituled, 'An Act to regulate the trial of Controverted Elections or Returns of Members to serve in the House of Assembly,' and to make more effectual provision for such trials."

*Austin Cuvillier*,

Speaker.

The Box was then opened, and the attestation of the Clerk was taken out of the Box, and read by him, as follows:

I attest that I did, on Thursday, the fifteenth day of September, 1842, in presence of the Speaker of this House, put into a Box, in which this attestation is found, the names of all the Members composing the present Legislative Assembly, written upon slips of Parchment, and rolled up as directed by an Act passed in the fourth year of the Reign of His late Majesty King *George* the Fourth, intituled, "An Act to repeal an Act passed in the forty-fifth year of His late Majesty's Reign, intituled, 'An Act to regulate the trial of Controverted Elections or Returns of Members to serve in the House of Assembly,' and to make more effectual provision for such trials."

*W. B. Lindsay*,

Clerk of Assembly.

The names of all the Members were taken out of the Box, and put into three other Boxes.

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn, to which no objection was taken:

- |                                |                         |
|--------------------------------|-------------------------|
| 1. <i>Armstrong.</i>           | 13. <i>Henry Smith.</i> |
| 2. <i>Morris.</i>              | 14. <i>Moffatt.</i>     |
| 3. <i>Merritt.</i>             | 15. <i>Draper.</i>      |
| 4. <i>Crane.</i>               | 16. <i>Cartwright.</i>  |
| 5. <i>Taschereau.</i>          | 17. <i>Child.</i>       |
| 6. <i>Noel.</i>                | 18. <i>Parke.</i>       |
| 7. <i>Dunlop.</i>              | 19. <i>Parent.</i>      |
| 8. <i>Sir Allan N. MacNab.</i> | 20. <i>Price.</i>       |
| 9. <i>Steele.</i>              | 21. <i>Hamilton.</i>    |
| 10. <i>Roblin.</i>             | 22. <i>Burnet.</i>      |
| 11. <i>Cameron.</i>            | 23. <i>Baldwin.</i>     |
| 12. <i>Sherwood.</i>           |                         |

Twenty-one names were drawn and set aside, or excused, as follows:

Seven against whom Petitions are now pending;

Eleven serving on Election Committees;

Three exempted, from age.

Twenty-seven names were also drawn of Members who were absent.

Mr.

York contested  
Election.

Mr. *Boswell* was chosen Nominee for the Petitioners.  
Mr. *Aylwin* was chosen Nominee for the sitting Member.

The parties being severally called upon for an exchange of Lists of Witnesses, agreed to the Lists produced during the last Session.

At a quarter to four o'clock, p. m. Mr. *Alfred Patrick*, Clerk to the Select Committee, retired with the parties, for the purpose of striking said Committee.

At four o'clock, p. m. the Clerk to the Select Committee delivered to the Clerk of the House a list containing the names of nine Members, instructed, composing the Select Committee, which is as follows:

Names of the Members remaining on the List to try the merits of the Petitions of *Connell James Baldwin*, Esquire, and others, complaining of the undue Election and Return of *George Duggan*, Esquire, as a Member to represent the Second Riding of the County of *York*, in the present Parliament:

- |                        |                         |
|------------------------|-------------------------|
| 1. <i>Cameron</i> .    | 6. <i>Henry Smith</i> . |
| 2. <i>Merritt</i> .    | 7. <i>Child</i> .       |
| 3. <i>Crane</i> .      | 8. <i>Parke</i> .       |
| 4. <i>Taschereau</i> . | 9. <i>Baldwin</i> .     |
| 5. <i>Roblin</i> .     |                         |

Nominee for the Petitioners, Mr. *Boswell*.  
Nominee for the sitting Member, Mr. *Aylwin*.  
*Alfred Patrick*,  
Clerk to Committee.

The said nine Members and the Nominees were then severally sworn at the table, by the Clerk, in the usual manner.

On motion of Mr. *Boswell*, seconded by Mr. *Aylwin*.

*Ordered*, That the Select Committee, appointed to try the merits of the Petitions of *Connell James Baldwin*, Esquire, and others, complaining of the undue election and return of *George Duggan*, Esquire, as a Member to represent the Second Riding of the County of *York*, in the present Parliament, do meet in a Committee Room of this House, to-morrow, at ten o'clock, a. m.

The following Petitions were severally brought up, and laid on the table:—

By Mr. *Morris*, the Petition of the President, Directors and Company, of the Commercial Bank of the *Midland* District.

By Mr. *Delisle*, the Petition of *R. B. McGinnis*, and others, of the County of *Huntingdon*; the Petition of *E. W. Douglas*, President of the Agricultural Society for the County of *Huntingdon*, and others; and the Petition of *Traver Van Vliet*, and *John Odell*, of *Lacolle*.

By the Honourable Mr. Attorney General *Draper*, the Petition of divers Freeholders and Inhabitants of the township of *Lochiel*, and other places.

By Mr. *McLean*, the Petition of *George Macdonell*, and others, Inhabitants of the *Eastern* and *Ottawa* Districts.

By Mr. *Thompson*, the Petition of the President, Directors and Company, of the *Gore* Bank.

By Mr. *Williams*, the Petition of *T. Ward*, and others, of the town of *Port Hope*, in the County of *Durham*, in the *Newcastle* District, and the Petition of *John Knowlson*, and others, of the townships of *Cavan* and *Manvers*.

By Mr. *Sherwood*, the Petition of *Paul Glassford*, and others, Inhabitants of the town of *Brockville*; and the Petition of *Silvester Skinner*, Inhabitant of the town of *Brockville*.

By the Honourable Mr. *Hincks*, the Petition of *M. M. Crawford*, and others, of *Bayham*; the Petition of the District Council of the *London* District; the Petition of *Leonard Wilcox*, of *Toronto*; and the Petition of *L. J. Hutchinson*, and others, of *Bayham*.

By Mr. *Powell*, the Petition of *James Wilson*, and others, of the township of *Bayham*; and the Petition of the Municipal Council of the District of *Talbot*.

By Captain *Steele*, the Petition of *John Garbutt*, and others, Inhabitants of the County of *Simcoe*.

By Mr. *Kimber*, the Petition of the Reverend *T. Cooke*, *S. B. Hart*, and others, Inhabitants of the District of *Three Rivers*.

By the Honourable Mr. *Baldwin*, the Petition of *Joseph Bradshaw*, and others, School Commissioners of the township of *Madoc*.

By Mr. *Henry Smith*, the Petition of *Robert Barclay*, and others, of *Kingston*, stone masons.

By Mr. *Aylwin*, the Petition of *Mehitable Shaw*, of *Laprarie de la Magdeleine*, widow of the late *T. H. Woolrich*.

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

Of *John Bonner* and *William Petry*, of *Quebec*, *J. Bonner*, and *W. Petry*, praying that justice may be done them in regard of their purchase of certain Crown Lands.

Of *Richard Brown*, and others, of the County of *Haldimand*, praying for the erection of the County of *Haldimand* into a separate District.

Of *E. Cox*, and others, of the township of *Kingsey*, and other places, praying that the Municipal government and District Court be removed to a more eligible situation.

Of the Municipal Council of the *Niagara* District, praying for amendments to the Municipal Council and District School Acts.

Of the Municipal Council of the *Niagara* District, praying for amendments to the present system of assessment.

Of the Municipal Council of the *Niagara* District, praying that a duty be imposed upon American products, introduced into the Province; and that the Imperial Parliament be addressed to pass a law admitting the products of this Province into *Great Britain*, free of duty.

Of the Municipal Council of the *Niagara* District, praying for the completion of the main road from *Queenston* to *Grimsby*.

Of the Municipal Council of the District of *Niagara*, praying that a tax be laid on Roulette tables, and all places of resort for the purpose of gambling.

Of the Municipal Council of the *Niagara* District, praying for an alteration in the site of the District town.

Of Messieurs *Macpherson*, *Crane*, and Company, and others, praying for the enlargement of the *Lachine* Canal, and other improvements thereon.

On motion of Mr. *Simpson*, seconded by Mr. *Crane*.  
*Ordered*, That the Petition of Messieurs *Macpherson*, *Crane*, and Company, and others, be referred to the Special Committee, appointed to examine and ascertain the most feasible means of removing obstructions in the navigation of the *Ottawa* and river *Saint Lawrence*, and at the same time to extend their enquiries to all other communications of transport within the Province.

*Resolved*, That the Petition of *J. Lefebvre de Bellefeuille*, and others, of the Parish of *St. Eustache*, presented to the House on the thirteenth instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

*Ordered*, That Mr. *Forbes*, Mr. *Papineau*, Mr. *Simpson*, Mr. *Johnston*, and Mr. *Leslie*, do compose the said Committee.

*Resolved*, That the Petition of divers Proprietors and Inhabitants of the County of *Chambly*, presented to the House on the twelfth instant, be referred

21 Petitions  
brought up.



referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

*Ordered*, That Mr. Yule, Mr. J. M. Viger, Mr. Barthe, the Honourable Mr. Viger, and Mr. Simpson, do compose the said Committee.

Inhabitants of Ameliasburgh.

*Resolved*, That the Petition of Robert C. Wilkins, and others, of the Township of Ameliasburgh, in the Prince Edward District, presented to the House on the twelfth instant, be referred to a Select Committee, composed of Messieurs Roblin, Cartwright, and McLean, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Bytown Lands.

Mr. Johnston moved, seconded by Mr. D. McDonald, that an humble address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House a copy of all correspondence from the Colonial Office, on the Ordnance Department in Canada, or England, together with the replies thereto; and also a copy of any Report made by Commissioners, touching the tenure of the lots of land in Bytown, purchased by the late Lord Dalhousie, on behalf of the Government.

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

Niagara Contested Election.

Mr. Hale, Chairman of the Select Committee appointed to try the merits of the Petition of Robert Melville and John McBride, Electors of the Town of Niagara, complaining of the undue election and return of Edward Clarke Campbell, Esquire, sitting Member for the said Town of Niagara, reported to the House that the Committee met this morning, at ten o'clock, and were obliged to adjourn, without proceeding to business, in consequence of the absence of Mr. Quesnel, a Member of the said Committee, without leave of the House.

Monetary affairs. Commercial distress.

*Resolved*, That a Special Committee be appointed, to take into consideration the monetary affairs of the Province, and particularly to enquire into the commercial distress now so generally prevalent—to report thereon with all convenient speed; with power to send for persons, papers, and records.

*Ordered*, That Mr. Duggan, the Honourable Mr. Moffatt, Mr. Leslie, Mr. Dunlop, the Honourable Mr. Hincks, Mr. Johnston, Mr. J. M. Viger, Mr. DeWitt, and Mr. Papineau, do compose the said Committee.

Fines appropriation Bill.

The order of the day for the second reading of the Bill to regulate the appropriation of Fines, Penalties and Forfeitures, being read:

*Ordered*, That the said order of the day be postponed until Monday next.

Judges' Independence Bill.

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

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

*Ordered*, That Mr. Aylwin, Mr. Lafontaine, Sir Allan N. McNab, the Honourable Mr. Baldwin, and the Honourable Mr. Viger do compose the said Committee.

Then on motion of the Honourable Mr. Viger, seconded by the Honourable Mr. Hincks, The House adjourned.

VOL. 2.

Veneris 16<sup>o</sup> die Septembris, 1842.

THE following Petitions were severally brought up, and laid on the table:—

16 Petitions  
brought up.

By the Honourable Mr. Neilson, the Petition of the Reverend the Religious Ladies of the Ursuline Convent of Quebec; and the Petition of Augustin Blackburn, and others, Inhabitants of the Parish of St. Etienne de la Malbaie, County of Saguenay.

By Mr. Cameron, the Petition of Thomas McGoey, and others, interested in the Lumber Trade.

By Mr. Moore, the Petition of C. M. Hyndman, of Sherbrooke.

By Mr. Thorburn, the Petition of Walter Wilson, and others, Inhabitants of the town of Niagara.

By the Honourable Mr. Harrison, the Petition of the District Council of the Midland District, relating to the powers and duties of District Councils, &c.: the Petition of the Municipal Council of the Midland District, relating to roads between Lake Ontario and the Ottawa; the Petition of the Municipal Council of the Midland District, relating to macadamized roads; and the Petition of the Mayor and Common Council of Kingston.

By Mr. Harmannus Smith, the Petition of Stephen Jones, and others, of the township of Saltfleet.

By Mr. J. M. Viger, the Petition of H. C. Chandler, and others, Inhabitants of the Municipal District of Nicolet.

By Mr. Parent, the Petition of Mrs. M. G. P. Painchaud, and other Ladies of Quebec, for an Act of incorporation; the Petition of Mrs. M. G. P. Painchaud, and other Ladies, of the City of Quebec, for an aid; the Petition of C. P. Huot, of the Parish of St. Paul's Bay; the Petition of C. P. Huot, and J. M. Patrin, of the Parish of La Baie St. Paul, District of Quebec; and the Petition of the Honourable M. P. De Sales Laterriere, and others, Inhabitants of the County of Saguenay.

Pursuant to the order of the day the following Petitions were read:

Of William Phillips, and others, landed proprietors of the District of Nicolet, praying that the District town be placed in a more central part of the District.

Inhabitants of Nicolet.

Of Henry Smith, Warden and Principal Superintendent of the Provincial Penitentiary, praying for an equivalent in lieu of the use of convicts as servants, of which he has been deprived.

Warden of Penitentiary.

Of Nicholas Sparks, of Bytown, praying that the House may cause to be restored to him certain property of which he has been unjustly dispossessed by the Ordnance Department.

N. Sparks.

Of P. L. Fraser, and others, freeholders of the Ottawa District, praying that they be allowed to redeem certain lands seized by the Sheriff for arrears of taxes.

Freeholders of Ottawa.

Of the President, Directors and Company, of the Bank of Upper Canada, praying that they may be allowed to increase their capital stock.

Bank of Upper Canada.

The Petition of Charles Symmes, Esquire, of Aylmer, one of the Candidates at the late Election for the County of Ottawa, complaining of the undue Election and Return of D. B. Papineau, Esquire, being read,

Chas. Symmes, Esq.

Mr. Cameron moved, seconded by Mr. Forbes, That the time for receiving the said Petition, be extended to the first of October next, in consideration of the prevailing opinion that the controverted Election Law of Lower Canada had expired.

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

YEAS.

E

## YEAS.

Messieurs. *Armstrong, Aylwin, Barthe, Berthelot, Boswell, Boutillier, Burnet, Cameron, Child, Crane, Daly, Derbishire, DeWitt, Dunlop, Duggan, Durand, Forbes, Foster, Gilchrist, Hale, Hamilton, Harrison, Hincks, Hopkins, Kimber, Leslie, Sir Allan N. McNab, D. McDonald, McLean, Merritt, Morris, Neilson, Noel, Parent, Powell, Price, Quesnel, Roblin, Henry Smith, Harmannus Smith, Sherwood, Steele, Tache, Tuschereau, Thompson, Thorburn, Turcotte, Turgeon, D. B. Viger, L. M. Viger, Walker, Williams, and Woods.* (53.) —

## NAYS.

Messieurs. *Black, Cartwright, Delisle, Draper, Dunn, Dunscomb, Johnston, Jones, J. S. Macdonald, Moffatt, Moore, Parke, Simpson, Watts, and Yule.* (15.)

So it was carried in the affirmative, and resolved accordingly.

N. Sparks.

*Resolved.*—That the Petition of *Nicholas Sparks*, of *Bytown*, be referred to a Special Committee to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

*Ordered.*—That *Mr. Walker, Mr. Johnston, Mr. Papineau, Mr. Derbishire, and Mr. DeWitt*, do compose the said Committee.

On motion of the Honourable *Mr. Harrison*, seconded by the Honourable *Mr. Daly*,

4th Riding of York, Writ.

*Ordered.*—That *Mr. Speaker* do issue his warrant to the Clerk of the Crown in Chancery, to make out a new writ for the Election of one Member to serve in the present Provincial Parliament for the Fourth Riding of the County of *York*, in the room and place of *Louis Hypolite Lafontaine*, Esquire, who, since his Election, hath accepted the office of Her Majesty's Attorney General, for that part of the Province heretofore *Lower Canada*.

On motion of the Honourable *Mr. Harrison*, seconded by the Honourable *Mr. Dunn*,

Hastings County, Writ.

*Ordered.*—That *Mr. Speaker* do issue his warrant to the Clerk of the Crown in Chancery, to make out a new writ for the Election of one Member to serve in the present Provincial Parliament for the County of *Hastings* in the room and place of *Robert Baldwin*, Esquire, who, since his Election, hath accepted the office of Her Majesty's Attorney General, for that part of the Province heretofore *Upper Canada*.

*Ordered.*—That the Honourable *Mr. Draper* have leave to absent himself from this House, for one week, from Monday next.

*Ordered.*—That *Mr. J. S. Macdonald* have leave to absent himself from this House, until Monday the twenty sixth instant, on urgent business.

On motion of *Mr. Black*, seconded by *Mr. Burnet*,

Seamen description bill.

*Resolved.*—That this House will, on Tuesday next, resolve itself into a Committee of the whole House, to consider the expediency of amending the Act of the Legislature of *Lower Canada*, 47 Geo. III. cap. 9, intituled, "An Act to prevent the desertion of Seamen and others in the sea service, to punish persons encouraging such Seamen and others to desert, or harbouring or concealing them thereafter; and to repeal certain Acts therein mentioned."

On motion of the Honourable *Mr. Jones*, seconded by *Mr. McLean*,

Agriculture Amendment Bill.

*Resolved.*—That this House will, on Tuesday next, resolve itself into a Committee of the whole House, to consider the expediency of amending the Act of 6 Will: IV. cap. 56, of the late

Province of *Lower Canada*, intituled, "An Act to repeal a certain Act therein mentioned, and more effectually to remedy divers abuses prejudicial to agriculture."

*Mr. Hale* moved, seconded by *Mr. Boswell*, That when this House doth adjourn, it will adjourn until tomorrow, at three o'clock, p. m. Adjournment.

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

## YEAS.

Messieurs. *Armstrong, Berthelot, Boswell, Boutillier, Burnet, Chesley, Cook, Dunlop, Dunn, Duggan, Durand, Foster, Gilchrist, Hale, Hamilton, Holmes, Hopkins, Johnston, Jones, Sir Allan N. McNab, McCulloch, J. S. Macdonald, McLean, Merritt, Moffatt, Prince, Roblin, Harmannus Smith, Tache, Thompson, Thorburn, Watts, Williams, and Yule.* (34.)

## NAYS.

Messieurs. *Barthe, Black, Cameron, Cartwright, Crane, Daly, Delisle, Derbishire, DeWitt, Draper, Forbes, Harrison, Hincks, Kimber, Leslie, D. McDonald, Morris, Neilson, Noel, Papineau, Parke, Powell, Simpson, Small, Henry Smith, Turgeon, D. B. Viger, L. M. Viger, and Woods.* (29.)

So it was carried in the affirmative; and, *Ordered* accordingly.

On motion of the Honourable *Mr. Jones*, seconded by *Mr. Child*,

*Resolved.*—That this House will, on Thursday next, resolve itself into a Committee of the whole House, to consider the expediency of amending the Ordinance of the Special Council of the late Province of *Lower Canada*, establishing Registry offices. Registry Bill.

*Ordered.*—That *Mr. Cartwright* have leave to bring in a Bill to afford relief, in certain cases, to sellers of real estate in *Canada West*, Real Estate (relief to sellers of) Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday the twenty-ninth instant.

The Honourable *Mr. Draper*, from the Special Committee appointed to prepare an humble Address to Her Majesty, offering to Her Majesty the cordial congratulations of this House, on the birth of the Prince of *Wales*, and a similar Address to His Royal Highness Prince *Albert*; and also, an humble Address to Her Majesty, to declare the heartfelt gratitude of Her Majesty's faithful Commons of this Province, that it has pleased Divine Providence to shield their beloved Sovereign from the treasonable attempt of a reckless and wicked assassin; presented to the House the Addresses, prepared by the said Committee, which Addresses were again severally read at the Clerk's table, and agreed to by the House, and are as followeth:— Addresses of congratulation to Her Majesty.

To the Queen's Most Excellent Majesty, Most Gracious Sovereign.

We, your Majesty's dutiful and loyal subjects, the Commons of *Canada*, in Provincial Parliament assembled, most humbly tender to your Majesty our cordial congratulations on the birth of the Prince of *Wales*, an event which we feel to be most auspicious to the whole British Empire, and we are assured must be equally conducive to the domestic happiness of your Majesty and your August Consort.

To His Royal Highness Prince *Albert, Francis, Augustus, Charles, Emmanuel, of Saxe-Cobourg Gotha, Field Marshal in Her Majesty's Forces, &c. &c. &c.*

May it please your Royal Highness.

We, her Majesty's dutiful and loyal subjects, the Commons of *Canada*, in Provincial Parliament assembled,

sembled, most humbly tender to your Royal Highness our cordial congratulations on the birth of the Prince of Wales, an event which we feel to be most auspicious to the whole British Empire, and we are assured must be equally conducive to the domestic happiness of your Royal Highness and our Most Gracious Sovereign.

To the Queen's Most Excellent Majesty.  
Most Gracious Sovereign.

WE, your Majesty's dutiful and loyal subjects, the Commons of *Canada*, in Provincial Parliament assembled, unite with one voice of thanksgiving to Almighty God, that He has been pleased to avert from your Majesty, our beloved Sovereign, the danger to which your Majesty has been exposed by the treasonable attempt of a reckless and wicked assassin, and we most heartily pray that Divine Providence will continue to watch over and preserve a life so justly dear to all classes of your Majesty's subjects.

Ordered, That the said Addresses be engrossed.

Ordered, That Mr. *Burnet* have leave to bring in a Bill to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient Boundaries and Limits of the City of *Quebec*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

The order of the day for the House in Committee on the draught of a proposed Address to His Excellency, the Governor General, in answer to His Excellency's Speech at the opening of the Session, and on the proposed amendment to the said draught, being read;

The House accordingly resolved itself into the said Committee,

Mr. *Armstrong* took the Chair of the Committee, and after some time spent therein;

Mr. Speaker resumed the Chair,

And Mr. *Armstrong* reported, that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Mr. Speaker having put the question—

Shall the Report be now received?

The House divided, and the names being called for, they were taken down, as followeth:

#### YEAS.

Messieurs, *Armstrong, Barthe, Berthelot, Boswell, Boutillier, Cameron, Cartwright, Cook, Daly, Delisle, DeWitt, Draper, Dunscombe, Durand, Forbes, Foster, Gilchrist, Hale, Harrison, Hincks, Holmes, Hopkins, Kimber, Leslie, McCulloch, McLean, Merritt, Moffatt, Moore, Morris, Parent, Parke, Powell, Quesnel, Roblin, Simpson, Small, Harmannus Smith, Tache, Taschereau, Thompson, Thorburn, Turcotte, Turgeon, D. B. Viger, L. M. Viger, Watts, and Williams.* (48.)

#### NAYS.

Messieurs, *Dunlop, and J. S. Macdonald,* (2.)

So it was carried in the affirmative.

And the Report was received, and the said Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

Resolved, That an humble address be presented to His Excellency, the Governor-General, to thank His Excellency for his most gracious Speech from the Throne, at the opening of the present Session of the Provincial Parliament, and to convey to His Excellency, with an assurance of the regret of this House for the painful circumstances under which the Government of his Predecessor was brought to a close, its hearty congratulations on His Excellency's assumption of the Government of this Province; and to

assure His Excellency, that in the discharge of the high and important duties to which he has been called, His Excellency will at all times receive from this House a cordial and constitutional support. That this House feels confident that His Excellency's exercise of the Royal Prerogative, in selecting the present as the period for calling it together, was with a view to the benefit of the public service:

To assure His Excellency, that, this House sincerely rejoices to learn that several events of interest to this Province and the British Empire have, since it last met, been, in their issue, mercifully directed by Providence for the security and advantage of both:

That the birth of a Prince, destined, under God's Providence, to occupy the British Throne, is to this House, as it must be to all Her Majesty's faithful subjects, a source of the sincerest joy, and that it will afford this House the highest gratification to join in cordial congratulations to the Queen and her August Consort upon this event, so conducive to their domestic happiness, and so auspicious for the nation:

That this House unites with one voice in thanksgiving to Almighty God, that He has been pleased to avert from our beloved Sovereign the danger to which she has been exposed by the treasonable attempt of an assassin, and by the malice of the reckless and wicked; and this House most cordially joins in the prayer that the same Providence will continue to watch over, and long preserve a life so justly dear to all classes of Her Majesty's subjects:

That this House has received with great satisfaction the information that a Treaty between *Great Britain* and the *United States of America* has been signed on the part of Her Majesty, and since ratified by the Federal Senate, by which the important questions affecting this Province and the *United States* have been adjusted; and it augurs the most favourable consequences from the assurance thus afforded, that peace will be maintained, and its undivided energies left to be directed to the advancement and development of those resources which a merciful Providence has so bountifully bestowed upon us:

That this House feels a just confidence that the accomplishment of such happy results has been among Her Majesty's chief objects in the negotiation of the Treaty; and that it receives with the most profound respect and sincere affection the assurance, which His Excellency has, by Royal Command, conveyed to it, that no wish is nearer to Her Majesty's heart, than that, under her rule and the protection of her Crown, all her faithful subjects in *Canada* may rest in undisturbed peace—may feel themselves to be one people with their fellow subjects in the British Islands—and may increase in wealth, prosperity, and contentment; and to assure His Excellency, that for the preservation of those blessings, Her Majesty's faithful Commons of *Canada* desire no other guarantee than the enjoyment of the British Constitution in all its integrity, as applicable to its condition as one of the Colonial Dependencies of that mighty Empire to which it is its pride to belong:

That the high character of the British Government for fidelity to its pecuniary engagements, gave a full assurance of its promise to guarantee a Loan for the Province being faithfully redeemed; and that the Act of the Imperial Parliament which gives effect to that promise, as well as the other information and the communication which His Excellency has promised should be laid before it, will receive its most respectful attention:

That

Ancient limits of Quebec.

Committee of whole on answer to Speech.

Resolution in answer to Speech.

Resolution in answer to Speech.

That when this House shall receive the information respecting the Public Works which His Excellency has directed to be laid before it, that most important subject will not fail to engage its best attention; and that it will afford this House much satisfaction to find that every means at the command of the Government has been adopted to obviate the inconveniences of delay, and advance those most important objects of public interest:

That this House regrets to learn that it was found impracticable to carry into effect in *England* the arrangements proposed last year for the assistance of deserving Emigrants; but it is happy to be informed that Her Majesty's Government have obtained from the Imperial Parliament a grant of money in aid of destitute Emigrants upon their arrival in this country; and that it is in the meantime satisfactory to this House to learn from His Excellency, that though the number of Emigrants who have arrived in the Province during the present season has been much greater than during the corresponding period of last year, no serious destitution has prevailed among them; and that this House rejoices to learn that there exist such flattering prospects of their ultimate success and prosperity:

That this House is happy to learn that the condition of the Public Revenue is so satisfactory, and that the measures adopted by the Provincial Parliament during the last Session, to provide by means of increased taxes upon Imports, for meeting the charge about to be created for the completion and extension of the Public Works and other exigencies of the Province, have been eminently successful:

That this House will give its most respectful attention to the Tariff of the Imperial Parliament for the British Possessions in *North America*: which has, it feels assured, been founded, as regards this Province, in a most generous spirit; and that this House will also apply itself to the consideration of the Revenue Laws of this Province, to which His Excellency has directed its attention, with a view to render the latter as harmonious with the enactments of the Imperial Parliament, as may be found practicable:

That to this House it affords the highest gratification to learn that Her Majesty's Government have evinced a most liberal disposition in the consideration of the duties on agricultural produce, in connection with the trade of the Province; and it rejoices that His Excellency is led to hope that an arrangement may be made to extend the market for Canadian produce, in a manner alike advantageous to this Province and the Mother Country:

That the accounts of the Revenue and Expenditure of the last year, together with the Estimates for the ensuing year, will not fail, when laid before this House, to receive its most attentive consideration:

That this House learns with satisfaction that His Excellency has given much attention to the operation of the great measures past during the last Session of the Provincial Parliament; and that to such modifications as may be constitutionally proposed for its consideration, this House will give its best attention; and that His Excellency may rest assured of its cheerful aid in considering the necessary amendments in the Municipal Institutions of the country:

That this House is thankful to His Excellency for the desire evinced by him for the accomplishment of the wishes of Parliament in carrying into effect the Act for the promotion of Education, and that it rejoices that an impulse

has been given to that important source of both public and private happiness and prosperity, in its higher as well as its elementary branches; and feels assured that the result cannot fail to confer the most important benefits upon the whole Province:

That to the re-organization of the Militia, this House will most readily direct its attention; and it rejoices that the present is a favourable opportunity to alleviate unnecessary pressure upon the people, and to place this arm of the public defence upon a sounder and more satisfactory footing:

That this House is deeply sensible of the great importance of the various matters to which His Excellency has been pleased to direct its attention, and feels the utmost satisfaction in the assurance, so consonant to the feelings which animate the breast of the Representative of our beloved Sovereign, that in endeavouring to perfect these measures, as well as in all its labours for the advancement of the welfare of the Province, this House may rely with confidence upon His Excellency's cordial co-operation:

To assure His Excellency that this House is most anxious that its counsels should be animated, and its proceedings directed, by that spirit of harmony which is best calculated to lead to results at once useful and permanent:

That this House rejoices in the promise of peace, upon an honourable and advantageous basis; and that from the advances made towards the establishment of tranquillity and security, it entertains the best hopes of happy results, in securing the enjoyment and consideration of free and permanent institutions, and the restoration of financial credit and commercial confidence, which will be to this House, and to all the Inhabitants of the Province, a source of lasting gratitude.

*Resolved*, That the said Resolution be referred to a Special Committee, to prepare and report the draught of an Address in answer to the Speech of His Excellency, the Governor-General, to both Houses of the Legislature, at the opening of the present Session of the Provincial Parliament, in conformity to the said Resolution.

*Ordered*, That the Honourable Mr. Viger, Mr. Forbes, the Honourable Mr. Moffatt, the Honourable Mr. Draper, and Mr. Quesnel, do compose the said Committee.

The order of the day for the second reading of the Bill to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient boundaries and limits of the City of *Montreal*, being read.

*Ordered*, That the said order of the day be postponed until Wednesday next.

Then on motion of Mr. Delisle, seconded by Mr. Dunlop,  
The House adjourned.

Sabbati 17<sup>o</sup> die Septembris, 1842.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. Black, the Petition of James Maclaren, of Quebec, Gaoler; the Petition of Frederick Mincee, of Quebec, Tipstaff of the Court of King's Bench; the Petition of J. B. Landry, of Quebec, Crier of the Court of King's Bench; and the Petition of Charles Turgeon, of Quebec, Lumber Merchant.

By Mr. Noel, the Petition of the Inhabitants of the County of Lotbiniere.

By

Montreal boundaries.

16 Petitions brot. up.

By Mr. *Cartwright*, the Petition of the Reverend *Thomas Phillips*, of *Etobicoke*, in the *Home* District.

By Mr. *Forbes*, the Petition of *C. P. Treadwell*, of *L'Orignal*, Sheriff; and of *Ignace Raizenne*, of the Parish of *St. Benoit*, Notary.

By Mr. *Henry Smith*, the Petition of the Venerable *G. O. Stuart*, and others, Inhabitants of the Township of *Kingston*; and the Petition of *Isaac Bond*, and others, Inhabitants of the township of *Loughborough*, and other places.

By the Honourable Mr. *Draper*, the Petition of *W. Kingsmill*, Sheriff, and others, of the town of *Niagara*; and the Petition of *John C. Ball*, and others, of the township of *Niagara*.

By Mr. *Deisle*, the Petition of the Inhabitants of *Cote de la Vertu*, Parish of *St. Laurent*, District of *Montreal*, and neighbouring places; and the Petition of *D. D. Eschambault*, and other Inhabitants, of *Laprarie*.

By Mr. *Hale*, the Petition of *Samuel Brooks*, and others, Trustees of the *Sherbrooke* Academy.

By Captain *Steele*, the Petition of *W. H. Richardson*, and others, Inhabitants of the township of *Tecumseth*.

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

Midland District Bank.

Of the President, Directors and Company, of the Commercial Bank of the *Midland* District, praying that they may be allowed to increase their Capital Stock.

R. B. McGinnis.

Of *R. B. McGinnis*, and others, of the County of *Huntingdon*, praying to be indemnified for losses sustained during the late Rebellion.

Agricultural Society, Huntingdon.

Of *E. W. Douglas*, President of the Agricultural Society for the County of *Huntingdon*, and others, praying that the Agricultural Societies of *Canada East* be placed on the same footing as those of *Canada West*.

T. Van Vliet and John Odell.

Of *Traver Van Vliet* and *John Odell*, of *Lacolle*, praying to be indemnified for losses sustained during the late Rebellion.

Inhabitants, Lochiel.

Of divers Freeholders and Inhabitants of the township of *Lochiel*, and other places, praying that certain concessions in the townships of *Lochiel* and *Kenyon*, be annexed to the *Ottawa* District.

Inhabitants, Eastern and Ottawa Districts.

Of *George Macdonell*, and others, Inhabitants of the *Eastern* and *Ottawa* Districts, complaining that the sum of £1500, voted by the Legislature to repair the Post Road from *Cornwall* to the *Ottawa*, has been misapplied, and praying that justice be done in the premises.

Gore Bank.

Of the President, Directors and Company, of the *Gore* Bank, praying that certain amendments be made to the act of incorporation of the said Bank.

T. Ward, and others.

Of *T. Ward*, and others, of the town of *Port Hope*, in the County of *Durham*, in the *Newcastle* District, praying that the plank road now being constructed from the western end of *Rice Lake* to *Lake Ontario*, be discontinued by an Act of the Legislature, and that the monies to be expended on the same, be laid out on the present travelled line of road.

John Knowlson, and others.

Of *John Knowlson*, and others, of the townships of *Cavan* and *Manvers*, praying that an inquiry into the causes of intemperance be instituted, and that such steps be taken as may secure its suppression.

Paul Glasford, and others.

Of *Paul Glasford*, and others, Inhabitants of the town of *Brockville*, praying that a Bankrupt Law may be passed.

Of *Silvester Skinner*, of the town of *Brockville*, praying for a Patent for a threshing and cleaning Machine, invented by himself and two other individuals.

Silvester Skinner.

Of *M. M. Crawford*, and others, of *Bayham*, praying that the lumber trade be protected by the imposition of a duty on lumber imported from the *United States* into this Province.

M. M. Crawford, and others.

Of *Leonard Wilcox*, of *Toronto*, praying to be indemnified for losses sustained by him in consequence of the illegal seizure of his property by a Custom-House Officer.

Leonard Wilcox.

Of *L. L. Hutchison*, and others, of *Bayham*, praying that the township of *Bayham* be annexed to and form part of the District of *Brock*.

L. L. Hutchison.

Of *James Wilson*, and others, of the township of *Bayham*, praying that the said township be annexed to the County of *Norfolk*, in the District of *Talbot*.

Jan. Wilson, and others.

Of the Municipal Council of the District of *Talbot*, praying that the western limits of the County of *Norfolk* be defined.

Talbot District Council.

Of the Reverend *T. Cooke*, *S. B. Hart*, and others, Inhabitants of the District of *Three Rivers*, praying for amendments to the Municipal District Ordinance; for the repeal of the Judicature, Winter Vehicles, and Rural Police, Ordinances; also, for the application of the Jesuits' Estates to the purposes of Education, in *Canada East*; for the concession of the lands of the Crown, in the rear of the town of *Three Rivers*; and protesting against the Union Act.

Rev. T. Cooke, and others.

Of *John Garbutt*, and others, Inhabitants of the County of *Simcoe*, praying that, that part of the township of *West Gwillimbury* commonly known as the old survey, be not annexed to the township of *East Gwillimbury*.

John Garbutt, and others.

Of *Jeptha Bradshaw*, and others, School Commissioners of the township of *Madoc*, praying for certain amendments to the School Act.

Jeptha Bradshaw, and others.

Of *Robert Barclay*, and others, of *Kingston*, Stone Masons, praying to be indemnified for losses sustained by them in consequence of the non-performance of a public contract, from causes beyond their control.

R. Barclay, and others.

Of *Mehitable Shaw*, of *Laprarie de la Magdelaine*, widow of the late *T. H. Woolrich*, stating that her husband died in January last from the effects of a disease contracted while employed as a Captain of Volunteers, during the late Rebellion in *Lower Canada*, and praying relief.

Mehitable Shaw.

Resolved, That the Petition of the President, Directors and Company, of the Commercial Bank of the *Midland* District, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers and records.

Petitions referred: Commercial Bank.

Ordered, That Mr. *Morris*, Mr. *Merritt*, Mr. *L. M. Viger*, Mr. *Leslie*, and Mr. *Holmes*, do compose the said Committee.

Resolved, That the Petition of *James Wilson*, and others, of the township of *Bayham*, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers and records.

Jan. Wilson, and others.

Ordered, That Mr. *Powell*, Mr. *Parke*, Mr. *Merritt*, Mr. *Durand* and Mr. *Yule*, do compose the said Committee.

Resolved,



Geo. Macdonell,  
and others.

*Resolved.* That the Petition of *George Macdonell*, and others, Inhabitants of the *Eastern and Ottawa* Districts, be referred to a Special Committee, to examine the contents thereof, and to report from time to time; with power to send for persons, papers and records.

*Ordered.* That Mr. *McLean*, Mr. *Chesley*, the Honourable Mr. *Neilson*, Mr. *Merritt*, Mr. *Williams*, Mr. *Cook*, and Mr. *Boswell*, do compose the said Committee.

Bank of Upper  
Canada.

*Ordered.* That the Petition of the President, Directors and Company, of the Bank of *Upper Canada*, presented to the House on the fourteenth instant, be referred to the Special Committee to which was referred the Petition of the President, Directors and Company, of the Commercial Bank of the *Midland* District.

Talbot Municipal  
Council.

*Ordered.* That the Petition of the Municipal Council of the District of *Talbot*, be referred to the Special Committee to which was referred the Petition of *James Wilson*, and others, of the township of *Bayham*.

L. L. Hutchison,  
and others.

*Ordered.* That the Petition of *L. L. Hutchison*, and others, of *Bayham*, be referred to the said Committee.

T. Ward, and  
others.

*Ordered.* That the Petition of *T. Ward*, and others, of the town of *Port Hope*, in the County of *Durham*, in the *Newcastle* District, be referred to the Special Committee to which was referred the Petition of *George Macdonell*, and others, Inhabitants of the *Eastern and Ottawa* Districts.

Township of  
Lochiel.

*Resolved.* That the Petition of divers Freeholders and Inhabitants of the township of *Lochiel*, and other places, be referred to a Special Committee to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers and records.

*Ordered.* That the Honourable Mr. Attorney General *Draper*, Mr. *D. McDonald*, Mr. *McLean*, Mr. *Johnston*, and Mr. *Foster*, do compose the said Committee.

Rev. T. Cooke,  
and others.

*Resolved.* That that part of the Petition of the Reverend *T. Cooke*, *S. B. Hart*, and others, Inhabitants of the District of *Three Rivers*, praying for the application of the Jesuits' Estates to the purposes of Education, in *Canada East*; and for the concession of the Lands of the Crown, in the rear of the town of *Three Rivers*, be referred to a Special Committee to inquire into the same, and to report thereon from time to time; with power to send for persons, papers and records.

*Ordered.* That Mr. *Kimber*, Mr. *Turcotte*, the Honourable Mr. *Moffat*, the Honourable Mr. *Neilson*, Mr. *Berthelot*, the Honourable Mr. *Hincks*, and the Honourable Mr. *Viger*, do compose the said Committee.

Address in  
answer to  
Speech.

The Honourable Mr. *Viger* reported, from the Special Committee appointed yesterday to draw up an Address to His Excellency, the Governor General, that they had drawn up an Address accordingly, and the same was read at the Clerk's table, and agreed to by the House, and is as followeth:

To His Excellency, the Right Honourable Sir *Charles Bagot*, G. C. B. one of Her Majesty's Most Honourable Privy Council, Governor-General of British *North America*, and Captain-General and Governor-in-Chief in and over the Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice-Admiral of the same.

May it please your Excellency—

Address in  
answer to  
Speech.

We, Her Majesty's dutiful and loyal subjects, the Commons of *Canada*, in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for Your most gracious Speech from the Throne, at the opening of the present Session of the Provincial Parliament, and to convey to Your Excellency, with an assurance of our regret at the painful circumstances under which the Government of Your Excellency's Predecessor was brought to a close, our hearty congratulation on Your Excellency's assumption of the Government of this Province; and to assure Your Excellency that, in the discharge of the high and important duties to which Your Excellency has been called, you will at all times receive from us a cordial and constitutional support. We feel confident that Your Excellency's exercise of the Royal Prerogative, in selecting the present as the period for calling the Legislature together, was with a view to the benefit of the public service.

We assure Your Excellency, that we sincerely rejoice to learn that several events of interest to this Province and the British Empire have, since the last meeting of the Legislature, been, in their issue, mercifully directed by Providence for the security and advantage of both.

The birth of a Prince, destined, under God's protection, to occupy the British Throne, is to us, as it must be to all Her Majesty's faithful subjects, a source of the sincerest joy, and it will afford to us the highest gratification to join in cordial congratulations to the Queen and her August Consort upon this event, so conducive to their domestic happiness, and so auspicious for the nation.

We unite, with one voice, in thanksgiving to Almighty God, that He has been pleased to avert from our beloved Sovereign the danger to which she has been exposed by the treasonable attempt of an assassin, and by the malice of the reckless and wicked; and we cordially join in the prayer that the same Providence will continue to watch over, and long preserve a life so justly dear to all classes of Her Majesty's subjects.

We receive with great satisfaction the information that a Treaty between *Great Britain* and the *United States of America* has been signed on the part of Her Majesty, and since ratified by the Federal Senate, by which the important questions affecting this Province and the *United States* have been adjusted; and we augur the most favourable consequences from the assurance thus afforded, that peace will be maintained, and our undivided energies left to be directed to the advancement and development of those resources which a merciful Providence has so bountifully bestowed upon us.

We feel a just confidence that the accomplishment of such happy results has been among Her Majesty's chief objects in the negotiation of the Treaty; and we receive with the most profound respect and sincere affection the assurance which Your Excellency has, by the Royal Command, conveyed to us, that no wish is nearer to Her Majesty's heart, than that, under her rule and the protection of her Crown, all her faithful subjects in *Canada* may rest in undisturbed peace—may feel themselves to be one people with their fellow subjects in the British Islands—and may increase in wealth, prosperity, and contentment; and we assure Your Excellency that for the preservation of those blessings, Her Majesty's faithful Commons of *Canada* desire no other guarantee than the enjoyment of the British Constitution in all its integrity, as applicable to its condition as one of the Colonial Dependencies of that mighty Empire to which it is its pride to belong:

The high character of the British Government for fidelity to its pecuniary engagements, gave this House a full assurance of its promise to guarantee a Loan for

Address in  
answer to  
Speech.

for the Province being faithfully redeemed; and the Act of the Imperial Parliament which gives effect to that promise, as well as the other information and the communication which Your Excellency has promised should be laid before us, will receive our most respectful attention.

When we shall receive the information respecting the Public Works, which Your Excellency has directed to be laid before us, that most important subject will not fail to engage our best attention; and it will afford us much satisfaction to find that every means at the command of the Government has been adopted to obviate the inconveniences of delay, and advance those most important objects of public interest.

We regret to learn that it was found impracticable to carry into effect in *England* the arrangements proposed last year for the assistance of deserving Emigrants; but we are happy to be informed that Her Majesty's Government have obtained from the Imperial Parliament a grant of money in aid of destitute Emigrants upon their arrival in this country; and it is in the meantime satisfactory to us to learn from Your Excellency, that though the number of Emigrants who have arrived in the Province during the present season has been much greater than during the corresponding period of last year, no serious destitution has prevailed among them; and we rejoice to learn that there exist such flattering prospects of their ultimate success and prosperity.

We are happy to learn that the condition of the Public Revenue is so satisfactory, and that the measures adopted by the Provincial Parliament, during the last Session, to provide, by means of increased taxes upon Imports, for meeting the charge about to be created for the completion and extension of the Public Works and other exigencies of the Province, have been eminently successful.

We will give our most respectful attention to the Tariff of the Imperial Parliament, for the British Possessions in *North America*; which has, we feel assured, been founded, as regards this Province, in a most generous spirit; and we will also apply our attention to the consideration of the Revenue Laws of this Province, to which Your Excellency has directed our attention, with a view to render the enactments of the latter as harmonious with the enactments of the Imperial Parliament as may be found practicable.

It affords us the highest gratification to learn, that Her Majesty's Government have evinced a most liberal disposition in the consideration of the duties on agricultural produce, in connexion with the trade of the Province; and it rejoices us that Your Excellency is led to hope that an arrangement may be made to extend the market for Canadian produce, in a manner alike advantageous to this Province and the Mother Country.

The accounts of the Revenue and Expenditure of the last year, together with the Estimates for the ensuing year, will not fail, when laid before us, to receive our most attentive consideration.

We learn with satisfaction that Your Excellency has given much attention to the operation of the great measures past during the last Session of the Provincial Parliament; and to such modifications as may be constitutionally proposed for our consideration, we will give our best attention; and Your Excellency may be assured of our cheerful aid in considering the necessary amendments in the Municipal Institutions of the country.

We are thankful for the desire evinced by Your Excellency for the accomplishment of the wishes of Parliament, in carrying into effect the Act for the promotion of Education; and we rejoice that an impulse has been given to that important source of both public and private happiness and prosperity, in its higher as well as its elementary branches; and feel assured that the result cannot fail to confer the most important benefits upon the whole Province.

To the re-organization of the Militia, we will most readily direct our attention; and we rejoice that the present is a favourable opportunity to alleviate unnecessary pressure upon the people, and to place this arm of the public defence upon a sounder and more satisfactory footing.

We are deeply sensible of the great importance of the various matters to which Your Excellency has been pleased to direct our attention, and feel the utmost satisfaction in the assurance, so consonant to the feelings which must animate the breast of the Representative of our beloved Sovereign, that in endeavouring to perfect these measures, as well as in all our labours for the advancement of the welfare of the Province, we may rely with confidence upon Your Excellency's cordial co-operation.

We assure Your Excellency that we are most anxious that all our counsels should be animated, and our proceedings directed, by that spirit of harmony which is best calculated to lead to results at once useful and permanent.

We rejoice in the promise of peace, upon an honourable and advantageous basis; and from the advances made towards the establishment of tranquillity and security, we entertain the best hopes of happy results, in securing the enjoyment and consolidation of free and permanent institutions, and the restoration of financial credit and commercial confidence, which will be to us, and to all the Inhabitants of the Province, a source of lasting gratitude.

*Ordered*, That the said Address be engrossed.

*Resolved*, That the said Address be presented to His Excellency, the Governor-General, by the whole House.

*Ordered*, That such Members of this House as are of the Honourable the Executive Council of this Province, do wait upon His Excellency, the Governor-General, to know His Excellency's pleasure when he will be attended by this House with its Address.

On motion of Mr. *Morris*, seconded by the Honourable Mr. *Hincks*,

*Ordered*, That the officers connected with the several chartered Banks of the Province be respectively directed to lay before this House the statement of the affairs of the said Banks, as required by the Acts of incorporation. Bank Statements.

*Ordered*, That Mr. *Walker* have leave to absent himself from this House, until the fifteenth of October next, on urgent business. Leave of absence to Mr. Walker;

*Ordered*, That Mr. *McLean* have leave to absent himself from the House for one week, from Monday next, on urgent business. And to Mr. McLean.

Then, on motion of the Honourable Mr. *Viger*, seconded by Mr. *Hamilton*,  
The House adjourned,

Luna 19<sup>o</sup> die Septembris, 1842.

MR. Speaker laid before the House the Accounts of the Corporation of the Trinity House, Quebec, received in conformity to the 20th section of the Act 4 & 5 *Victoria*, cap. 15.

[For the said Accounts see Appendix (E), at the end of this volume.]

The following Petitions were severally brought up, and laid on the table:— 14 Petitions brot. up.

By Mr. *Berthelot*, the Petition of the Municipal Council of the District of *Kamouraska*.

By Mr. *Boutillier*, the Petition of the Reverend *Joseph Larocque*, Director of the College of *St. Hyacinthe*.

By

By Mr. *Boswell*, the Petition of the President, Directors and Company, of the *Cobourg Harbour Company*.

By Mr. *Gilchrist*, the Petition of the Municipal Council of the *Colborne District*.

By Mr. *Merritt*, the Petition of the Committee formed at *Toronto*, for the protection of Agriculture.

By Mr. *Harmannus Smith*, the Petition of *Stephen Blackstone*, and others, Elders and Deacons of the Presbyterian Churches of *Pelham*, and other places; and the Petition of the Reverend *Abijah Blanchard*, and others, of the Districts of *Niagara, Gore, and Wellington*.

By Mr. *Moore*, the Petition of *Barnard Young*, of the township of *Compton*.

By Mr. *Parent*, the Petition of *Pierre Lacroix*, and *Joseph Bolduc*, of *Quebec*.

By Mr. *Foster*, the Petition of *Hezekiah Robinson*, and others, of the Counties of *Chambly, Rouville, St. Hyacinthe*, and other places.

By Mr. *Hale*, the Petition of the Reverend *C. P. Reed*, and other members of the Church of *England*, in the township of *Compton*.

By the Honourable Mr. *Neilson*, the Petition of the Honourable *George Pemberton*, and others, Merchants of *Quebec*.

By Mr. *Kimber*, the Petition of certain Censitaires, in the Fiefs and Seigniories belonging to the late Order of Jesuits, within the town and District of *Three Rivers*.

By Mr. *Cartwright*, the Petition of *Simon Delong*, and others, Inhabitants of the township of *Ameliasburg*.

Petitions read,

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

Ladies' Ursuline Convent.

Of the Reverend the Religious Ladies of the Ursuline Convent of *Quebec*, complaining of a decision of the Executive Council of this Province, of the thirteenth December, 1841, and praying relief.

A. Blackburne, and others.

Of *Augustin Blackburne*, and other Inhabitants of the Parish of *St. Etienne de la Malbaie*, in the County of *Saguenay*, complaining that they have not received from Government the lands for their services as Militiamen, and praying relief.

T. McGoey, and others.

Of *Thomas McGoey*, and others, interested in the lumber trade, praying for a law to regulate the duties of disinterested and responsible individuals, for measuring and culling the same.

C. M. Hyndman.

Of *C. M. Hyndman*, of *Sherbrooke*, Keeper of the Court House, praying for an increase of salary.

W. Willson, and others.

Of *Walter Willson*, and others, Inhabitants of the town of *Niagara*, praying for an Act to incorporate the said town.

Midland District Council.

Of the District Council of the *Midland District*, praying for certain amendments to the Municipal Council and School Acts.

Ditto.

Of the Municipal Council of the *Midland District*, praying an aid to open roads through the several Districts between *Lake Ontario* and the *River Ottawa*.

Ditto.

Of the Municipal Council of the *Midland District*, praying that the District macadamized roads be placed under the superintendence of the Board of Works.

Kingston Common Council.

Of the Mayor and Common Council of *Kingston*, praying for an Act enlarging the town of *Kingston*, and incorporating it under the title of "The City of *Kingston*."

S. Jones, and others.

Of *Stephen Jones*, and others, of the township of *Saltfleet*, praying to be reimbursed certain monies paid by them, as Commissioners under an Act of the Legislature of the late Province of *Upper Canada*.

Of *K. C. Chandler*, and others, Inhabitants of the Municipal District of *Nicolet*, praying that the District town be removed to a more central place. K. C. Chandler, and others.

Of Mrs. *M. G. P. Painchaud*, and other Ladies of *Quebec*, praying for an Act of incorporation. M. G. P. Painchaud, and others.

Of Mrs. *M. G. P. Painchaud*, and other Ladies of the City of *Quebec*, praying for an aid for a Female Orphan Asylum, under their control. Ditto.

Of *C. P. Huot*, of the Parish of *St. Paul's Bay*, praying that a certain sum due to the Estate of the late *Louis Belair* by the Government, be reimbursed. C. P. Huot.

Of *C. P. Huot* and *J. M. Potvin*, of the Parish of *La Baie St. Paul*, District of *Quebec*, praying that a certain sum of money be placed at their disposal, to enable them to liquidate certain debts incurred by them, as Commissioners under an Act of the Legislature of the late Province of *Lower Canada*. Do. and J. M. Potvin.

Of the Honourable *M. P. DeSales Laterriere*, and others, Inhabitants of the County of *Saguenay*, praying for the redress of certain public grievances. M. P. DeSales Laterriere, and others.

Of *James Maclaren*, of *Quebec*, Gaoler, praying for an increase of salary. Gaoler of Quebec.

Of *Frederick Mimeo*, of *Quebec*, Tipstaff of the Court of King's Bench, praying to be indemnified for the loss of certain fees, in consequence of the establishment of District Courts in *Canada East*. F. Mimeo, Tipstaff, do.

Of *J. B. Landry*, of *Quebec*, Crier of the Court of King's Bench, praying to be indemnified for the loss of certain fees, in consequence of the establishment of District Courts in *Canada East*. J. B. Landry, Crier of King's Bench, do.

Of *Charles Turgeon*, of *Quebec*, lumber merchant, praying for certain sums of money due to him by the Municipal Council of the District of *Quebec*. C. Turgeon.

Of the Inhabitants of the County of *Lotbiniere*, praying for the repeal of all the Ordinances of the Special Council, imposing taxes; and more especially the Winter Vehicle, Registry Office, District, and Township and Parish officers, Ordinances, and for amendments to the School, District and Division Court, and Union Acts. Inhabitants, Lotbiniere.

Of the Reverend *Thomas Phillips*, of *Etobicoke*, in the *Home District*, praying that his salary as Chaplain to the Legislative Council of the late Province of *Upper Canada*, be continued to him during the remainder of his life. Rev. T. Phillips.

Of *C. P. Treadwell*, of *L'Original*, Sheriff, praying for an Act to afford relief to Sheriffs in certain cases. C. P. Treadwell.

Of the Venerable *G. O. Stewart*, and other Inhabitants of the township of *Kingston*, praying that the limits of the town of *Kingston*, may not be extended so as to include Lot No. 24, in the said township. Ven. G. O. Stewart.

Of *Isaac Bond*, and others, Inhabitants of the township of *Loughborough*, and other places, praying to be set apart into a separate township. I. Bond, and others.

Of *W. Kingsmill*, Sheriff, and others, of the town of *Niagara*, praying that the Petition of the Municipal Council of said District, for the removal of the District town, be rejected. W. Kingsmill.

Of *John C. Ball*, and others, of the township of *Niagara*, praying that the Petition of the Municipal Council of said District, for the removal of the District town, be rejected. John C. Ball, and others.

Of



Inhabitants,  
Cote de la Vertu.

Of the Inhabitants of *Cote de la Vertu*, Parish of *St. Laurent*, District of *Montreal*, and neighbouring places, complaining of the heavy tolls on the turnpike road leading from *Cote des Neiges* to *Montreal*, and praying relief.

D. D'Eschambault, and others.

Of *D. D'Eschambault*, and other Inhabitants of *Laprarie*, praying that the Corporation of the Common of the Parish of *Laprarie de la Magdelaine*, be authorized to convey to the *Fabrique* of the said Parish, certain lands for the purposes of Education.

S. Brooks, and others.

Of *Samuel Brooks*, and others, Trustees of the *Sherbrooke Academy*, praying for the usual aid towards supporting the said Academy during the current year.

Inhabitants,  
Tecumseth.

Of *W. H. Richardson*, and other Inhabitants, of the township of *Tecumseth*, praying the House not to pass a Bill to annex a part of the township of *West Gwillimbury* to the *Home District*.

Petitions referred:  
R. Brown, and others.

*Resolved*.—That the Petition of *Richard Brown*, and others, of the County of *Haldimand*, presented to the House on the thirteenth instant, be referred to a Select Committee composed of Messieurs. *Thompson*, *Cameron*, *Roblin*, *Steele*, and *D. McDonald*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Inhabitants,  
Cote de la Vertu.

*Resolved*.—That the Petition of the Inhabitants of *Cote de la Vertu*, Parish of *St. Laurent*, District of *Montreal*, and neighbouring places, be referred to a Special Committee to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

*Ordered*.—That Mr. *Delisle*, Mr. *Quesnel*, the Honourable Mr. *Viger*, the Honourable Mr. *Neilson*, and Mr. *Holmes*, do compose the said Committee.

N. A. Committee  
Colonial Soc'y.

*Resolved*.—That the Petition of the *North American Committee* of the Colonial Society, presented to the House on the eighth instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon from time to time; with power to send for persons, papers, and records.

*Ordered*.—That Mr. *Merritt*, Mr. *Williams*, the Honourable Mr. *Hincks*, the Honourable Mr. *Neilson*, Mr. *Burnet*, the Honourable Mr. *Moffatt*, Mr. *Leslie*, Sir *Allan N. MacNab*, and the Honourable Mr. *Viger*, do compose the said Committee.

T. McGoey, and others.

*Resolved*.—That the Petition of *Thomas McGoey*, and others interested in the lumber trade, be referred to a Select Committee composed of Messieurs. *Cameron*, *Papineau*, *Derbishire*, *Aylwin*, and *Burnet*, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Niagara Dist.  
Council.

*Ordered*.—That the Petition of the Municipal Council of the *Niagara District*, praying that a Duty be imposed upon American Products introduced into the Province, be referred to the Special Committee to which was referred the Petition of the *North American Committee* of the Colonial Society.

House to attend  
H. E. to-morrow  
noon.

The Honourable Messieurs. *Harrison* and *Hincks*, Members of the Executive Council, reported to the House, that the Governor-General, having been waited upon, pursuant to their order of Saturday last, humbly

to know His Excellency's pleasure, when he will be attended by this House with its Address in answer to the Speech of His Excellency to both Houses of the Legislature, at the opening of the present Session of the Provincial Parliament, had been pleased to appoint to be attended, to-morrow at noon, at the Government House.

Mr. *Yule* from the Special Committee to which was referred the Petition of divers Proprietors, and Inhabitants, of the County of *Chambly*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"Your Committee after duly considering the prayer of the said Petition, are of opinion that it should be granted, and therefore recommend your Honourable House, to pass an Act to amend the Acts authorizing the establishment of Mutual Insurance Companies, in the Eastern section of this Province, so far as to enable the Mutual Insurance Company of the County of *Montreal* to insure for the said County of *Chambly*."

Report on  
Petition of  
Inhabitants of  
Chambly.

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

*Resolved*.—That this House do now resolve itself into a Committee of the whole House, to consider the expediency of altering and amending an Act of the late Parliament of *Upper Canada*, intituled, "An Act better to secure the independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned."

Independence  
Commons  
House of Ass'y.

The House accordingly resolved itself into the said Committee,

Mr. *L. M. Viger*, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair, and Mr. *L. M. Viger* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table and agreed to by the House, and is as followeth:—

*Resolved*.—That the Act of the late Parliament of *Upper Canada*, intituled, "An Act better to secure the Independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned" should be amended.

*Ordered*.—That Sir *Allan N. MacNab* have leave to bring in a Bill to make the law for vacating the seats of Members of the Legislative Assembly accepting office, and for filling up vacancies in that body, uniform throughout this Province.—He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

Act to be made  
uniform.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *Delisle*,

*Ordered*.—That when this House doth adjourn, it will adjourn until to-morrow, at half-past eleven o'clock, a. m.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Burnet*,

*Resolved*.—That an humble address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of the letter addressed by His Excellency, on the thirteenth instant, to *L. H. Lafontaine*, Esquire, then a Member of this House, in reference to certain proposed changes in the Provincial Administration; and also a copy of all the correspondence on the subject.

Correspondence,  
L. H. Lafontaine.

*Ordered*.—That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Standing Committee.

The Honourable Mr. Neilson moved, seconded by the Honourable Mr. Viger. That a Committee of seven Members be appointed to prepare and Report with all convenient speed, Lists of Members of the House to compose Standing Committees.

- First. of PRIVILEGES AND ELECTIONS.
- Second. of GRIEVANCES.
- Third. of COURTS OF JUSTICE.
- Fourth. of PUBLIC ACCOUNTS.
- Fifth. of EDUCATION AND SCHOOLS.
- Sixth. of TRADE.
- Seventh. of AGRICULTURE.
- Eighth. of ROADS AND PUBLIC IMPROVEMENTS.
- Ninth. ON PUBLIC LANDS AND SEIGNIORIAL RIGHTS.
- Tenth. of EXPIRING LAWS AND ENGROSSED BILLS.
- Eleventh. of PRIVATE BILLS.
- Twelfth. for HOSPITALS & CHARITABLE INSTITUTIONS:

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

The Honourable Mr. Viger moved, seconded by Mr. Parent. That the consideration of the said motion be postponed until this day fortnight.

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

Bill for trial of Impeachments.

Ordered.—That the Honourable Mr. Moffatt leave to bring in a Bill to establish a Court in this Province for the trial of Impeachments.— He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Tuesday next.

On motion of Mr. Hamilton, seconded by Mr. Chesley.

Address: Timber cut of Crown Lands, in Bonaventure.

Resolved.—That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House a detailed statement of the Licenses granted and Timber cut on the Crown Lands in the County of Bonaventure, from the year 1835 to the year 1842, both years inclusive, by Robert Ferguson, Arthur Ritchie and Company, Peter and John Adams, William Hamilton, Hugh and John Montgomery, Peter and Donald Stewart, Peter Sutherland, William Cuthbert and Company, Ralph Pritchard, James McCracken, John McDougal, William Carter, William MacPherson, and all others employed in Lumbering in the County of Bonaventure; also of the monies collected, during the same period, by the Land Agent for the District of Gaspé.

Ordered. That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Hamilton, seconded by Mr. Chesley.

Crown Lands and Timber Licenses, in Gaspé.

Resolved, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a detailed statement of the monies received by the Crown Land Agent in Gaspé, in the years 1835, 1836, 1837, 1838, 1839, 1840, 1841 and 1842, on the sales of Crown Lands and Timber Licenses, and the amounts remitted during the said period, shewing what balance, if any, is now due unto the Crown Land Office by the said Agent.

Ordered. That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Burnet.

Addresses of congratulation.

Resolved. That an humble Address be presented to His Excellency, the Governor-General, informing His Excellency, that this House hath voted an humble Address of congratulation to Her Majesty, on the birth of the Prince of Wales; and also, an humble Address to Her Majesty, on her escape from the danger to which she has been exposed by the treasonable attempt of a reckless and wicked assassin; and praying that His Excellency would be pleased to transmit the said Addresses to Her Majesty's Government in England, to be laid at the foot of the Throne.

Resolved, That an humble Address be presented to His Excellency, the Governor General, informing His Excellency, that this House hath voted an Address of congratulation to His Royal Highness Prince Albert, of Saxe Cobourg and Gotha, on the birth of the Prince of Wales, and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Government in England, to be presented to His Royal Highness.

Ordered, That the said Addresses be engrossed.

Resolved, That the said Addresses be presented to His Excellency, the Governor General, by the whole House.

Ordered. That such Members of this House as are of the Honourable the Executive Council of this Province, do wait upon His Excellency, the Governor General, to know His Excellency's pleasure, when he will be attended by this House with its Addresses.

On motion of Mr. Hamilton, seconded by Mr. Chesley.

Resolved, That this House will, on to-morrow, Tuesday, resolve itself into a Committee of the whole House, to take into consideration the expediency of altering and amending the Judicature Acts, relating to the District of Gaspé.

Judicature, Gaspé.

On motion of Mr. Durand, seconded by Mr. Harmannus Smith,

Resolved, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of all returns of monies received within the several Districts of that part of this Province formerly Upper Canada, created, and raised as a Fee fund, by virtue of certain Acts of the last Session of the present Parliament; also the amount of the Fees paid, or liable to be paid, to the several District Judges, and Clerks of the Division and District Courts thereof.

Returns from Fee fund, and Fees paid to District Judges.

Ordered, that the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Yule,

Resolved, That this House do now resolve itself into a Committee of the whole House, to take into consideration the expediency of amending the Law in relation to the Inspection of Pot and Pearl Ashes, in this Province, in conformity with the Resolutions in reference to this matter, adopted by this House in the last Session of the Provincial Parliament; and to confer on the Mayors of cities and towns, and the Wardens or Chief Municipal

Pot and Pearl Ashes.

Municipal Officers, in other places where Inspectors of Pot and Pearl Ashes may be required, the authority to appoint such Inspectors.

The House accordingly, resolved itself into the said Committee,

Mr. *Taschereau* took the Chair of the Committee, and after some time spent therein.

Mr. Speaker resumed the Chair,

And Mr. *Taschereau* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is expedient to amend the Law relative to the Inspection of Pot and Pearl Ashes, in conformity with the Resolutions in reference to this matter, adopted by this House in the last Session of the Provincial Parliament; and to confer on the Mayors of cities and towns, and the Wardens or Chief Municipal Officers, in other places, where Inspectors of Pot and Pearl Ashes may be required, respectively, the authority to appoint such Inspectors.

The Honourable Mr. *Moffatt* moved, seconded by Mr. *Child*, That the said Resolution be referred to a Select Committee, composed of Messieurs *Neilson*, *Burnet*, *Leslie* and *Dunscomb*, to report thereon, by Bill, in conformity therewith.

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

*Resolved*, accordingly.

Leave of absence to Mr. Thorburn.

*Ordered*, That Mr. *Thorburn* have leave to absent himself from this House for one fortnight, on urgent business.

Niagara Election.

*Ordered*, That Mr. *Thorburn*, Member for the South Riding of the county of *Lincoln*, be excused from serving on the Committee appointed to try the contested Election for the town of *Niagara*, during the remainder of the sittings of the said Committee.

Address, for Estimate for connection of Lakes St. Francois and St. Louis.

On motion of Mr. *Simpson*, seconded by Mr. *Thompson*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, the Estimate made by Mr. *Keefer* of £255,900, alluded to in the late Lord *Sydenham's* Message of last Session. (in a memorandum of the Chairman of the Board of Works.) with any Plans, Surveys, Reports or Estimates, relating to the connection of Lakes *St. Francois* and *St. Louis*, by means of a Canal, with a copy of such parts of any despatch or despatches, from the Colonial Secretary, referring to the same subject.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Debtors' Detention.

*Ordered*, That Mr. *Thompson* have leave to bring in a Bill to provide for the detention, and conveyance to Gaol, of Debtors, in certain cases, within *Canada West*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time on Friday next.

Departments of the House.

*Resolved*, That a Special Committee be appointed to inquire into the present state of the Offices and Departments of this House, with a view of ascertaining, if any, and what, vacancies have occurred by resignation, or otherwise, since last Session, and the necessity of filling such vacancy,

if any there be; and that the said Committee have power to report from time to time, and to send for persons, papers and records.

*Ordered*, That Mr. *Taschereau*, Mr. *Aylwin*, Mr. *Leslie*, Mr. *Parent* and Mr. *Simpson*, do compose the said Committee.

On motion of Mr. *Simpson*, seconded by the Honourable Mr. *Jones*,

*Ordered*, That one Member be added to the Special Committee to whom was referred the Petition of *Nicholas Sparks*, of *Bytown*, in consequence of the absence (on leave) of Mr. *Walker*, a member of the said Committee.

*Ordered*, That Mr. *Aylwin* be added to the said Committee.

On motion of Mr. *Yule*, seconded by Mr. *Burnet*,

*Ordered*, That the Report of the Special Committee to which was referred the Petition of divers Proprietors and Inhabitants of the County of *Chambly*, be referred to a Committee of the whole House, on Wednesday next.

Mr. *Chesley* moved, seconded by Mr. *Watts*.

That the House do now adjourn.

The question having been put upon the said motion, a division ensued, and the names, being called for, they were taken down, as followeth:

YEAS.

*Aylwin*, *Black*, *Burnet*, *Cartwright*, *Chesley*, *Child*, *Cranr*, *DeWitt*, *Dunlop*, *Forbes*, *Foster*, *Hamilton*, *Jones*, *Kimber*, *Sir Allan N. MacNab*, *D. McDonald*, *Merritt*, *Moffatt*, *Morris*, *Neilson*, *Noel*, *Powell*, *Hermannus Smith*, *Steele*, *Thompson*, *Watts*, and *Williams*. (27.)

NAYS.

*Armstrong*, *Barthe*, *Berthelot*, *Boswell*, *Boutillier*, *Delisle*, *Derbishire*, *Dunscomb*, *Durand*, *Hincks*, *Holmes*, *Johnston*, *Leslie*, *Moore*, *Papineau*, *Parent*, *Parke*, *Price*, *Quessnel*, *Roblin*, *Simpson*, *Small*, *Henry Smith*, *Tache*, *Taschereau*, *Turcotte*, *Turgeon*, *D. B. Viger*, *L.M. Viger*, and *Yule*. (30.)  
So it passed in the negative.

Mr. *Dunscomb* moved, seconded by Mr. *Simpson*, That an humble Address be presented to His Excellency, the Governor General, stating that this House takes the earliest occasion of expressing to His Excellency, as the Representative of our most Gracious Sovereign, the entire and cordial satisfaction with which this House has heard the announcement, of the changes which His Excellency has been pleased to effect in the construction of His Executive Council; and this House is persuaded that, in order to place the Government of this Province upon a firm and permanent basis, it was absolutely necessary to invite that large portion of our fellow subjects who are of French origin, to share in the Government of this country, and, thereby to carry into effect the wise and just designs of the Imperial authority; and this House hails this event, as being calculated to heal the unhappy dissensions by which *Canada* has been prevented from advancing in a career of prosperity commensurate with the advantages which Providence has placed at our disposal, and offers to His Excellency its heartfelt thanks, for having, by His wisdom and firmness, opened so bright a prospect to the now contented and loyal people over whom His Excellency is called upon to rule.

*Sir Allan N. MacNab* moved, seconded by Mr. *Cartwright*, That the said motion be referred to a Committee of the whole House, on Monday next.

Mr. *Henry Smith* moved, seconded by Mr. *Chesley*, That the House do now adjourn.

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

The question then being put upon the motion made by *Sir Allan N. MacNab*, a division ensued thereon,

Address to His Excellency, on changes in Executive Council.

thereon, and the names being called for, they were taken down, as followeth:

YEAS.

*Burnet, Cartwright, Chesley, Dunlop, Forbes, Foster, Hale, Johnston, Sir Allan N. MacNab, Moffatt, Moore, Henry Smith, Watts, Williams, and Woods.* (15.)

NAYS.

*Armstrong, Aylwin, Barthe, Berthelot, Black, Boswell, Boutillier, Cameron, Child, Crane, Delisle, Derbshire, DeWitt, Dunscomb, Durand, Gilchrist, Hamilton, Hincks, Holmes, Kimber, Leslie, D. McDonald, Merritt, Morris, Neilson, Noel, Papineau, Parent, Parke, Powell, Price, Quesnel, Roblin, Simpson, Small, Harnannus Smith, Steele, Tache, Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger, and L. M. Viger.* (44.)

So it passed in the negative.

Sir Allan N. MacNab moved, in amendment to the main motion, seconded by Mr. Cartwright, That all the words after "That" in the said motion be struck out, and the following substituted, "this House is persuaded, that in order to place the Government of this Province upon a firm and permanent basis, it is necessary and proper to invite that large portion of our fellow subjects, who are of French origin, to share in the Government of their Country, and thereby to carry into effect, the wise and just designs of the Imperial authority".

The question having been put upon the motion of amendment a division ensued, and the names being called for, they were taken down as followeth:

YEAS.

*Black, Burnet, Cartwright, Chesley, Dunlop, Forbes, Foster, Hale, Johnston, Sir Allan N. MacNab, Moffatt, Moore, Henry Smith, Watts, Woods and Yule.* (16.)

NAYS.

*Armstrong, Aylwin, Barthe, Berthelot, Boswell, Boutillier, Cameron, Child, Crane, Delisle, Derbshire, DeWitt, Dunscomb, Durand, Gilchrist, Hamilton, Hincks, Holmes, Kimber, Leslie, D. McDonald, Merritt, Morris, Neilson, Noel, Papineau, Parent, Parke, Powell, Price, Quesnel, Roblin, Simpson, Small, Harnannus Smith, Steele, Tache, Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger, L. M. Viger, and Williams.* (44.)

So it passed in the negative.

Mr. Morris then moved, in amendment to the main motion, seconded by Mr. Merritt, that all the words after "That" in the said motion, be struck out, and the following substituted "A humble Address be presented to His Excellency, the Governor-General, representing that this House takes the earliest occasion of expressing to His Excellency, as the Representative of our most Gracious Sovereign, its unmingled satisfaction, that in order to place the Government of this Province upon a firm and permanent basis, His Excellency has invited that large portion of our fellow subjects who are of French origin to share in the Government of the Country, and thereby to carry into effect the wise and just designs of the Imperial authority; and this House hails the event as one calculated to heal the unhappy dissensions by which Canada has been prevented from advancing in a career of prosperity commensurate with the advantages which Providence has placed at our disposal, and offers to His Excellency its heartfelt thanks for having by his wisdom and firmness, opened so bright a prospect to the contented and loyal people over whom His Excellency is called upon to rule."

The question having been put upon the said motion, a division ensued, and the names being called for, were taken down as followeth:—

YEAS.

*Armstrong, Aylwin, Barthe, Berthelot, Black, Boswell, Boutillier, Burnet, Cameron, Chesley, Child, Crane, Delisle, Derbshire, DeWitt, Dunlop, Dunscomb, Durand, Forbes, Foster, Gilchrist, Hale, Hamilton, Hincks, Holmes, Kimber, Leslie, D. McDonald, Merritt, Moore, Morris, Noel, Papineau, Parent, Parke, Powell, Price, Quesnel, Roblin, Simpson, Small, Henry Smith, Harnannus Smith, Steele, Tache, Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger, L. M. Viger, Watts, Williams, Woods and Yule.* (55.)

NAYS.

*Cartwright, Johnson, Sir Allan N. MacNab, Moffatt and Neilson.* (5.)

So it was carried in the affirmative.

The question being then put upon the main motion, as amended, the House divided thereon, and the names being called for, they were taken down, as in the last preceding division; and,

Resolved accordingly.

Ordered.—That the said Address be engrossed.

Resolved.—That the said Address be presented to His Excellency by the whole House.

Ordered.—That such Members of this House as are of the Honourable the Executive Council of this Province, do wait upon His Excellency, the Governor-General, to know His Excellency's pleasure when he will be attended by this House with their Address.

The order of the day for the House in Committee, to consider the expediency of repealing certain parts of an Act of the last Session, imposing Duties on Salt, Nets, and other Fishing Tackle, being read, Salt and Nets Duty Bill

Ordered.—That said order of the day be postponed until to-morrow, and that it be then the first order of the day.

Then on motion of Mr. Hamilton, seconded by Mr. Parent,

The House adjourned.

Martis 20° die Septembris.

Half-past Eleven o'clock, a. m.

Anno 6° Victoriae Reginae, 1842.

THE Honourable Messieurs Harrison and Dunn, Members of the Executive Council, reported to the House, that the Governor-General having been waited upon, pursuant to their order of yesterday, humbly to know His Excellency's pleasure, when he will be attended by this House with their congratulatory Addresses to the Queen, and Prince Albert, on the birth of the Prince of Wales, and to Her Majesty, on Her escape from the treasonable attempt of a reckless and wicked assassin, and also the Address to His Excellency praying that he will transmit the said Addresses to Her Majesty's Government in England, had been pleased to appoint to be attended this day, after the reception of the Address in answer to the Speech. Addresses, congratulatory.

The Honourable S. B. Harrison, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor-General, Welland Canal.

Annual Report for 1841, relative to the Welland Canal, in compliance with the Provincial Act of the late Legislature of Upper Canada, 7 Will. 4, cap. 92.

[For the said Report see Appendix (F.) at the end of this Volume.]

Also, Annual Reports of Commissioners of certain Turnpike Trusts, viz: Home District, Kingston and Napanee, and Johnstown, District Roads, in compliance with the Provincial Act of the late Legislature of Upper Canada, 3 Vict: cap: 53. Turnpike Trusts.

[For the said Reports, see Appendix (G.) at the end of this Volume.]

Also Annual Report for 1841 relative to the Provincial Penitentiary, in compliance with the Provincial Act of the late Legislature of Upper Canada, 4 Will. 4, cap. 37. Provl. Penitentiary.

[For the said Report, see Appendix (H.) at the end of this Volume.]

And,

Registrars.

Also, Registrar's Report of Bonds and Securities registered, in compliance with the Provincial Act, 4 and 5 Vict. cap. 91.

[For the said Report, see Appendix (L) at the end of this Volume.]

Fame Bridge.

And, Commissioner's Account, for 1841, for the Bridge over the *Grand River*, at *Paris*, in compliance with the Provincial Act of the late Legislature of *Upper Canada*, 4 Will IV. cap. 44.

[For the said Account, see Appendix (J) at the end of this Volume.]

At the hour appointed, Mr. Speaker, and the House, attended upon His Excellency, with the Address of the House;

And being returned,

Answer to Speech.

Mr. Speaker reported that the House had attended upon His Excellency, the Governor General, with their Address in answer to the Speech of His Excellency to both Houses of the Legislature, at the opening of the present Session of the Provincial Parliament, to which His Excellency was pleased to make the following answer:

Gentlemen,

I thank you, for your Address, and for your congratulations upon my assumption of the Government of this Province. I rely upon your cordial support in all my efforts to secure and increase its prosperity.

Addresses, congratulations.

Mr. Speaker also reported, that the House had attended upon His Excellency, the Governor General, with their congratulatory Addresses to the Queen and Prince *Albert*, on the birth of the Prince of *Wales*; and to Her Majesty on Her escape from the treasonable attempt, of a reckless and wicked assassin; and also, the Address to His Excellency, praying that he will transmit the said Addresses to Her Majesty's Government in *England*, to which His Excellency was pleased to make the following answer:

Gentlemen,

I shall have much pleasure in transmitting to the Secretary of State, for the purpose of being laid before the Queen and Prince *Albert*, the loyal Addresses which you have adopted, congratulating Her Majesty and His Royal Highness upon the birth of the Prince of *Wales*:—together with the Address to Her Majesty, offering your congratulations upon Her Majesty's providential escape from the treasonable attempt of an assassin.

Then on motion of Mr. *Dunlop*, seconded by Mr. *Woods*,

The House adjourned until seven o'clock, p. m. this day.

Martis 20<sup>o</sup> die Septembris, 1842.

7<sup>a</sup> Horâ, p. m.

11 Petitions brought up.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. *Leslie*, the Petition of *William Phillips*, and others.

By Mr. *Turcotte*, the Petition of *P. J. Heroux*, and others, of the township of *Aston*, and other places.

By Mr. *Gilchrist*, the Petition of the Municipal Council of the *Colborne* District, relating to road labour; and the Petition of the Municipal Council of the *Colborne* District, relating to the School Act.

By the Honourable Mr. *Hincks*, the Petition of the Municipal Council of the District of *Brock*, relating to Agriculture; the Petition of the Municipal Council of the District of *Brock*, relating to lands of absentees; and the Petition of the Municipal Council of the District of *Brock*, relating to the School Act.

Vol. 2.

By Mr. *Cameron*, the Petition of *Julia Bell*, of *Toronto*.

By the Honourable Mr. *Moffatt*, the Petition of the *Montreal Fire Insurance Company*.

By Mr. *Black*, the Petition of the President and Directors of the *Quebec Fire Assurance Company*; and the Petition of *James Gibb*, *John Munn*, and others, of *Quebec*.

Mr. *Henry Smith* moved, seconded by the Honourable Mr. *Hincks*, that the Petition of *Isaac Bond*, and others, Inhabitants of the township of *Loughborough*, and other places, praying to be formed into a separate township, be referred to a Select Committee, composed of Messieurs *Cartwright*, *Roblin*, *Morris* and *Cameron*, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

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

Resolved, That the Petition of *Robert Barclay*, and others, of *Kingston*, Stone Masons, presented to the House on the fifteenth instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon, with all convenient speed; with power to send for persons, papers, and records.

Ordered, That Mr. *Henry Smith*, Mr. *Parke*, Mr. *Roblin*, Mr. *Cartwright*, and Mr. *Boswell*, do compose the said Committee.

On motion of the Honourable Mr. *Neilson*, seconded by Mr. *Hamilton*,

Ordered, That the proper officer do lay before this House a detailed statement of all monies received for the sale of Licenses to cut Timber on the Crown Lands, from the 10th of February 1841, and also a statement of monies still due for such sale of Licenses, from the same period.

Ordered, That the Honourable Mr. *Jones*, have leave to bring in a Bill, to revive a certain Act of the Legislature of *Lower Canada*, for the qualification of Justices of the Peace.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

On motion of Mr. *Armstrong*, seconded by the Honourable Mr. *Viger*,

Resolved.—That this House will, on to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of amending two certain Ordinances relative to Winter Roads in that part of the Province, formerly called *Lower Canada*.

The Honourable *S. B. Harrison* laid before the House, by command of His Excellency, the Governor-General, Return to an Address of the House of Assembly, praying the Governor-General to cause to be laid before the House a copy of the Letter addressed by His Excellency, on the thirteenth instant, to *L. H. Lafontaine*, Esquire, then a Member of this House, in reference to certain proposed changes in the Provincial Administration; and also a copy of all the correspondence on the subject.

*S. B. Harrison*,  
Secretary.

*Kingston*, 20th September, 1842.

(Copy.)

(Copy.)

Government House,  
Kingston, Sept. 13, 1842.

Sir,

Correspondence  
between His Ex<sup>ty</sup>  
and M. Lafon-  
taine.

Having taken into my most earnest and anxious consideration the conversations which have passed between us, I find my desire to invite to the aid of and cordial co-operation with my Government, the population of French origin in this Province unabated, and have, therefore, not waited for the result of your deliberations, but, on the contrary, have been considering how far I can possibly meet the views of those who have the confidence of that part of the population, so as to make their accession to the Government satisfactory to themselves, and at the same time accompanied by that mutual confidence which can alone make it beneficial to the country.

I have accordingly come, not without difficulty, to the conclusion, that, for such an object, I will consent to the retirement of the Attorney-General, Mr. Ogden, from the office which he now holds, upon its being distinctly understood that provision will be made for him commensurate with his long and faithful services.

Upon this retirement, I am prepared to offer to you the situation of Attorney-General for Lower Canada, with a seat in my Executive Council.

The office of Solicitor-General in Lower Canada has long been kept vacant, in the hope of some arrangement, by which the object which I have always had in view might have been assisted; and I shall be happy to listen to your suggestion of the name of any gentleman of British origin, whose co-operation in the Government will aid us in the attainment of one common object.

I have reverted carefully and anxiously to your expressed wish of being joined in your adherence to the Government by a sufficient number of supporters to ensure the confidence of those whose interests you represent.

I find that one of my own plans for the advantage of Lower Canada, viz.—the distribution of a portion of too crowded population of your frontier settlements over a larger extent of territory, may be made to coincide with your views.

Mr. Girouard has been represented to me as a gentleman possessing administrative faculties of a high order, and at the same time the confidence of his countrymen.

He can mutually assist in forwarding my object in this respect; and I have therefore determined, if I shall be successful in inducing you to accept my proposition, on offering to him the situation at present held by Mr. Davidson, together with a seat in the Council, on the understanding that the latter gentleman shall also be provided for in a manner suitable to his just pretensions, and that Mr. Girouard shall be elected by some constituency a Member of the Assembly.

I have further determined to offer the confidential post of Clerk of the Council to some gentleman of your recommendation; and I would suggest that the reputation enjoyed by Mr. Morin or Mr. Parent would designate them as perhaps among the fittest persons for your recommendation.

Mr. Baldwin's differences with the the Government having arisen chiefly from his desire to act in concert with the Representatives of the French portion of the population, and as I hope these differences are now happily removed, I shall be willing to avail myself of his services.

Mr. Draper has tendered to me the resignation of his office. I shall always regret the loss of such assistance as he has uniformly afforded me, and shall feel the imperative obligation of considering his claims upon the Government, whenever an opportunity may offer, of adequately acknowledging them. This will leave the office of Attorney-General, with

a seat in the Council, at my disposal, and I am prepared to offer it to Mr. Baldwin.

The absence of Mr. Sherwood deprives me of the opportunity of ascertaining how far he might be willing to accede to this arrangement, or of knowing whether he is ready to fulfil one of the conditions of his appointment by obtaining a seat in the Assembly.

The disposal of his office must, therefore, be left as a matter for future consideration.

From my knowledge of the sentiments entertained by all the gentlemen who now compose my constitutional advisers, I see no reason to doubt that a strong and united Council might be formed on the basis of this proposition.

In this persuasion, I have gone to the utmost length to meet, and even to surpass, your demands; and if, after such an overture, I shall find that my efforts to secure the political tranquillity of the country are unsuccessful, I shall at least have the satisfaction of feeling that I have exhausted all the means which the most anxious desire to accomplish this great object enabled me to devise.

I have the honour to be,

&amp;c. &amp;c. &amp;c.

(Signed.)

Chas. Bagot.

L. H. Lafontaine, Esquire.

(Copy.)

Kingston,  
16th September, 1842.

Mr. Lafontaine, having respectful reference to the letter which His Excellency, the Governor-General, addressed to him on the thirteenth September, instant, and to the several audiences to which he was invited by His Excellency yesterday, has the honour to communicate to His Excellency, that he accepts His Excellency's proposal to come into office on the arrangement to which he understands His Excellency to have assented, that is to say, as contained in His Excellency's letter, modified as follows:—

Firstly.—Mr. Lafontaine respectfully conceives it to be understood that the offices of Attorney-General of Lower Canada and Solicitor-General of Upper Canada are immediately to become vacant.

Secondly.—That the proposition to make provision for the retiring officers, Mr. Ogden and Mr. Davidson, is to be considered an open question.

(Copy.)

Memorandum of the Governor-General.

The Governor-General has received Mr. Lafontaine's communication of this day's date, by which he accepts office upon the terms offered in the Governor-General's letter of the 13th instant, subject to the modifications stated in the communication.

The Governor-General concurs in those modifications.

And also, a Return to an Address to His Excellency, Lakes St. Francis and St. Louis, the Governor General, of the 19th instant.

Return to an Address of the House of Assembly, 10 Sept 1842, praying the Governor General to order the proper officer to lay before the House the Estimate made by Mr. Keefer, of £255,900, alluded to in the late Lord Sydenham's message of last Session, (in a memorandum of the Chairman of the Board of Works.) with any plans, surveys, reports, or estimates, relating to the connexion of Lakes St. Francis and St. Louis, by means of a Canal; with a copy of such parts of any Despatch or Despatches from the Colonial Secretary, referring to the same subject.

S. B. Harrison,

Secretary.

Kingston,  
20th September, 1842.

Estimate



Estimate of the probable cost of constructing a Canal for Steam-boats, between Lake St. Francis and Lake St. Louis, the distance by the River St. Lawrence being 14 $\frac{1}{2}$  miles, and the difference of level, 82 $\frac{1}{2}$  feet. Locks, 45 feet wide, 170 feet long, and 9 feet of water on the mitre sills. Canal, 80 feet wide at bottom, and 10 feet deep, with slopes, 2 to 1.

If Mr. Mills' River route be adopted, (vide his Report, route No. 1.) then we shall have 6 $\frac{3}{4}$  miles of Canal, and 7 $\frac{3}{4}$  miles of River navigation, as follows:

At Coteau rapids, 2 $\frac{3}{4}$ miles of Canal, averaging about 12 feet cutting in clay, chiefly, a	£12000	.....	£	34500	0	0
1 Lock, 7 feet lift, & 1 do. 10 feet lift..	21000	0	0			
1 Guard Lock .....	9000	0	0			
			£	64500	0	0

At Cedar rapids, 1 $\frac{3}{4}$  miles of Canal, averaging about 18 feet cutting in clay and loose work for half the distance, the other half being River embankment, 26 ft. high, a

1 Lock, 8 ft. lift....	£11000	} complete.				
1 do. 12 do. ....	12500					
1 do. 10. 80 ....	11500					
			£	35000	0	0
			£	59500	0	0

At the Cascades, 2 $\frac{1}{4}$  miles of Canal, excavation in earth and rock, and embankment in River, averaging £25000 per mile.....

1 Lock, 7 ft. lift....	£10000	} complete.				
1 do. 8. 22 ....	11000					
1 do. 10 ....	12000					
			£	33000	0	0
			£	89250	0	0

ABSTRACT.

The Coteau rapids.....	£	64500	0	0
The Cedars.....	59500	0	0	
The Cascades .....	89250	0	0	
	£	213250	0	0
Superintendence and contingencies, 20 per cent .....	42650	0	0	
Total ....	£	255900	0	0

A saving of about £50000, may probably be effected, by taking the south side of the River.

(Signed) Samuel Keefer, C. E.

Kingston, 19th June, 1841.

On motion of Mr. Hamilton, seconded by Mr. Foster,

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to obtain for the information of this House, a statement of the licences granted, and timber cut, on the waste lands of the Crown in the County of Ristigouche, in the Province of New Brunswick, in the years 1835, 1836, 1837, 1838, 1839, 1840, 1841, and 1842, with the names of the persons to whom such licences were granted, to be laid before this House.

Ordered, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Timber cut on Ristigouche.

On motion of Mr. Hamilton, seconded by Mr. Barthe,

Resolved, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to obtain for the information of this House, a statement of the quantity of Timber shipped from the Ports of Dalhousie and Campbelltown, in the Ristigouche, in the years 1835, 1836, 1837, 1838, 1839, 1840, 1841 and 1842.

Ordered, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Timber shipped from Ports Dalhousie and Campbelltown.

The Honourable Mr. Moffatt moved, seconded by Sir Allan N. MacNab, that two hundred and fifty copies, in English, and two hundred and fifty copies, in French, of the correspondence between His Excellency, the Governor-General, and the Honourable Mr. Lafontaine, be printed for the use of the Members of this House.

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

Correspondence, Mr. Lafontaine.

Mr. Simpson moved, seconded by the Honourable Mr. Moffatt, that the documents laid before the House, this day, by command of His Excellency, the Governor-General, relating to the Beauharnois Canal, be referred to a Committee of seven Members, to report from time to time; with power to send for persons, papers, and records.

Beauharnois Canal.

Sir Allan N. MacNab, moved in amendment, seconded by Mr. Johnston, that the word "Seven" in the said motion, be struck out, and the word "Nine" substituted.

The question being put upon the motion of amendment, a division ensued, and it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

Resolved accordingly.

Ordered, That Mr. Simpson, Mr. Merritt, Mr. Cameron, the Honourable Mr. Moffatt, Mr. Parent, Sir Allan N. MacNab, and Mr. Dunscomb, do compose the said Committee.

On motion of Mr. Johnston, seconded by Mr. Cameron.

Ordered, That the proper officer do lay before this House, a copy of the expenses of surveys as regards the building or erecting a Bridge on the Ottawa from Bytown to Hull.

Ottawa Bridge.

Ordered, That Mr. Hamilton have leave to bring in a Bill to regulate the Salmon Fisheries, in the District of Gaspe.

Gaspe Fishery Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

On motion of Mr. Merritt, seconded by Captain Steele,

Ordered.—That the order of the day for the House in Committee to consider the expediency of continuing and amending an Act passed by the Legislature of the late Province of Upper Canada, in the first year of Her Majesty's reign, intituled, "An Act to authorise the establishment of Boards of Boundary Line Commissioners within the several Districts of this Province" lost by the adjournment of the House of yesterday, be revived, and that this House will, on Thursday next, resolve itself into the said Committee.

Boundary Line Commissioners' Bill.

On motion of Mr. Cameron, seconded by Mr. Der-

bishire,

Ordered,

Timber measure-  
ment Bill.

**Ordered.**—That the order of the day for the second reading of the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and for other purposes relating to the same, lost by the adjournment of the House of yesterday, be revived, and that the said Bill be read a second time, this day.

Salary, &c. to  
Mr. Murdoch.

Mr. *Watts* moved, seconded by Mr. *Johnston*, that an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of the Despatch reporting Mr. *Murdoch's* appointment, his rate of salary, and how it was to be paid, also for copies of all money warrants which were issued in his favour during his residence in *Canada*.

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

Banks.

Mr. *Morris* from the Special Committee to which were referred the Petition of the President, Directors and Company, of the Commercial Bank of the *Midland* District, and the Petition of the President, Directors and Company, of the Bank of *Upper Canada*, presented to the House, the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report.

That the Capital Stock of each of the said Banks, respectively, is £200,000, a sum which the officers of those Institutions conceive to be quite insufficient to meet the demands for Banking facilities, consequent upon the great increase of the commercial operations of the Province, since their establishment:—Your Committee would therefore respectfully recommend, that the Capital Stock of each of the said Banks be increased to the sum of Five Hundred Thousand Pounds, upon the same terms and conditions as those specified in the Charter's granted last Session to the Bank of *Montreal*, and other Banking Institutions.

Mr. *Morris* moved, seconded by Mr. *Price*, that the said Report be referred to a Committee of the whole House, to-morrow.

Mr. *Johnston* moved in amendment, seconded by Mr. *Dunlop*, that the word "To-morrow" in the said motion, be struck out, and the words "Friday next" substituted.

The question being put upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put upon the main motion, as amended, it was agreed to by the House.

**Ordered** accordingly.

Orders of the  
day.

Mr. *Hamilton* moved, seconded by Mr. *Price*, that the orders of the day that have not been disposed of, be postponed until to-morrow.

Mr. *Cameron* moved in amendment, seconded by Mr. *Boswell*, that all the words after "that," in the said motion, be struck out, and the following substituted: "leave be given to take up that item, on the "order of the day book, relative to the second reading "of the Bill to regulate the Inspection and Measure- "ment of Timber, Masts, Spars, Deals, Staves, and "other articles of a like nature, and for other purposes "relating to the same,"

The question having been put on the motion of amendment, a division ensued, and it was carried in the affirmative,

The question being then put upon the main motion, as amended, it was agreed to by the House,

**Ordered** accordingly.

Mr. *Hamilton* moved, seconded by Mr. *Price*, that the House do now adjourn.

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

A Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and for other purposes relating to the same, was, according to order, read a second time.

**Resolved**, That the said Bill be referred to a Select Committee, composed of Messieurs *Cameron*, *Derbishire*, *Papineau*, *Leslie*, and *Burnett*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Then, on motion of Mr. *Johnston*, seconded by the Honourable Mr. *Viger*,  
The House adjourned.

*Mercurii 21<sup>o</sup> die Septembris.*

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

THE following Petitions were severally brought up, and laid on the table:—

15 Petitions  
brought up.

By Mr. *Kimber*, the Petition of *Gaspard Dauth*, of *St. Anne la Perade*.

By Mr. *Boswell*, the Petition of *John Gilchrist*, of *Peterborough*; and the Petition of the Municipal Council of the *Newcastle* District.

By Mr. *Holmes*, the Petition of the Medical School of *Montreal*, in connexion with the *McGill* College; the Petition of the *Montreal* Auxiliary Bible Society; and the Petition of Protestant Episcopal residents of the parish and seigniorie of *La Prairie de la Magdeleine*.

By Mr. *Papineau*, the Petition of *T. W. Georgan*, of *Hull*, District of *Sydenham*.

By Mr. *Aylwin*, the Petition of *Aeneas Bell*, of the city of *Toronto*; and the Petition of *Charles Smith*, and *Anthony Anderson*, of *Quebec*.

By Mr. *Burnet*, the Petition of *J. Bell Forsyth*, and others, of *Quebec*; the Petition of *J. E. Heath*, and others, of the city and neighbourhood of *Quebec*; and the Petition of Mrs. *Adelaide Bouchette*, of *Quebec*, widow of the late *Joseph Bouchette*, Surveyor General.

By Mr. *Price*, the Petition of *William Wynne Bacon*, of *Kingston*.

By the Honourable Mr. *Neilson*, the Petition of the Mayor, Aldermen, and Citizens, of the city of *Quebec*; and the Petition of *Robert F. Gourlay*, of *St. Catharines*.

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

Of the Reverend *Joseph Larocque*, Director of the College of *St. Hyacinthe*, praying for an aid for said College. Rev. J. Larocque.

Of the President, Directors, and Company, of the *Cobourg Harbour* Company, praying that the time for the re-payment of the loan to the said Company, be extended. Cobourg Harbour Company.

Of the Municipal Council of the *Colborne* District, praying for an increased valuation of lots in towns, for the purpose of taxation. Colborne District Council.

Of *Stephen Blackstone*, and others, Elders and Deacons of the Presbyterian Churches of *Pelham*, and other places, praying for an Act to naturalize the Reverend Messieurs *Abijah Blanchard*, and *Levi Rose*, and Mr. *John F. A. S. Fayette*. S. Blackstone, and others.

Of the Reverend *Abijah Blanchard*, and others, of the Districts of *Niagara*, *Gore* and *Wellington*, praying to be naturalized. Rev. A. Blanchard.

Of *Barnard Young*, of the township of *Compton*, stating that he is unable to gain a livelihood for himself and family in consequence of wounds received while acting as Peace officer, according to orders, and praying that he may receive an annual allowance or pension. B. Young.

Of



Lacroix and Bolduc.

Of *Pierre Lacroix*, and *Joseph Bolduc*, of *Quebec*, praying for a pension in consideration of their long services as messengers of the Legislative Council of the late Province of *Lower Canada*.

H. Robinson.

Of *Hezekiah Robinson*, and others, of the Counties of *Chambly*, *Rouville*, *St. Hyacinthe*, and other places, praying that the turnpike road constructed from *Longueil* to *Chambly*, be continued to the village of *Granby*; and also that a bridge be built over the rapids of the River *Richelieu*, at *Chambly*.

Rev. C. P. Reid.

Of the Reverend *C. P. Reid*, and other Members of the Church of *England*, in the township of *Compton*, praying for an Act to regulate the Church Temporalities of the Diocese of *Quebec*.

G. Pemberton, and others.

Of the Honourable *George Pemberton*, and others, Merchants of *Quebec*, praying for the remittance of one half the Timber Duties, the Petitioners having entered into engagements to pay it, in the full assurance that no alteration would take place in the system of the Timber Trade.

Censitaires.

Of certain Censitaires, in the Fiefs and Seignories belonging to the late order of Jesuits, within the town and District of *Three Rivers*, complaining of the accumulation of arrears of Cens et Rentas and Lods en Ventes, and praying for relief.

S. Delong, and others.

Of *Simon Delong*, and others, Inhabitants of the township of *Ameliasburgh*, praying that the prayer of the Petition for the establishment of a Survey, made by *Mr. Wilnot*, in the said township, be not granted.

Petitions referred: Rev. Ladies' Ursuline Convent.

Resolved, That the Petition of the Reverend the Religious Ladies of the Ursuline Convent of *Quebec*, presented to the House on the sixteenth instant, be referred to a Special Committee to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Honourable *Mr. Neilson*, *Mr. Black*, *Mr. Aylwin*, *Mr. Berthelot*, and *Mr. Taché*, do compose the said Committee.

Bonner and Petrie.

Ordered, That the Petition of *John Bonner* and *William Petrie*, of *Quebec*, presented to the House on the thirteenth instant, be referred to the said Committee.

Cobourg Harbour.

Ordered, That the Petition of the President, Directors and Company, of the *Cobourg Harbour Company*, be referred to the Special Committee to which was referred the Petition of *George S. Boulton*, of *Cobourg*.

Gore Bank.

Resolved, That the Petition of the President, Directors and Company, of the *Gore Bank*, presented to the House on the fifteenth instant, be referred to a Special Committee to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That *Mr. Thompson*, *Mr. Merritt*, *Mr. Leslie*, *Mr. L. M. Viger*, and *Sir Allan N. MacNab*, do compose the said Committee.

Mrs. Painchaud.

Resolved, That the Petition of *Mrs. M. G. P. Painchaud*, and other Ladies of *Quebec*, praying for an Act of Incorporation, be referred to a Special Committee to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That *Mr. Parent*, *Mr. Berthelot*, *Mr. Moore*, *Mr. Black*, and *Mr. Aylwin*, do compose the said Committee.

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Ordered, That the Petition of certain Censitaires, in the Fiefs and Seignories belonging to the late order of Jesuits, in the town and District of *Three Rivers*, be referred to the Special Committee to which was referred that part of the Petition of the Rev. *T. Cooke*, *S. B. Hart*, and others, Inhabitants of the District of *Three Rivers*, praying for the application of the Jesuits' Estates to the purposes of Education, in *Canada East*; and for the concession of the Lands of the Crown in the rear of the town of *Three Rivers*.

On motion of *Mr. Black*, seconded by *Mr. Child*.

Resolved.—That the House do now resolve itself into a Committee of the whole House, to consider the expediency of amending the following Acts, passed during the last Session of the Provincial Legislature, that is to say; the Act intituled, "An Act for improving the administration of "Criminal Justice in this Province." The Act intituled: "An Act for consolidating and amending the Laws in this Province, relative to larceny and other offences connected therewith." The Act intituled: "An Act for consolidating and amending the Laws in this Province relative to "malicious injuries to property." And the Act intituled: "An Act for consolidating and amending the Statutes in this Province relative to "offences against the person;" in so far as relates to the time for which offenders may, under the said Acts, be imprisoned in the Provincial Penitentiary in certain cases.

The House accordingly resolved itself into the said Committee.

*Mr. Williams* took the Chair of the Committee; and after some time spent therein.

*Mr. Speaker* resumed the chair.

And *Mr. Williams* reported, that the Committee had come to a resolution; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved, That it is expedient to enable the Courts, before whom offenders may be convicted, in certain cases, better to proportion the punishment of such offenders to the guilt of the offence, and to make Legislative provision accordingly.

Ordered, That *Mr. Black* have leave to bring in a Bill for better proportioning the punishment to the offence in certain cases.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time, on Saturday next.

Resolved.—That two Members be added to the Special Committee appointed to proceed to the enquiry on certain outrages, alleged as having occurred during the late general Election, in the Counties of *Terrebonne*, *Montreal*, *Vaudreuil*, *Beauharnois*, *Chambly*, and *Rouville*.

Ordered.—That the Honourable *Mr. Viger*, and *Mr. Aylwin*, be added to the said Committee.

Ordered.—That the Honourable *Mr. Neilson* have leave to bring in a Bill, to fix the places of Election in the several Counties in *Canada East*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

On motion of *Mr. Hamilton*, seconded by *Mr. Papineau*.

Ordered.—That the order of the day for the House in Committee to take into consideration the expediency of altering and amending the Judicature.

ture Acts relating to the District of *Gaspé*, lost by the adjournment of the House of yesterday, be revived, and that the House do resolve itself into the said Committee, on to-morrow.

Salt Taxes. &amp;c.

*Ordered*, That the order of the day for the House in Committee to consider the expediency of repealing certain parts of an Act of the last Session imposing duties on Salt, Nets and other Fishing Tackle, lost by the adjournment of the House of yesterday, be revived, and that the House do resolve itself into the said Committee, on this day.

Point Levi Road.

On motion of Mr. *Moore*, seconded by Mr. *Hale*, *Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all correspondence had with the President of the Emigrant Association of *Sherbrooke*, in relation to the opening a road from *Point Levi* to that place; also of all correspondence had in relation to the *Gosford* road, with a plan of said road, and a statement of the progress made, and the amount of moneys already expended on the various sections of the same.

*Ordered*, that the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Bill to prevent Attorneys acting as Justices.

*Ordered*, That Mr. *Delisle* have leave to bring in a Bill to prevent practising Attorneys from acting as Justices of the Peace.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time, on Saturday next.

J. Brack of Wendover.

On motion of Mr. *Watts*, seconded by Mr. *Forbes*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all correspondence relating to the case of *J. Brack*, of *Wendover*.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Agriculture.

On motion of the Honourable Mr. *Jones*, seconded by Mr. *Moore*,

*Ordered*, That the order of the day for the House in Committee to consider the expediency of amending the Act 6 *Will.* 4, cap. 56, of the late Province of *Lower Canada*, intituled: "An Act to repeal a certain Act therein mentioned, and more effectually to remedy divers abuses, pre-judicial to agriculture," lost by the adjournment of the House of yesterday, be revived, and that, on Friday next, the House do resolve itself into the said Committee,

Militia claims, Lower Canada.

On motion of Mr. *Kimber*, seconded by Mr. *Delisle*, *Resolved*, That an humble address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of the last report of the Commissioners, and of the Secretary, of the late Board on Militia claims, for *Lower Canada*, and also copies of all instructions which may have been given to the Commissioner of Crown Lands on that subject, subsequently to the time when the Board ceased its operations.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House

as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Kimber*, seconded by the Honourable Mr. *Neilson*,

*Ordered*, That it be an instruction to the Special Committee, to which was referred that part of the Petition of the Reverend *T. Cooke*, *S. B. Hart*, and others, Inhabitants of the District of *Three Rivers*, praying for the application of the Jesuits' Estates, to the purposes of education, in *Canada East*; and for the concession of the lands in the rear of the town of *Three Rivers*, to enquire into Lord *Durham's* report, on the management and value of the said Estates, and also into the several documents respecting them contained in the Journals and Appendices of the late House of Assembly of *Lower Canada*, with power to report from time to time.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, laid before the House, pursuant to its order of yesterday, a statement of expense of surveys for building a bridge on the *Ottawa*, from *Bytown* to *Hull*, which is as followeth:—

Return to an order of the Legislative Assembly, dated 20th September 1842, that the proper officer do lay before the House a statement of the expenses of surveys as regards the building or erecting a bridge on the *Ottawa*, from *Bytown* to *Hull*.

*S. B. Harrison*,  
Secretary.

Kingston, 21st September, 1842.

Board of Works,  
21st September, 1842.

Sir,

In reply to your reference to this department of the order of the Legislative Assembly, "that the proper officer do lay before this House a statement of the expenses of surveys, as regards the building or erecting a bridge on the *Ottawa*, from *Bytown* to *Hull*." I have the honour to inform you, that the sum paid the Engineer for making the survey referred to, furnishing plans, &c. including all costs whatever, of boatmen, labourers, and travelling expenses, amounts to the sum of Thirty Seven Pounds, Ten Shillings, currency.

I remain,  
Sir,  
Your very obedient servant,  
*Thomas A. Begley*,  
Secretary.

*James Hopkirk, Esq.*  
Assistant Sec'y for the Province.

A Bill to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient boundaries and limits of the City of *Montreal*, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Monday next.

A Bill to make the law for vacating the seats of Members of the Legislative Assembly accepting office, and for filling up vacancies in that body, uniform throughout this Province, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

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

*Ordered*

*Ordered*, That the said Committee have leave to sit again, on Friday next.

The Honourable *Francis Hincks*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor-General:

Public Accounts.

Public Accounts from 1st October, 1840, to the 31st December, 1841.

[For the said Accounts see Appendix (K.) at the end of this volume.]

*Ordered*, That two hundred copies of the said accounts be printed in the French and English languages, for the use of the Members of this House.

The Honourable *Francis Hincks*, laid before the House, by command of His Excellency, the Governor-General:

Fee Fund.

Return to an Address from the House of Assembly, to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before the House, a copy of all returns of moneys received within the several Districts of that part of the Province formerly *Upper Canada*, created and raised as a fee fund by virtue of certain Acts of the last Session of the present Parliament; also the amount of the fees paid, or liable to be paid, to the several District Judges and Clerks of the Division and District Courts thereof.

[For the said return, see Appendix (L.) at the end of this volume.]

The order of the day for the House in Committee, on the report of the Special Committee to which was referred the Petition of divers Proprietors and Inhabitants of the County of *Chambly*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the chair,

And Mr. *Johnston* reported, that the Committee had come to a resolution, which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Mutual Fire Assurance.

*Resolved*, That it is expedient to amend the Act of the Legislature of *Lower Canada*, relative to the establishment of Mutual Fire Assurance Companies, and to extend the powers of the said Companies.

*Ordered*, That Mr. *Yule* have leave to bring in a Bill, to amend certain Acts therein mentioned relative to the establishment of Mutual Insurance Companies in *Canada East*;

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time, on Friday next.

Winter Roads.

The order of the day for the House in Committee to consider the expediency of amending two certain Ordinances relative to Winter Roads, in that part of the Province formerly called *Lower Canada*, being read,

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Jones* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And the Honourable Mr. *Jones* reported, that the Committee had come to a resolution, which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That it is expedient to amend and repeal, in part, two certain Ordinances passed by the Governor and Special Council of the late Province of *Lower Canada*, 3 and 4 *Vict.* cap. 25, and 4 *Vict.* cap. 33, relating to Winter Roads.

*Ordered*, That Mr. *Armstrong* have leave to bring in a Bill to amend and repeal, in part, two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province, formerly called *Lower Canada*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on to-morrow.

The Honourable *S. B. Harrison*, a Member of the Executive Council, reported to the House, that the Governor-General, having been waited upon, pursuant to their order of the nineteenth instant, humbly to know His Excellency's pleasure, when he will be attended by the House with their Address expressing their unmingled satisfaction that His Excellency has invited that large portion of their fellow subjects who are of French origin to share in the Government of their Country; had been pleased to appoint to be attended to-morrow, at half-past three o'clock, p. m.

Govr. General will receive the House half-past 3, to-morrow.

The order of the day for the House in Committee, to consider the expediency of repealing certain parts of an Act of the last Session imposing duties on Salt, Nets and other Fishing Tackle, being read,

Salt, Duties, &c. Bill.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the chair,

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

*Ordered*, That the said Committee have leave to sit again, on Friday the thirteenth instant.

Then on motion of Mr. *Delisle*, seconded by the Honourable Mr. *Neilson*,

The House adjourned.

### Jovis 22<sup>o</sup> die Septembris.

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

At the hour appointed, Mr. Speaker and the House attended upon His Excellency, the Governor-General, with the Address of the House;

And being returned,

Mr. Speaker reported, that the House had attended upon His Excellency, the Governor-General, with their Address of Monday last, to which he had been pleased to make the following answer:

Address on present formation of Executive Council.

Gentlemen,

Your Address has given me great pleasure. I rejoice to find that the House of Assembly views with unmingled satisfaction the course which I have taken of inviting to my Council persons belonging to, and possessing the confidence of, that portion of the Inhabitants of the Province, who, although differing in origin, are fellow-subjects with the rest, partakers of the same constitution, and animated by the same spirit of devotion to our most Gracious Sovereign.

I trust that the measure thus auspiciously introduced may, in its result, prove most conducive to the permanent welfare of the Province, and to the happiness and contentment of its Inhabitants; and I rely upon your wisdom and prudence in assisting me in my efforts for the attainment of this my great object.

Mr. *Morris* moved, seconded by Mr. *Dunscob*, that one thousand copies of the said Address, and answer thereto, be printed for the use of the Members of this House—to wit, five hundred in the English and five hundred in the French languages.

Sir *Allan N. MacNab* moved, in amendment, seconded by Mr. *Cameron*, that all the words after "That," in the said motion, be struck out, and the following substituted: "one thousand copies of the Resolution,

"Resolution, on the subject of the late changes in the Executive Council of this Province, introduced by the honourable Member for *Beauharnois*, with the proceedings thereon, together with the Address of this House, and His Excellency's reply thereto, with the yeas and nays, be printed for the use of the Members of this House."

The question having been put upon the motion of amendment, a division ensued; and the names being called for, they were taken down as followeth:

## YEAS.

*Armstrong, Barthe, Black, Burnet, Cameron, Crane, Delisle, De Witt, Duggan, Durand, Forbes, Foster, Hale, Hamilton, Hincks, Johnston, Jones, Sir Allan N. MacNab, Moffatt, Moore, Papineau, Parent, Powell, Roblin, Harmannus Smith, Steele, Taché, Thompson, Turcotte, Turgeon, Woods and Yule.* (32.)

## NAYS.

*Berthelot, Boswell, Child, Cook, Daly, Dunn, Dunscomb, Gilchrist, Holmes, Kimber, Leslie, D. McDonald, Merritt, Neilson, Noel, Parke, Henry Smith, Tuschereau, D. B. Viger, L. M. Viger, and Williams.* (21.)

So it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to by the House.

Ordered accordingly.

The following Petitions were severally brought up, and laid on the table:—

By the Honourable Mr. *Dunn*, the Petition of the *British America Fire and Life Assurance Company*; and the Petition of *William Robertson*, and others, Teachers, in the township of *Esquesing*.

By the Honourable Mr. *Hincks*, the Petition of the Municipal Council of the District of *Brock*.

By Mr. *Woods*, the Petition of *Duncan Warren*, and others, of the township of *Howard*; the Petition of *D. D. Gesner*, and others, of the township of *Oxford*; the Petition of *Charles Grant*, and others, of the township of *Tilbury East*; the Petition of *Samuel Smith*, and others, of the *Western District*; and the Petition of *Neil McQuane*, and others, of the township of *Greenwich*.

By Captain *Steele*, the Petition of *Thomas Ferguson*, of the township of *Oro*; the Petition of *John Thompson*, and others, of the township of *Orrillia*; and the Petition of *Thomas Driffill*, and others, of *West Guilimbury*, and adjoining townships.

By Mr. *Williams*, the Petition of the Municipal Council of the District of *Colborne*; the Petition of the Agricultural Society of the County of *Durham*; and the Petition of *John Lister*, and others, denominated Bible Christians.

By Mr. *Harmannus Smith*, the Petition of *Nathan Gage*, and others, of the township of *Dumfries*, and other places.

By Mr. *Merritt*, the Petition of *Simon Fraym*, and others, of *Sophiasburgh*.

By Mr. *Moore*, the Petition of *William Morris*, and others, Inhabitants of the *Eastern townships*, of *Canada East*; the Petition of *Alexander Rea*, Justice of the Peace for the District of *St. Francis*; and the Petition of *Alanson Cummings*, and others, of the township of *Compton*, in the District of *St. Francis*.

By Mr. *Cameron*, the Petition of *Samuel Street*, of the township of *Stamford*; the Petition of *Henry Ince*, of *Amhersburgh*; and the Petition of the very Reverend *Angus MacDonell*, and others, of *Sandwich*.

By the Honourable Mr. *Jones*, the Petition of *William Baker*, and others, Trustees of the *Dunham Academy*.

By Mr. *Powell*, the Petition of *Alice Ann Keeler*, of *Brantford*.

By Mr. *Hale*, the Petition of *William Macrae*, Collector of Customs at the Port of *St. Johns*.

By the Honourable Mr. *Neilson*, the Petition of *J. J. Nesbitt*, and others, Inhabitants of the *St. Roch's* and *St. Vallier* Suburbs of *Quebec*, and neighbouring parishes.

By Sir *Allan N. MacNab*, the Petition of *William Ross*, and others.

By Mr. *Black*, the Petition of the Committee of Ladies conducting the affairs of the Protestant Female Orphan Asylum, at *Quebec*; the Petition of the Ladies composing the Managing Committee of the Male Orphan Asylum, at *Quebec*; the Petition of *H. Gowan*, and others, of *Quebec*; and the Petition of *H. W. Harris*, Captain of the 24th Regiment of Foot.

Pursuant to the order of the day, the following Petitions read

Petitions were read:—  
Of *William Phillips*, and others, praying an indemnity for losses sustained by them, in consequence of the destruction of certain property by Her Majesty's troops, during the late Rebellion. Wm. Phillips, and others.

Of *P. J. Heroux*, and others, praying an aid for a road, from the *St. Gregoire* road to the *Craig's* road, in *Canada East*. P. J. Heroux, and others.

Of the Municipal Council of the *Colborne* District, praying that the 48th Section of the Municipal Act may be so amended as to authorise the commutation of statute labour. Muni'l Council, Colborne District.

Of the Municipal Council of the District of *Colborne*, Ditto, praying that the Common School Act, passed in the last Session of the present Parliament, be amended.

Of the Municipal Council of the District of *Brock*, praying that a duty be laid on American produce, introduced into this Province, for the protection of Agriculturists. Muni'l Council, Brock District.

Of the Municipal Council of the District of *Brock*, Ditto, praying that the time allowed by law to absentees for the payment of laud taxes, may be shortened.

Of the Municipal Council of the District of *Brock*, Ditto, praying that the Common School Act, of the last Session of the present Parliament, be amended.

Of the *Montreal* Fire Assurance Company, praying for an extension of their Charter. Montreal Fire Assurance.

Of *James Gibb*, *John Munn*, and others, of *Quebec*, praying for an Act to incorporate them under the style and title of "The City of *Quebec* Gas Light and Water Company." Of Gibb, Munn, and others.

Resolved, That the Petition of the Municipal Council of the *Niagara* District, praying for amendments to the present system of assessment, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records. Petitions referred to Municipal Council Nis.

Ordered, That Mr. *Merritt*, Mr. *Roblin*, Mr. *Dunlop*, Captain *Steele*, and Mr. *Thompson*, do compose the said Committee.

Ordered, That the Petition of the Municipal Council of the *Niagara* District, praying for the completion of the main road from *Queenston* to *Grinsby*, be referred to the said Committee. Ditto.

Ordered, That the Petition of the Municipal Council of the *Niagara* District, praying for an alteration in the site of the District Town, be referred to the said Committee. Ditto.

Ordered, That the Petition of the Municipal Council of the District of *Niagara*, praying that a tax be laid on Roulette Tables, and all places of resort for the purpose of gambling, be referred to the said Committee. Ditto.

Ordered, That the Petition of the Municipal Council of the *Niagara* District, praying for amendments

to the Municipal Council, and District School Acts, be referred to the said Committee.

John Knowlson,  
and others.

*Resolved*, That the Petition of *John Knowlson*, and others, of the Townships of *Cavan* and *Manvers*, presented to the House on the fifteenth instant, be referred to a Select Committee, composed of Messieurs *Williams*, *Cameron*, *Steele*, *DeWitt*, and *Roblin*, to examine the contents thereof, and report thereon with all convenient speed; with power to send for persons, papers, and records.

Walter Willson,  
and others.

*Resolved*, That the Petition of *Walter Willson*, and others, Inhabitants of the town of *Niagara*, presented to the House on the sixteenth instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons papers, and records.

*Ordered*, That Mr. *Thompson*, Sir *Allan N. MacNab*, Mr. *Merritt*, Mr. *Dunlop*, and Mr. *Durand*, do compose the said Committee.

Montreal Fire  
Assurance  
Company.

*Resolved*, That the Petition of the *Montreal Fire Assurance Company*, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons papers, and records.

*Ordered*, That the Honourable Mr. *Moffatt*, Mr. *Leslie*, Mr. *Dunscumb*, Mr. *Holmes*, and Mr. *DeWitt*, do compose the said Committee.

Bill for Inspect-  
tion of Pot and  
Pearl Ashes.

The Honourable Mr. *Moffatt*, from the Special Committee to which was referred the Resolution of this House, of the nineteenth instant, relating to the Inspection of Pot and Pearl Ashes, with power to report by Bill or otherwise, presented to the House a Bill to regulate the Inspection of Pot and Pearl Ashes, which was received and read for the first time, and ordered to be read a second time, to-morrow.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, three certain Returns, vizt:

Population, U. C.

Population, (1841) *Upper Canada*, pursuant to Provincial Act, (U. C.) 1 Vic. cap. 21.

[For the said Returns, see Appendix (M.) at the end of this Volume.]

Assessment  
Returns, U. C.

Assessment Rolls, (1841) *Upper Canada*, pursuant to Provincial Act, (U. C.) 59 Geo. 3, cap. 7.

[For said Returns, see Appendix (N.) at the end of this Volume.]

Treasurer's  
Accts. U. C.

Treasurers' Accounts, (1840 and 1841) *Upper Canada*, as far as yet received, pursuant to the Provincial Statute, (U. C.) 59 Geo. 3, cap. 7.

[For said Returns, see Appendix (O.) at the end of this Volume.]

Debentures.

The Honourable *J. H. Dunn*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, Schedule of Government Debentures, redeemed and outstanding, issued under the authority of Acts of the Legislature of the late Province of *Upper Canada*.

[For the said Schedule, see Appendix (P.) at the end of this Volume.]

York contested  
Election.

Mr. *Roblin*, Chairman of the Select Committee appointed to try the merits of the Petitions of *Connell James Baldwin*, Esquire, and others, complaining of the undue election and return of *George Duggan*, Esquire, as a Member to represent the Second Riding of the County of *York*, in the present Parliament, reported to the House, that Mr. *Crane*, a Member of the

Committee, was this day absent therefrom for the space of one hour, from the time of meeting, which the Committee reports to the House, agreeably to the provisions of the Statute.

On motion of Mr. *Black*, seconded by Mr. *Burnet*, *Ordered*, That the order of the day for the House in Committee, to consider the expediency of amending the Act of the Legislature of *Lower Canada*, 47 Geo. 3, cap. 9, intituled, "An Act "to prevent the desertion of Seamen and others "in the Sea Service; to punish persons encour- "aging such Seamen and others to desert, or "harbouring or concealing them thereafter; and "to repeal certain Acts therein mentioned," lost by the adjournment of the House of Tuesday last, be revived, and that this House do now resolve itself into the said Committee.

Amending Act  
to prevent  
desertion of  
Seamen.

The House accordingly resolved itself into the said Committee.

Mr. *Henry Smith* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Henry Smith* reported, that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received to-morrow.

*Ordered*, That two hundred copies of the Returns of the amount of Fees received, of the expenditure, and excess of expenditure, from the Consolidated Fund, pursuant to Acts of the Legislature, of last Session; and of Salaries paid to the Judges of District and Division Courts, District Clerks and Division Clerks, laid before the House, yesterday, be printed for the use of Members of this House.

Fees and Salaries  
to Judges, &c.  
Division Courts.

On motion of Mr. *Merritt*, seconded by Mr. *Williams*, *Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of a Despatch from the Right Honourable *C. Poulett Thomson*, Governor General of this Province, to Lord *John Russell*, dated Government House, *Montreal*, 26 May, 1840, transmitting an Address from the Legislature of the late Province of *Upper Canada*, praying for the introduction of Canadian Corn into *Great Britain*, free from Duty, and to empower the Legislature of this Province to originate measures relating to the Colonial Trade, generally, together with copies of all Despatches, or other communications, with the Colonial Secretary, on the subject of Duties on the agricultural productions and commerce of this Province, since that period.

Address for  
despatch on  
Colonial trade,  
&c. &c.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

A Bill to revive a certain Act of the Legislature of *Lower Canada*, for the qualification of the Justices of the Peace, was, according to order, read a second time.

Justices qualifi-  
cation Bill.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. *Hopkins* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

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

Justices qualification.

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

On motion of the Honourable Mr. Jones, seconded by Sir Allan N. MacNab.

*Ordered*, That the said order be discharged, and that the said Bill be referred to a Special Committee, to report thereon with all convenient speed; with power to send for persons, papers, and records.

*Ordered*, That the Honourable Mr. Jones, the Honourable Mr. Neilson, Mr. Henry Smith, Mr. Williams, and Mr. Kimber, do compose the said Committee.

*Ordered*, That it be an instruction to the said Committee to consider and report to this House, the expediency of extending the provisions of said Bill to that part of this Province lately called *Upper Canada*.

Salmon Fishery Bill.

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

*Ordered*, That the said order of the day be postponed, until Monday next.

Winter Roads Bill.

A Bill to amend and repeal, in part, two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly called *Lower Canada*, was, according to order, read a second time.

*Resolved*, That the said Bill be referred to a Select Committee, composed of Messieurs *Armstrong, Parent, Neilson, Kimber, Holmes, Barthe, and Leslie*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Registry Offices.

The order of the day for the House in Committee to consider the expediency of amending the Ordinance of the Special Council of the late Province of *Lower Canada*, establishing Registry Offices, being read, The House accordingly resolved itself into the said Committee.

Mr. Roblin took the chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. Roblin reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is expedient to amend the Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, establishing Registry Offices.

*Ordered*, That the Honourable Mr. Jones have leave to bring in a Bill to extend the time allowed by the Ordinance therein mentioned, for the registration of certain charges or incumbrances on Real Estate;

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time to-morrow.

Boundary Commissioners' Act.

The order of the day for the House in Committee, to consider the expediency of continuing and amending an Act passed by the Legislature of the late Province of *Upper Canada*, in the first year of Her Majesty's reign, intituled, "An Act to authorise the establishment of Boards of Boundary Line Commissioners, within the several Districts of this Province," being read;

The House accordingly resolved into the said Committee.

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

Mr. Speaker resumed the Chair.

The order of the day for the House in Committee, to take into consideration the expediency of altering and amending the Judicature Act, relating to the District of *Gaspé*, being read;

On motion of Mr. Hamilton, seconded by Mr. Kimber,

*Ordered*, That the said order of the day be discharged.

Then, on motion of Mr. Hamilton, seconded by Mr. Sherwood,

The House adjourned.

### Veneris 23<sup>o</sup> die Septembris.

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. Parke, the Petition of Z. S. W. Richardson, and others, of the township of *Bayham*.

By Mr. Yule, the Petition of the Reverend P. M. Mignault, Founder and Superior of the College of *Chambly*.

By Mr. Simpson, the Petition of G. Beaudet, and others, of the county of *Vaudreuil*.

By Mr. Parent, the Petition of F. X. Rochette, and others, Inhabitants of the Coast of *Labrador*.

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

Of *Gaspard Dauth*, of *St. Anne Lapérade*, complaining of losses sustained in the construction of the Bridge over the River *St. Anne*, in the said parish, and praying relief.

Of *John Gilchrist*, of *Peterboro'*, praying for compensation for damages, caused by the Dam at the Public Works at *Crook's Rapids*, on the River *Trent*.

Of the Municipal Council of the District of *Newcastle*, praying for certain alterations in the Act of the last Session of the present Parliament, establishing Municipal Councils.

Of the Medical School of *Montreal*, in connexion with the *McGill* College, praying for an aid.

Of the *Montreal* Auxiliary Bible Society, praying to be allowed to import copies of the Holy Scriptures, free of duty.

Of the Protestant Episcopal Residents of the parish and seignory of *Laprairie de la Magdeline*, praying an aid for building a Parsonage House, and improving the Church in the said parish.

Of *Aeneas Bell*, of the city of *Toronto*, a Messenger in the late House of Assembly of *Upper Canada*, praying that the pension allowed him by the House during the last Session of the present Parliament, be increased.

Of *Charles Smith* and *Anthony Anderson*, of *Quebec*, praying for an extension of the Act allowing the constructing of the *Dorchester* Bridge across the River *St. Charles*.

Of *J. Bell Forsyth*, and others, of *Quebec*, praying to be incorporated into a Joint Stock Company, for the purpose of building a Bridge across the River *St. Charles*.

Of *J. E. Heath*, and others, of the city and neighbourhood of *Quebec*, praying that an application for leave to construct a Toll Bridge across the River *St. Charles*, be granted.

Of



**Mrs. A. Bouchette.** Of Mrs. *Adelaide Bouchette*, of *Quebec*, widow of the late *Joseph Bouchette*, Surveyor General, praying for a pension, in consideration of the services of her late husband.

**W. V. Bacon.** Of *William Vynne Bacon*, of *Kingston*, praying to be admitted as an Attorney and Solicitor in the Courts of Queen's Bench and Chancery, in *Canada West*.

**City of Quebec.** Of the Mayor, Aldermen, and Citizens of the city of *Quebec*, praying that an Act be passed incorporating certain persons under the style and title of "The *Quebec Gas Light and Water Company*."

**R. F. Gourlay.** Of *Robert F. Gourlay*, of *St. Catharines*, praying for redress of certain private grievances.

**Positions referred:**  
**J. Gilchrist.** Resolved, That the Petition of *John Gilchrist*, of *Peterborough*, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That *Mr. Boswell*, *Mr. Roblin*, *Mr. Williams*, *Mr. Durand*, and *Mr. Foster*, do compose the said Committee.

**G. Beaudet, and others.** Ordered, That the Petition of *G. Beaudet*, and others, of the county of *Vaudreuil*, presented to the House this day, be referred to the Special Committee to which was referred the documents laid before the House, by command of His Excellency the Governor General, relating to the *Beauharnois Canal*.

**Gibb, Munn, and others.** Resolved, That the Petition of *James Gibb*, *John Munn*, and others, of *Quebec*, presented to the House on the twentieth instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That *Mr. Black*, *Mr. Burnet*, the Honourable *Mr. Neilson*, *Mr. Parent*, and *Mr. Berthelot*, do compose the said Committee.

**City of Quebec.** Ordered, That the Petition of the Mayor, Aldermen and Citizens, of the city of *Quebec*, be referred to the said Committee.

**H. F. Gourlay.** Resolved, That the Petition of *Robert F. Gourlay*, of *St. Catharines*, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Honourable *Mr. Neilson*, *Mr. Dunlop*, *Mr. Johnston*, the Honourable *Mr. Harrison*, and *Sir Allan N. MacNab*, do compose the said Committee.

**G. Dauth.** Resolved, That the Petition of *Gaspard Dauth*, of *Ste. Anne Lapérade*, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That *Mr. Kimber*, *Mr. Turcotte*, *Mr. Taché*, *Mr. Noël*, and the Honourable *Mr. Neilson*, do compose the said Committee.

The Honourable *Francis Hincks*, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:

**Charles Bagot.** The Governor General transmits to the House of Assembly, a Statement of the probable Revenue and

Expenditure of the Province during the year ending 31st December, 1842, together with an Estimate of the sums required for the service of the same year; and in conformity with the provisions of the 57th Clause of the Union Act, he recommends these Estimates to the House of Assembly.

Government House,  
*Kingston*, 23rd Sept. 1842.

[For the Estimate and Statement of probable Revenue and Expenditure accompanying the said Message, see Appendix (K.) at the end of this Volume.]

*Mr. Taschereau*, from the Special Committee appointed to inquire into the present state of the Offices and Departments of this House, with a view of ascertaining if any, and what, vacancies have occurred by resignation or otherwise, since last Session, and the necessity of filling such vacancy, if any there be, with power to report from time to time, presented to the House the first Report of the said Committee, which was again read at the Clerk's table, as followeth:—

That your Committee called upon the Clerk of your Honourable House, and interrogated him as to the fact of any vacancy, or vacancies, having occurred in any Department under his charge since the last Session, and were informed by that Officer that one existed in consequence of the resignation of the Assistant French Translator; and he laid before your Committee several applications addressed to him during the recess.

Your Committee, after investigating the qualifications of the respective applicants, beg leave to recommend to your Honourable House, as a person well qualified to fill the situation, *Mr. F. X. Garneau*; and would also recommend an alteration in the manner of remunerating that Officer, viz. that he be paid a fixed annual salary of £200, in lieu of an allowance per day, as at present.

Ordered, That the said Report be referred to a Committee of the whole House, on Monday next.

*Mr. Kimber* from the Special Committee to which was referred that part of the Petition of the Reverend *T. Cooke*, *S. B. Hart*, and others, Inhabitants of the District of *Three Rivers*, praying for the application of the Jesuits Estates, to the purpose of Education in *Canada East*, and for the concession of Crown Lands in the rear of the town of *Three Rivers*, and the Petition of certain Censitaires in the Fields and Seignories belonging to the late order of Jesuits, in the town and District of *Three Rivers*, with power to report from time to time, presented to the House the first report of the said Committee, which was again read at the Clerk's table.

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

*Mr. Armstrong*, from the Special Committee to which was referred the Bill to amend two certain Ordinances therein mentioned, relative to Winter Roads, in that part of the Province formerly called *Lower Canada*, reported to the House that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table.

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

The Honourable *Mr. Jones*, from the Special Committee to which was referred the Bill to revise a certain Act of the Legislature of *Lower Canada*, for the qualification of Justices of the Peace, with an instruction to the said Committee to consider and report to this House the propriety of extending the provisions of the said Bill to that part of this Province lately called *Upper Canada*, reported to the House that the Committee had gone through the Bill, and had made several

State of Offices  
and Departments  
of the House.

Jesuits' Estates.

Winter Roads'  
Bill.

Qualification of  
Justices of Peace,  
Bill.

several amendments thereto, which amendments were again read at the Clerk's table.

*Ordered*, That the said Bill and Report be referred to a Committee of the whole House, on Monday next.

Rules, Court of Queen's Bench.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor-General—

Rules and Regulations of the Court of Queen's Bench, of *Upper Canada*, pursuant to the Statute 7th Will. 4, cap. 3.

[For the said Rules and Regulations, see Appendix (Q.) at the end of this Volume.]

On motion of the Honourable Mr. *Harrison*, seconded by the Honourable Mr. *Daly*,

*Ordered*, That Mr. Speaker do issue his warrant to the Clerk of the Crown in Chancery, to make out a new writ, for the Election of one Knight of the Shire, to serve in the present Provincial Parliament, for the County of *Portneuf*, in the room and place of *Thomas Cushing Aylwin*, Esquire, who, since his election, hath accepted the office of Her Majesty's Solicitor-General, for that part of the Province formerly called *Lower Canada*.

*Resolved*, That the Message of His Excellency, the Governor-General, presented this day, accompanying the Estimates for the year 1842, together with the documents connected therewith, be referred to a Select Committee composed of Messieurs. *Hincks*, *Neilson*, *Moffatt*, Sir *Allan N. MacNab*, *L. M. Viger*, *Leslie*, *Merritt*, *Parent*, and *Dunsmoth*, to report thereon, with all convenient speed; with power to send for persons, papers, and records.

*Ordered*, That two hundred copies of the said Message, and accompanying documents, be printed in the English and French languages, for the use of the Members of this House.

Leave of absence to Mr. Price.

*Ordered*, That Mr. *Price* have leave to absent himself from this House, until the sixth of October next, on urgent business.

On motion of Mr. *Black*, seconded by Mr. *Henry Smith*,

Proportioning punishment Bill.

*Ordered*, That the order of the day for the second reading, to-morrow, of the Bill for better proportioning the punishment to the offence in certain cases, be discharged, and that the said Bill be read a second time, on Monday next.

York contested Election.

On motion of Mr. *Roblin*, seconded by Mr. *Boswell*, *Ordered*, That the Committee appointed to try the merits of the Petitions of *Connell James Baldwin*, Esquire, and others, complaining of the undue Election and Return of *George Duggan*, Esquire, as a Member to represent the second Riding of the County of *York*, in the present Parliament, have leave to adjourn, until Tuesday next.

On motion of Mr. *Cameron*, seconded by Mr. *Derbishire*,

Petitions on Lumber trade.

*Ordered*, That the order of this House, referring the Petition of *Thomas McGoey*, and others, interested in the Lumber Trade, to a Select Committee, be discharged, and that the said Petition be referred to the Select Committee to which was referred the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and for other purposes relating to the same.

On motion of Mr. *Parke*, seconded by Mr. *Henry Smith*,

Registry Office, Middlesex.

*Resolved*, That this House will, on Tuesday next,

resolve itself into a Committee of the whole House, to consider the expediency of amending the Act of the Legislature of *Upper Canada*, 35th Geo. 3, cap. 5, in so far as relates to the place of holding the Registry Office for the County of *Middlesex*.

*Ordered*, That Mr. *Henry Smith* have leave to absent himself from this House, during the ensuing week, on urgent business. Leave of absence to Mr. H. Smith.

On motion of Mr. *Parent*, seconded by Mr. *Black*,

*Resolved*, That this House will, on Tuesday next, resolve itself into a Committee of the whole House, to consider whether it is expedient for this House to subscribe for a certain number of copies of a work now in course of publication, on the Criminal Laws of *Canada*, by Mr. *Jacques Crémazie*, for the use of the Members of this House. Publication Criminal Laws.

On motion of Mr. *Durand*, seconded by Mr. *Small*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before the House, a statement and return of the whole amount received from the several Treasurers of the different Districts of that part of the Province formerly *Upper Canada*, collected especially, as an indemnity to Members of the Legislature, and paid into the hands of the Honourable, the Receiver General of this Province. Amount received by Treasurers as indemnity to Members, U.C.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Mr. *Henry Smith*, from the Committee of the whole House, to consider the expediency of amending the Act of the Legislature of *Lower Canada*, 47 Geo. 3, cap. 9, intitled, "An Act to prevent the Desertion of Seamen and others in the Sea Service; to punish persons encouraging such Seamen and others to desert, or harbouring or concealing them thereafter: and to repeal certain Acts therein mentioned," reported, according to order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth: Desertion of Seamen, Act.

*Resolved*, That it is expedient that the allowance to be paid to Seamen, detained in Gaol, or in a House of Correction, by the Master or Commander of the vessel from which they may have deserted, be seven pence half penny, currency, per day, instead of one shilling and six pence, currency, as provided by the fifth section of the Act, 47 Geo. 3, cap. 9.

*Ordered*, That Mr. *Black*, have leave to bring in a Bill to amend the Act therein mentioned, relative to the Desertion of Seamen, and others, in the Sea Service.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time, on Monday next.

A Bill to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient boundaries and limits of the city of *Quebec*, was, according to order, read a second time. Quebec boundary Bill.

*Ordered*, That the said Bill be referred to the Committee of the whole House, to which was referred the Bill to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient boundaries and limits of the city of *Montreal*.

Debtors' deten-  
tion Bill.

A Bill to provide for the detention and conveyance to Gaol of Debtors in certain cases, within *Canada West*, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Tuesday next.

Mutual Insurance  
Bill, Canada East.

A Bill to amend certain Acts therein mentioned, relative to the establishment of Mutual Insurance Companies, in *Canada East*, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

Pot and Pearl  
Ash Bill.

A Bill to regulate the Inspection of Pot and Pearl Ashes, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Tuesday next.

Register Bill.

A Bill to extend the time allowed by the Ordinance therein mentioned, for the Registration of certain charges or incumbrances on Real Estate, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly, resolved itself into the said Committee.

Mr. *Hale* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

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

*Ordered*, That the said Committee have leave to sit again, on Tuesday next; and that it be then the first order of the day.

Committee on  
Bank Petitions.

The order of the day for the House in Committee, on the Report of the Special Committee to which were referred the Petition of the President, Directors and Company, of the Commercial Bank of the *Midland District*; and the Petition of the President, Directors and Company, of the Bank of *Upper Canada*, being read;

The House, accordingly, resolved itself into the said Committee.

Mr. *Yule* took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. *Yule* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That it is expedient to amend the Charters of the Commercial Bank of the *Midland District*, and of the Bank of *Upper Canada*, by extending their Charters and increasing their Capital Stock.

Commercial  
Bank Bill.

*Ordered*, That Mr. *Morris* have leave to bring in a Bill to extend the Charter of the Commercial Bank of the *Midland District*, and to increase its Capital Stock.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

U. C. Bank Bill.

*Ordered*, That Mr. *Boswell* have leave to bring in a Bill to extend the Charter of the Bank of *Upper Canada*, and to increase the Capital Stock thereof.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

Agriculture.

The order of the day for the House in Committee to consider the expediency of amending the Act 6 Will. IV. cap. 56, of the late Province of *Lower Canada*, intituled, "An Act to repeal a certain Act

"therein mentioned, and more effectually to remedy divers abuses prejudicial to Agriculture," being read;

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Parke* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That it is expedient to amend the Act of the Legislature of *Lower Canada*, 6 Will. IV. cap. 56, intituled, "An Act to repeal an Act therein mentioned, and more effectually to remedy divers abuses prejudicial to Agriculture."

*Ordered*, That the Honourable Mr. *Jones* have leave to bring in a Bill for better preventing the obstruction of Rivers and Rivulets in *Canada East*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Tuesday next.

*Ordered*, That Mr. *Chesley*, Member for the town of *Cornwall*, be excused from serving on the Committee appointed to try the contested Election for the town of *Niagara*.

Then on motion of the Honourable Mr. *Viger*, seconded by Mr. *Hamilton*,

The House adjourned.

Luna 26° die Septembris.

Anno 6° Victoriae Reginae, 1842.

MR. *Hale*, Chairman of the Select Committee, appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, Electors of the town of *Niagara*, complaining of the undue Election and Return of *Edward Clarke Campbell*, Esquire, sitting Member for the said town of *Niagara*, reported to the House, that the said Committee met on Friday last, at the hour of five o'clock, p. m., and were obliged to adjourn without proceeding to business, in consequence of the absence of Mr. *Chesley*, one of the Members of the said Committee, without leave of the House.

Mr. *Hale*, Chairman of the Select Committee, appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, Electors of the town of *Niagara*, complaining of the undue Election and Return of *Edward Clarke Campbell*, Esquire, as a Member to represent the said town in this present Parliament, presented to the House the final report of the said Committee, which was again read at the Clerk's table, as followeth:—

"*Resolved*, That from the scrutiny of votes before this Committee, it appears that *Henry John Boulton*, Esquire, the opposing Candidate at the late Election for the town of *Niagara*, has a majority of legal votes on the Poll.

*Resolved*, That *Edward Clarke Campbell*, Esquire, was not duly Elected to represent the said town of *Niagara*, in this present Parliament.

*Resolved*, That the opposition to the said Petition, by *Edward Clarke Campbell*, Esquire, does not appear to this Committee to be frivolous or vexatious.

*Resolved*, That it does not appear to this Committee that there was any corrupt intention on the part of the Returning Officer, at the said Election."

On motion of *Mr. Hale*, seconded by *Mr. Williams*, Ordered. That the Clerk of the Crown in Chancery do attend this House forthwith, with the last return for the town of *Niagara*, and do amend the same by rasing out the name of *Edward Clarke Campbell*, Esquire, and inserting the name of *Henry John Boulton*, Esquire.

The Clerk of the Crown in Chancery attended, according to order, and amended the said return for the town of *Niagara*.

Mr. Boulton takes his seat.

*Henry John Boulton*, Esquire, Member for the town of *Niagara*, having previously taken the oath, according to law, and subscribed, before the Commissioners, the roll containing the same, took his seat in the House.

21 Petitions read up.

The following Petitions were severally brought up, and laid on the table:—

By *Mr. Christie*, the Petition of *John Le Boutillier*, and others, of *Gaspé*; the Petition of *Robert McKenzie*, and others, of the District of *Gaspé*; the Petition of *E. H. Enright*, and others, of the County of *Bonaventure*, District of *Gaspé*, relating to the Judicature of the said District; the Petition of *Edward Man*, and others, of the District of *Gaspé*; the Petition of *M. Murray*, and others, of the Counties of *Bonaventure* and *Gaspé*; the Petition of *Thomas Busted*, and others, of the County of *Bonaventure*; the Petition of *Daniel Lavra*, and others, of *Percé*, District of *Gaspé*; and the Petition of *E. H. Enright*, and others of the County of *Bonaventure*, relating to the Municipal and other Ordinances of the Special Council.

By the Honorable *Mr. Viger*, the Petition of the Municipal Council of the District of *Richelieu*.

By *Captain Steele*, the Petition of *Edward Ryall*, and others, of the township of *Oro*, relating to Agriculture; the Petition of *Richard Drury*, and others, of the township of *Oro*; the Petition of *Edward Ryall*, and others, of the township of *Oro*, relating to *Guillimbury West*; and the Petition of *Richard Robinson*, and others, of the township of *Guillimbury West*.

By *Mr. Taschereau*, the Petition of *T. J. Taschereau*, Collector of Customs at the inland Port of *La Beauce*.

By the Honorable *Mr. Moffatt*, the Petition of *John P. Bower*, and others, of *Montreal* and *Kingston*, Leather manufacturers.

By *Mr. Roblin*, the Petition of *James Voller*, messenger to the Legislative Assembly.

By *Mr. Child*, the Petition of *Alexander Kilborn*, and others, Trustees of the Stanstead Academy; the Petition of *Charles Wheeler*, and others, Inhabitants of *Barnston* and *Barford*; and the Petition of *E. S. White*, and others, Inhabitants of *Barnston*, *Barford*, and vicinity.

By *Mr. Burnet*, the Petition of the Reverend *George Mackie*, in behalf of the Committee of management of the National Schools, at *Quebec*.

By *Mr. Hale*, the Petition of *William Ritchie*, of *Sherbrooke*, Registrar.

Mutual Insurance Bill, Canada Enct.

An engrossed Bill to amend certain Acts therein mentioned, relative to the establishment of Mutual Insurance Companies, in *Canada East*, was read for the third time.

Resolved. That the Bill do pass.

Ordered. That *Mr. Yule* do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read;

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

British America Assurance.

Of the *British America Fire and Life Assurance Company*, praying that they may be allowed to extend their risks to Marine Insurances.

W. Robertson, and others.

Of *William Robertson*, and others, teachers in the township of *Esquesing*, praying that the Common

School Act of the last Session of the present Parliament be amended.

Of the Municipal Council of the District of *Brock*,<sup>North Council, Brock,</sup> praying that the western boundary of the township of *Burford*, be surveyed in a straight line from the twelfth Concession.

Of *D. D. Gesner*, and others, of the township of *D. D. Gesner, and others.* *Orford*, Western District, praying for the removal of the District town of the said District, from *Sandwich* to *Chatham*.

Of *Charles Grant*, and others, of the township of *C. Grant, and others.* *Tilbury East*, Western District, praying for the removal of the District town of the said District, from *Sandwich* to *Chatham*.

Of *Samuel Smith*, and others, of the Western District, praying for the removal of the District town of the said District, from *Sandwich* to *Chatham*.<sup>S. Smith, and others.</sup>

Of *Neil McQuane*, and others, of the township of *N. McQuane, and others.* *Greenrich*, Western District, praying for the removal of the District town of the said District, from *Sandwich* to *Chatham*.

Of *Thomas Ferguson*, of the township of *Oro*,<sup>T. Ferguson.</sup> representing that he was disabled while attempting to suppress the late Rebellion, and praying relief.

Of *John Thompson*, and others, of the township of *J. Thompson, and others.* *Orillia*, praying that an application for a separation of a part of the township of *Guillimbury West*, from the District of *Simcoe*, be rejected.

Of *Thomas Drifill*, and others, of *Guillimbury West*, and adjoining townships, praying that an enquiry be made into the causes and extent of intemperance, with a view to its suppression.<sup>T. Drifill, and others.</sup>

Of *John Lister*, and others, denominated Bible Christians, praying to be admitted to all the privileges and immunities of other Christian denominations, in this Province.<sup>John Lister, and others.</sup>

Of *Nathan Gage*, and others, of the township of *N. Gage, and others.* *Dumfries*, and other places, praying that the said township, together with others, be erected into a separate District, by the name of "The District of *Brant*."

Of *Simon Fraym*, and others, of *Sophiasburgh*,<sup>S. Fraym, and others.</sup> praying that no alteration may be made to *Mr. Atkins'* original survey of the townships of *Sophiasburgh* and *Ameliasburgh*.

Of *William Morris*, and others, Inhabitants of the Eastern townships, of *Canada East*, praying that a protecting duty be laid on all foreign produce, introduced into this Province.<sup>Wm. Morris, and others.</sup>

Of *Alexander Rea*, Esq. a Justice of the Peace for the District of *St. Francis*, praying to be remunerated for losses and injuries sustained by him, in consequence of the faithful discharge of his duty as a Magistrate.<sup>Alex. Rea, Esq.</sup>

Of *Alanson Cummings*, and others, of the township of *A. Cummings, and others.* *Compton*, in the District of *St. Francis*, praying to be indemnified for losses sustained by them in consequence of their resisting the encroachments of the State of *New Hampshire*, on the disputed Territory.

Of *Samuel Street*, of the township of *Stamford*,<sup>Samuel Street.</sup> Executor of the Estate of the late *Thomas Clarke*, praying to be allowed to make use of any Commission issuing from the Court of Queen's Bench, in this Province, for the recovery of the said Estate.

Of

Very Rev. Angus McDonell, and others. Of the Very Reverend *Angus MacDonell*, and others, of *Sandwich*, praying to be allowed to dispose of certain lands which they received from the Executive as a Grant in Trust, on behalf of the Roman Catholic Church.

Wm. Baker, and others. Of *William Baker*, and others, Trustees of the *Dunham Academy*, praying an aid for the said Institution.

Mrs. A.A. Keeler. Of *Alice Ann Keeler*, of *Brantford*, praying for a divorce from her husband.

Wm. Macrae. Of *William Macrae*, Collector of Customs, at the Port of *St. Johns*, praying for an increase of salary.

J. J. Nesbitt, and others. Of *J. J. Nesbitt*, and others, of *St. Roch* and *St. Vallier* Suburbs of *Quebec*, and other places, praying that the prayer of the Petition for leave to erect a Bridge over the River *St. Charles*, at the *St. Paul's Market*, be not granted; and that the *Dorchester Bridge* be made toll free.

Ladies of Male Orphan Asylum, Quebec. Of the Ladies composing the Managing Committee of the Male Orphan Asylum at *Quebec*, praying for an aid.

H. Gowen, and others. Of *H. Gowen*, and others, of *Quebec*, praying for an Act of Incorporation, under the style and title of "The City of *Quebec Gas Light and Water Company*."

Capt. Harris. Of *H. W. Harris*, Captain of the 24th Regiment of Foot, praying for a divorce from his wife.

Z. S. W. Richardson, and others. Of *Z. S. W. Richardson*, and others, of the township of *Bayham*, praying that the said township be annexed to the District of *Brock*.

Rev. P. M. Mignault. Of the Reverend *P. M. Mignault*, Founder and Superior of the College of *Chambly*, praying an aid for the said College.

F. X. Rochette, and others. Of *F. X. Rochette*, and others, Inhabitants of the Coast of *Labrador*, praying that steps be taken to prevent the destruction of the sea fowl, in the adjacent Islands.

Wm. Ross, and others. Of *William Ross*, and others, praying for the moiety of their salaries, withheld from them during the suspension of the Constitution of *Lower Canada*.

Petitions referred: W. Ross, and others. Resolved, That the Petition of *William Ross*, and others, be referred to a Select Committee composed of *Sir Allan N. MacNab*, and Messieurs *Cameron*, *Black*, *Leslie*, and *Dunlop*, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

H. America Fire and Life Assurance Company. Resolved, That the Petition of the British *America Fire and Life Assurance Company*, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Honourable Mr. *Dunn*, Mr. *Boulton*, and Mr. *Hale*, do compose the said Committee.

Very Rev. Angus McDonell, and others. Resolved, That the Petition of the Very Reverend *Angus MacDonell*, and others, of *Sandwich*, be referred to a Select Committee composed of Mr. *Cameron*, *Sir Allan N. MacNab*, and Mr. *Boulton*, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Rev. A. Blanchard, and others. Resolved, That the Petition of the Reverend *Abijah Blanchard*, and others, of the Districts of

*Niagara, Gore and Wellington*, presented to the House on the nineteenth instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That Mr. *Harmannus Smith*, Mr. *Dunlop*, Mr. *Woods*, Mr. *Leslie*, and Mr. *Boulton*, do compose the said Committee.

Resolved, That the Petition of the Reverend C. P. *Reid*, and others, Members of the Church of *England*, in the township of *Compton*, presented to the House on the nineteenth instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That Mr. *Hale*, Mr. *Black*, and Mr. *Yule*, do compose the said Committee.

Resolved, That the Petition of Mrs. *Adelaide Bouchette*, of *Quebec*, widow of the late *Joseph Bouchette*, Surveyor-General, presented to the House, on the twenty-first instant, be referred to a Special Committee, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That Mr. *Burnett*, the Honourable Mr. *Neilson*, Mr. *Leslie*, Mr. *Yule*, and Mr. *Taschereau*, do compose the said Committee.

Resolved, That the Petition of *Alice Ann Keeler*, of *Brantford*, be referred to a Select Committee, composed of Mr. *Powell*, *Sir Allan N. MacNab*, and Mr. *Merritt*, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Mr. *Roblin*, Chairman of the Select Committee appointed to try the merits of the Petitions of *Connell James Baldwin*, Esquire, and others, complaining of the undue Election and return of *George Duggan*, Esquire, as a Member to represent the Second Riding of the County of *York*, in the present Parliament, presented to the House the final Report of the said Committee, which was again read at the Clerk's table, as followeth:—

"Resolved, That, in consequence of great violence upon the persons of several of the electors, and and intimidations held out against the supporters of the Petitioner, this Committee are of opinion that many Freeholders in the Riding were deterred from offering their votes for the Petitioner.

Resolved, That this Committee do therefore declare the election of *George Duggan*, Esquire, for the said Riding, to be void.

Resolved, That it does not appear to this Committee that the violence and intimidation, mentioned in the first Resolution, were encouraged by the sitting Member, but were discountenanced by him.

Resolved, That the defence of the sitting Member to the Petition is not frivolous or vexatious.

Resolved, That the Petitions are neither of them frivolous or vexatious."

The Honourable Mr. *Moffatt*, from the Special Committee to which was referred the Petition of the *Montreal Fire Assurance Company*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:—

"That, after an attentive perusal of the said Petition, your Committee are of opinion that the prayer thereof should be granted; they have, therefore, prepared a Bill, for the purpose of extending the business of the said Company to the making Insurances

on

on Lives, and the making and granting Annuities or Endowments for widows and children, and further to the making of contracts of assurance against damage or loss to vessels navigating the Lakes and Rivers of the Province, and their cargoes; which Bill they beg leave respectfully to recommend for the consideration of your Honourable House."

*Resolved.* That this House doth concur with the Special Committee in the said Report.

*Ordered.* That the Honourable Mr. *Moffatt* have leave to bring in a Bill, to grant further powers to the *Montreal Fire Assurance Company*, and to change the name of the said Corporation.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

Mr. *Morris*, from the Special Committee on the Contingent Accounts and Expenses of this House, during the present Session, with power to report from time to time, presented to the House the First

report of the said Committee, which was again read at the Clerk's table, as followeth:—

"That your Committee have examined the accompanying Account of the Clerk of the House, and the vouchers connected therewith, detailing the disbursement of the sum of Eleven Thousand and Sixty Three Pounds, Thirteen Shillings, and Three Pence, advanced by His Excellency, the Governor-General, in conformity to an Address of this House of the 16th September, 1841; and these Accounts being quite satisfactory, your Committee recommend that the said sum may be provided by your Honourable House.

In the opinion of your Committee, the sum of Six Thousand Pounds, will be required on account of the Contingencies of the present Session; and your Committee would therefore recommend that an Address be presented to His Excellency, the Governor-General, praying that His Excellency may issue his warrant in favour of the Clerk of this House for said amount, and assuring His Excellency that this House will make good the same during the next Session of the Legislature."

Montreal Fire Assurance Bill.

1st Report on Contingencies.

Account of Moneys received, and Payments made, by *W. B. Lindsay*, Esquire, Clerk of the Legislative Assembly, as Contingencies of the First Session of the First Parliament of *Canada*.

To payments made to the Clerk's Office, as per vouchers A .....	£	2718	13	4
To amount paid for Stationery, as per vouchers B.....		380	9	11
To indexing Journals of <i>Upper</i> and <i>Lower Canada</i> , as per vouchers C.....		100	0	0
To payments made to the Librarian and Deputy, as per vouchers D.....		348	14	1
To payment for the purchase of Books for Library, as per estimate.....		*300	0	0
To payments made for Newspapers, as per vouchers F.....		36	8	10
To payments made to Door-keeper and Messengers, as per vouchers G.....		546	16	4
To payments made for Printing, as per vouchers H.....		2337	0	0
To amount paid for Binding, as per voucher I.....		100	0	0
To payment made for Carpenter's work, as per voucher J.....		250	0	0
To amount of Post Office Accounts, as per voucher K.....		1707	9	9
To amount of Freight of Stoves from <i>Toronto</i> , and for wood, as per voucher L.....		29	9	0
To payments made to complete services of <i>U. &amp; L. Canada</i> , as per voucher M.....		1322	1	9½
To payments for articles furnished during the Session, as per voucher N.....		610	0	3½
To amount paid of certain Resolutions, as per vouchers O .....		351	17	6
To amount of Contingent disbursements, not estimated, as per voucher P.....		315	6	6½
To deposits on private bills refunded, as per vouchers Q.....		80	0	0
To the Clerk's allowance of one per cent, on £11,531 7s. 4½d.....		115	6	10½
To balance in hands of the Clerk.....		253	19	1
	£	11903	13	4

1841. July 1	By cash from <i>Jas. H. Price</i> , Esquire, M. P. P. deposit on private Bill, in favour of <i>R. J. Turner</i> .....	£	20	0	0
" 3	Ditto from <i>H. Black</i> , Esquire, M. P. P. deposit on private Bill, incorporating the <i>Canada Fire Assurance Company</i> .....		20	0	0
" 21	Ditto from <i>John Simpson</i> , Esquire, M. P. P. deposit on private Bill, in favour of the <i>North American Colonial Association of Ireland</i> .....		20	0	0
" 23	Ditto from the Honourable Mr. Speaker .....		300	0	0
August 13	Ditto from <i>I. Buchanan</i> , Esquire, M. P. P. deposit on private Bill, in favour of the <i>Bank of Upper Canada</i> .....		20	0	0
" 18	Ditto from ditto, deposit on private Bill, incorporating the <i>Toronto Gas and Water Company</i> .....		20	0	0
" 23	Ditto from the Honourable Mr. Speaker .....		400	0	0
" 31	Ditto from <i>B. Holmes</i> , Esquire, M. P. P. deposit on private Bill, in favour of the <i>Montreal Bank</i> .....		20	0	0
" "	Ditto from <i>J. S. Cartwright</i> , Esquire, M. P. P. deposit on private Bill, in favour of the <i>Midland District Bank</i> .....		20	0	0
September 27	Ditto, Sir <i>Richard D. Jackson's</i> Warrant, No. 1, £9957 6 0 Sterling .....		11063	13	4
		£	11903	13	4

\* The amount of Invoice for Books from *England*, is £209 4 9 Sterling, exclusive of charges; and other Books are yet to be sent, as per order.

Ordered,



*Ordered*, That the said Report be referred to a Committee of the whole House, to-morrow.

Report on  
Petition of  
Geo. Adams,  
and others.

Mr. *Merritt*, from the Special Committee to which was referred the Petition of *George Adams*, and others, of the District of *Niagara*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:

"The Committee to which was referred the Petition of *George Adams*, and others, praying that the double security clause may be removed from the *Niagara* District Bank, have taken the same into consideration; and it has been represented to them that the Bank of *Upper Canada*, and the Commercial Bank, have received Charters without this restriction; that it was imposed by the Treasury since those Banks were chartered, by instructions to His Excellency, the Lieutenant Governor of *Upper Canada*, dated 20th April, 1837, of which the following is an extract: "That the sum to which the personal responsibility of the respective shareholders may be limited, should not be less than twice the amount of the shares held by each." Since that period, a Charter has been granted to the Bank of *British North America*, by the Home Government, in which it has not been exacted.

That in consequence of this restriction, the double security clause was inserted in the Bills of last Session, and for no other reason.

The Committee are of opinion that the Charters already contain ample security to the public, by requiring one half of the capital to be paid in before the Bank goes into operation, and the remainder within eighteen months; also, that it is unjust to the Inhabitants of this Colony, that they should be limited by restrictions in granting Charters for Banking purposes, when the Home Government grant Charters for the same purpose, without those restrictions, thus having in operation three different systems of Banking within the Province at the same time; from the experience of many years, they find the Bills of the Bank of *Upper Canada*, and of the Commercial Bank, without this restriction, circulate as freely as the *Gore* Bank, with it. That it prevents the free introduction of capital from *Britain*, and the resources of this young and promising country, from being fully developed, and proves injurious to the public interest.

The Committee, therefore, recommend that this restriction be removed, and the following Resolution submitted to a Committee of the whole House, on the subject.

*Resolved*. That, in the opinion of this Committee, it is inexpedient that the clause, requiring shareholders to be liable for double the amount of their subscribed stock, should be continued in the various Bank Charters within the Province."

*Ordered*, That the said Report be referred to a Committee of the whole House, to-morrow.

Leave of absence  
to Mr. Crane.

*Ordered*, That Mr. *Crane* have leave to absent himself from this House, until the seventh of October next, on urgent business.

Report on  
Petition of  
Gibb, Munn,  
and others.

Mr. *Black*, from the Special Committee to which was referred the Petition of *James Gibb*, *John Munn*, and others, of the City of *Quebec*; and the Petition of the Mayor, Aldermen, and Citizens of *Quebec*, presented to the House the report of the said Committee, which was again read at the Clerk's table, as followeth:—

"Your Committee having examined the Petition of *James Gibb*, *John Munn*, and others, as also that of the Mayor, Aldermen, and Citizens, of *Quebec*, for the purpose of an Act incorporating the said Messieurs *Gibb*, *Munn*, and others, under the name of "the City of *Quebec* Gas Light and Water Company," are of opinion that the prayer of the said Petitions should be granted."

VOL. 2.

*Resolved*, That this House doth concur with the Special Committee in the said Report.

*Ordered*, That Mr. *Black* have leave to bring in a Bill to incorporate a Company under the style and title of "The *Quebec* Gas Light and Water Company."

Quebec Gas  
Light Bill.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time, to-morrow.

Mr. *Thompson* from the Select Committee to which was referred the Petition of *Richard Brown*, and others, of the County of *Haldimand*; with power to Report by Bill or otherwise, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:

Report on  
Petition of  
Richd. Brown,  
and others.

"That having examined into the prayer of the said Petition, also the Report made to your Honourable House by a Select Committee on the same subject, on the 10th August 1841, and fully concurring in the opinions therein expressed, they have prepared the draught of a Bill to erect the County of *Haldimand* into a separate District, which they beg to Report for the consideration of your Honourable House."

Mr. *Thompson*, then presented to the House, a Bill to erect the County of *Haldimand* into a separate District, by the name of "The District of *Manchester*," which was received and read for the first time, and ordered to be read a second time, on Monday next.

Haldimand  
District Bill.

Mr. *Thompson*, from the Special Committee to which was referred the Petition of the President, Directors and Company, of the *Gore* Bank, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

Report on  
Petition of  
Gore Bank.

"That they have taken the prayer of the said Petition into consideration.

That in their opinion the Charter contains ample security to the public, independent of the double security clause.

That the Bills or Notes of other Banks, whose Charters do not embrace such a clause, pass equally as current.

That the Bank of *British North America* was subsequently chartered by the Home Government without the double security clause, and that it is unjust to the Inhabitants of this Colony that they should be limited by restrictions in granting Charters for Banking purposes when the Home Government grants Charters without the said restrictions, and for the same purpose, to be exercised directly among us.

They therefore recommend to your Honourable House that, in accordance with the prayer of the said Petition, the double security clause may be repealed.

That the ratio of voting on individual Stock beyond fifty shares may be increased, and that the right thereof be extended to its Stockholders, being Her Majesty's subjects resident within the British Empire and its Colonies—and that seven of its Directors, besides the President, may be eligible to be re-elected.

The Committee further recommend that in order to enable the President better to protect the interests of the Bank, and for the greater security of the public, a clause be inserted in the Act of Incorporation providing that no paper bearing the signature or indorsement of the President, or of any Firm or Co-partnership of which he may be a Member, shall be discounted by the Bank.

And that the following Resolution be submitted to a Committee of the whole House.

*Resolved*, That in the opinion of this Committee, it is expedient that the Charter of the *Gore* Bank be amended in accordance with the above Report."

Mr.

M

Mr. Leslie, one of the Members of the Committee, dissenting from so much of the Report as goes to recommend the repeal of the double security clause.

Ordered, That the said Report be referred to a Committee of the whole House, on Thursday next.

The Honourable S. B. Harrison laid before the House, by command of His Excellency, the Governor-General:—

RETURN to an Address from the House of Assembly to His Excellency, the Governor-General, dated 22nd September, 1842, praying “for a Copy of a Despatch from the Right Honourable C. Poulett Thomson, Governor-General of this Province, to Lord John Russell, dated Government House, Montreal, 26th May, 1840, transmitting an Address from the Legislature of the late Province of Upper Canada, praying for the introduction of Canadian Corn into Great Britain, free from duty, and to empower the Legislature of this Province to originate measures relating to the Colonial Trade generally; together with Copies of all Despatches, or other communications, with the Colonial Secretary on the subject of duties on the agricultural productions of this Province since that period.”

Rawson W. Rawson.

Kingston, 24th September, 1842.

EXTRACT from a Despatch, from the Right Honourable C. P. Thomson, late Governor-General of Canada, to Lord John Russell, dated Government House, Montreal, 26th May, 1840, in as far as the same relates to the transmission of an Address from the Legislature of the late Province of Upper Canada, praying for the introduction of Canadian Corn into Great Britain, free from duty, and to empower the Legislature of this Province to originate measures relating to the Colonial Trade generally.

Colonial Trade.

“The House of Assembly have transmitted another Address, praying for the introduction of Canada Corn into Great Britain, free of duty, and they further pray that the local Legislature may be empowered, hereafter, to alter the Trade regulations of the Colony, in those cases in which they may be affected by the Imperial Laws, relating to Colonial Trade generally, subject, however, to the restriction that such Laws shall not receive the assent of the Crown, until they have been laid before both Houses of Parliament, and shall have been suffered to pass without Address from either.”

“Upon the first of these objects, it is needless for me to offer any remark. The question can only properly be considered with reference to the whole subject of the Corn Laws, and I certainly do not think that, looking to the average price of Corn in ordinary years in Great Britain, the Colonies have any right to complain of the footing on which they now stand.”

“The second point is an extremely important one. I am undoubtedly of opinion that the regulation of the principles on which Colonial Trade is to be conducted, ought to be reserved entirely to the Imperial Parliament. The power of regulating it, is one of the principal advantages resulting from Colonial possessions, and, if justly exercised, affords one of the main compensations for the expenditure which the Mother Country is compelled to incur for the defence and protection of the Colony. But whilst I admit this to its fullest extent, I have at the same time been obliged to observe the great inconvenience and even loss which results to the Colony from the necessity which now exists for all changes, in this respect, originating in England. There are a vast number of small points seriously affecting the interests of Colonial Trade, and not at all disturbing

“the general principal or objects sought to be established by Imperial Legislation, in which a change is frequently found to be desirable. Great difficulty exists, in the first place, in explaining these points at Home, and next of proving that they are of sufficient importance to demand Legislation there; but even if this be done, I know myself, from experience in that Department, too much difficulty and delay unavoidably arise in carrying such measures through Parliament. I am therefore very much disposed in favour of the middle course, now suggested by the Assembly;—If the local Legislature be permitted to originate measures of this description, I entertain no doubt that they would be able to introduce many improvements very beneficial to the trade of the Colony, and not at all injurious to Imperial interests. These, when sent Home, could receive the assent of the Crown and Parliament, whilst, if they meddled improperly with matters affecting the general interests of trade, their work would be without effect, and be open to immediate rejection. If your Lordship shall concur in this view of the case, and shall be inclined to grant this extension of power to the Colony, subject to the restriction I have stated, it would be better perhaps to pass an Act specially for the purpose, than to incorporate it in the Union Bill.”

EXTRACT from a Despatch from the Right Hon'ble. the Lord John Russell, of the 1st July, 1840, No. 171, to the late Governor-General of Canada, in as far as the same relates to the transmission of an Address from the Legislature of the late Province of Upper Canada, praying for the introduction of Canadian Corn into Great Britain, free from duty.

“With regard to the Address on the subject of the introduction of Canada Corn into Great Britain, and regarding the proposal to invest the Provincial Legislature with the power of regulating, under certain restrictions, the Trade of the Empire at large, so far as it affects Canada, I have, in obedience to Her Majesty's commands, communicated that Address, with your remarks upon it, to the Lords of the Committee of Privy Council for Trade, for their Lordship's consideration.”

(Copy.)

No. 267.

Downing Street,  
1st December, 1840.

My Lord,

I enclose the Copy of a letter which I have received, in which a suggestion is offered with respect to the admission into this Country, free of Duty, of Canada Wheat, Flour, and other Agricultural produce; and I request that you will give this subject your consideration.

I have, &c.

(Signed) J. Russell.

The Right Hon'ble. Lord Sydenham.

(Copy.)

No. 220.

Government House,  
Montreal, 21st January, 1841.

My Lord,

In reply to Your Lordship's Despatch of the 1st December, No. 267, I have the honour to state that there can be no doubt of the great effect which would be produced in these Colonies, if Parliament would be prevailed upon to admit the Agricultural produce of the Canadas free of Duty, for consumption in the United Kingdom.

The Lower Province does not produce more than enough, if enough, for its own consumption, and the growth of Wheat has been greatly diminished of late years, owing to the prevalence of the Fly—but Upper Canada is, as you are aware, entirely dependant upon

Colonial Trade.

upon the sale of its Agricultural produce, and especially of Wheat, for the production of which it is eminently calculated.

Great excitement prevails in that Province, at the present time, with regard to this subject. The abundant harvest, both there and in the Western States, has greatly increased the quantity for exportation, but the prices are so low that the Farmers and Labourers are unable to derive the advantage they expected.—The consequence is that there is an outcry raised for what is termed "Agricultural protection" in the shape of Duties upon the produce of the *United States*, imported into *Canada*—a scheme, it is scarcely necessary to observe, which would, even if it were not objectionable in principle, be utterly useless to an exporting Country for the end sought, namely to raise the price, whilst it would diminish, if it did not destroy, one great branch of Trade, the grinding *United States Corn* for consumption in lieu of the native grown which is exported, or even for importation.

The real means of affording an advantage to *Upper Canada* would be to permit the importation of its produce, free of duty, into the United Kingdom, and the feeling which prevails upon the subject certainly renders it at this moment a matter of the utmost importance.

As such I trust that it will meet the best consideration on the part of Her Majesty's Government.

I have, &c.

(Signed.) *Sydenham.*

The Right Honble. the Lord *J. Russell,*  
&c. &c. &c.

(Copy.)

No. 320.

*Downing Street,*  
3d March, 1841.

My Lord,

Adverting to your Lordship's Despatch, No. 115, of the 26th May, 1840, in which was enclosed an Address to the Queen from the House of Assembly of *Upper Canada*, respecting the Trade Regulations of the Province, and the repeal of the duties levied upon agricultural produce imported from *Canada* into the United Kingdom, to my answers thereto of the 1st July, No. 171, and to your Lordship's recent proposition for altering the clause of the Royal Instructions, which prohibits the Provincial Legislature from legislating on subjects connected with the Trade of the British Empire, I have to inform your Lordship that the Lords of the Committee of Privy Council for Trade have considered the recommendations contained in your Despatch, and the Address; and I shall communicate to your Lordship, by the first opportunity, the decision of Her Majesty's Government thereupon.

The President of the Board of Trade will bring before the House of Commons, on Friday, the 12th instant, several propositions connected with this subject, and I regret that they are not sufficiently matured to enable me to transmit them to you by the present Mail.

It will be the object of the Queen's Government to free the Trade of *Canada* from restrictions which are unnecessary, and at the same time to do justice to the industry and manufactures of the United Kingdom.

I have, &c.

(Signed.) *J. Russell.*

The Right Honourable Lord *Sydenham,*  
&c. &c. &c.

No. 82.

*Government House,*  
*Kingston,* 25 June, 1841.

My Lord,

I have the honour to transmit to you, herewith, in order that it may be laid at the foot of the Throne, a Memorial to Her Majesty from certain Merchants at *Montreal*, praying that certain articles of Canadian produce, therein specified, may be admitted into the United Kingdom, free of Duty.

Similar Memorials, proceeding from the same parties, have, I understand, been forwarded to Members of the Houses of Lords and Commons for presentation.

I have, &c.

(Signed.) *Sydenham.*

The Right Honble. the Lord *J. Russell,*  
&c. &c. &c.

Copy.)

No. 404.

*Downing Street,*  
19th July, 1841.

My Lord,

I have received your Lordship's Despatch, No. 82, of the 25th June, enclosing a Petition to the Queen from various Merchants at *Montreal*, praying the repeal of the Duties at present levied on Canadian Wheat, and other produce, when imported into the United Kingdom, to compensate for the injury to Canadian commerce, which is apprehended from the proposed alteration of the Duties on Foreign produce imported into British *North America* and the *West Indies*.

You will have the goodness to inform the Petitioners that I have had the honour to lay their Petition before the Queen, who was pleased to receive it very graciously. By Her Majesty's commands, it has been referred for the consideration of the Lords of the Committee of Privy Council for Trade.

I have, &c.

(Signed.) *J. Russell.*

The Right Honble. Lord *Sydenham,*  
&c. &c. &c.

(Copy.)

No. 421.

*Downing Street,*  
8th August, 1841.

My Lord,

With reference to my Despatch, No. 404, of the 19th July, acquainting your Lordship that the Memorial from the Merchants of *Montreal*, transmitted in your Despatch of the 25th June, had been referred by the Queen's commands to the Lords of the Committee of Privy Council for Trade, I have now to inform you, that their Lordships having had your Despatch and the Memorial under their consideration, have been pleased to state that the Memorial will be again referred to, when the Bill relating to Duties upon Articles imported from the British North American Colonies shall hereafter be brought forward in Parliament.

Your Lordship will be pleased to apprise the Petitioners of this answer to their Memorial.

I have, &c.

(Signed.) *J. Russell.*

The Right Hon'ble. the Lord *Sydenham,*  
&c. &c. &c.

(Copy.)

No. 7.

*Government House,*  
*Kingston,* 27th September, 1841.

My Lord,

I have the honour to transmit to your Lordship herewith, in order that they may be laid at the foot of the Throne, Addresses to Her Majesty from the Legislative Council and the House of Assembly of this Province, praying for the admission of the produce of *Canada* into the ports of *Great Britain*, duty free. I need scarcely state to your Lordship that this subject is viewed with the most lively interest by all the inhabitants of *Canada*; and I feel confident, therefore, that it will receive the attentive consideration of Her Majesty's Government.

I have, &c.

(Signed.) *R. D. Jackson.*

The Right Hon'ble. the Lord *Stanley,*  
&c. &c. &c.

(Copy.)

Colonial Trade.

Colonial Trade.

(Copy.)

No. 10.

Downing Street,  
22d October, 1841.

Sir,

I have to acknowledge the receipt of Sir *Richard Jackson's* Despatch of the 27th of September. No. 7, in which he transmits Addresses to Her Majesty from the Legislative Council and the House of Assembly of *Canada*, praying for the admission of the Produce of the Province into the ports of *Great Britain*. Duty free.

I have to direct you, in answer, to acquaint the Legislative Council and the Legislative Assembly of the Province of *Canada*, that I have laid these Addresses before the Queen, and that Her Majesty, deeply impressed with the importance of the subject to which they relate, has been pleased to command that the Addresses should be referred for consideration to the Lords of the Committee of Privy Council for Trade; and that, when Her Majesty shall be in possession of their Lordships' report and advice on the subject, Her Majesty will cause a further communication to be made to you, for the information of the Legislative Council and the Legislative Assembly.

I have, &amp;c.

(Signed.) *Stanley.*The Right Honble. Sir *Charles Bagot*, G. C. B.

&amp;c. &amp;c. &amp;c.

(Copy.)

No. 39.

Government House,  
Kingston, 21st February, 1842.

My Lord,

I have the honour to transmit to your Lordship herewith, Petitions from the Board of Trade of *Montreal*, to the Throne, and to the two Houses of the Imperial Parliament, praying the repeal of the Duties now levied on the importation into the United Kingdom, of certain articles of provision, the produce of *Canada*. I also enclose, for your Lordship's information, a Copy of the Memorial to myself which accompanied these Petitions, and of the Answer which I returned to it.

I have to request that your Lordship would lay at the foot of the Throne the Address to Her Majesty, and would entrust to Members of the Houses of Lords and Commons the Petitions addressed to those Houses, respectively.

I have, &amp;c.

(Signed.) *Charles Bagot.*The Right Honble. the Lord *Stanley*,

&amp;c. &amp;c. &amp;c.

(Copy.)

No. 115.

Downing Street,  
3rd April, 1842.

Sir,

I have received your Despatch, No. 39, of the 21st of February, enclosing Petitions to the Queen and to the two Houses of Parliament, from the Board of Trade of *Montreal*, praying the repeal of the Duties now levied on the importation into the United Kingdom of certain articles of Canadian Produce.

I have to instruct you to inform the Petitioners that I have had the honour to lay their Petition to the Queen before Her Majesty, and that Her Majesty was pleased to receive it very graciously, and to direct it to be referred for the consideration of the Lords of the Committee of Privy Council for Trade.

The Petition to the House of Lords will be entrusted to the Earl of *Ripon* for presentation—that to the House of Commons will be presented by myself.

I have, &amp;c.

(Signed.) *Stanley.*The Right Honble. Sir *Charles Bagot*, G. C. B.

&amp;c. &amp;c. &amp;c.

Colonial Trade.

(Copy.)

No. 83.

Downing Street,  
2d March, 1842.

Sir,

In the anxious consideration, which it has been the duty of Her Majesty's Government to give to the important and complicated question of the importation of Corn into this Country, they have, of course, not overlooked the interest, which is felt in this question by the Province of *Canada*, and which has been expressed in Memorials from the Legislative Body, and from other parties, addressed to Her Majesty and to the Legislature of this Country, and although, in present circumstances, Her Majesty's Government have not felt themselves justified in recommending to Parliament a compliance with the general request of the various Memorialists, that Canadian Corn and Flour should be imported, at a nominal duty, into the United Kingdom, I trust that the steps which we have taken, and the grounds upon which we have declined to advance further in the same direction, will convince the people of *Canada*, that the course which we have pursued has been dictated by no unfriendly feeling towards the interests of *Canada*, and especially of Canadian Agriculture.

The steps which have been taken, so far as they go, have been decidedly in favour of those interests. By the Law as it has hitherto stood, Canadian Wheat and Wheat Flour have been admissible into *Great Britain* at a rate of duty estimated at 5s. per quarter until the price in the English Market reached 67s. at which amount the duty fell to 6d. By the Bill which is now before Parliament, the duty of 5s. is leviable only while the price is below 55s. and at 58s. falls to 1s. only. But in addition to this reduction in the amount of price at which the lower duty becomes payable, it is proposed to take off the restriction, which has hitherto been imposed upon the importation of Canadian Flour into *Ireland*, and thus to open a new Market to that which may justly be considered as one of the Manufactures of *Canada*.

In the measures which they have adopted, not without the most anxious attention to the various interests involved, Her Majesty's Government have been desirous, while they gave a general facility of admission to the British Market, of disturbing, as little as possible, the relative advantages possessed by the Colonial and Foreign supplies of that Market. In this sense, while they have continued to the Channel Islands, the facilities which they have heretofore enjoyed of a free importation of their own produce, (limited as it necessarily is in extent) into *Great Britain*, together with the means which they at present enjoy of having their own supplies furnished from the neighbouring and cheaper Market, they have not felt themselves called upon to remove from the Isle of *Man* the restrictions which have been recently imposed on that Island as to its Foreign Imports, while it possesses the advantages of an unrestricted Commerce with *Great Britain*. The same principle has guided Her Majesty's Government in the course which they have felt it their duty to pursue with regard to *Canada*.

It is impossible to be more fully convinced, than are the Members of Her Majesty's Government, of the importance to the interests, both of the Colony and of the Mother Country, of maintaining, between the two, the most unrestricted freedom of Commercial intercourse. Even a cursory examination of facts and figures must demonstrate the value to be attached in a Commercial, and much more in a moral and political point of view, to the continuance and improvement of that rapidly increasing intercourse; and Her Majesty's Government would have had much less difficulty in approaching the question of an unrestricted admission of Canadian Wheat and Flour into the British Markets, if it had been in their power to look at that question as one of intercourse between

*Great*

Colonial Trade. *Great Britain* and her most important Colony, and independent of all considerations of Foreign Trade.

But it was impossible for Her Majesty's Government so to regard it. It was impossible that they should not advert to the Geographical position of *Canada*, in reference to the great Corn-growing States of the West of *America*. It was impossible not to see, that however desirable it might be even to encourage the transit through *Canada* of the produce of those States, with the advantage to *Canada* of any manufacturing process which it might undergo in the transit, a relaxation of duty, to the extent of free or nearly free admission, would have been a relaxation not limited, as in this case, it ought to be, to the produce of a British Colony.

It is true that the Imperial Parliament, at the time that they admitted Canadian Produce at a nominal duty, might constitutionally have imposed a corresponding duty upon the import of American Wheat into *Canada*, and might thus have placed a check upon the undue influx of Foreign, under the name of Canadian Produce; but whatever might be the view taken by Her Majesty's Government, under a different state of circumstances in which a tax imposed by Colonial authority, and of course receivable into the Colonial Treasury, upon Wheat imported from the *United States*, might secure the Agriculturists of *England* against the competition of Foreign growers, they have been unwilling to impose such a tax, by the authority of Parliament, upon a raw article which might be required for Home consumption in *Canada*, and, in the absence of such a tax, have felt it impossible to propose to Parliament a further reduction than that which they have submitted, in favour of Wheat and Wheat Flour shipped from the Ports of *Canada*.

I have, &c.

(Signed.) *Stanley.*

The Right Honble. Sir *Chas. Bagot*, G. C. B.  
&c. &c. &c.

(Copy.)  
No. 80.

*Government House,*  
*Kingston*, 14th April, 1842.

My Lord,

I have the honour to acknowledge the receipt of your Lordship's Despatch of the 2d ultimo, No. 83, explaining the course which Her Majesty's Government have felt it their duty to adopt, with reference to Canadian produce, in the measures which they have submitted to the Imperial Legislature, for an alteration of the Laws affecting the importation of Corn into the United Kingdom; in obedience to your Lordships commands, I shall communicate the substance of this Despatch to the Legislature, at their next meeting.

I have, &c.

(Signed.) *Charles Bagot.*

The Right Honble. the Lord *Stanley.*  
&c. &c. &c.

(Copy.)  
No. 93.

*Government House,*  
*Kingston*, 28th April, 1842.

My Lord,

I have the honour to transmit to your Lordship herewith, in order that it may be laid at the foot of the Throne, a Petition from the Merchants, Millers, Agriculturists, and others, of the *Home District* of the late Province of *Upper Canada*, praying for the admission into the United Kingdom, duty free, of Canadian Corn, and the imposition of the foreign duty upon American Corn, upon its importation into *Canada*. This Petition is very numerously signed, and was presented to me on my late visit to *Toronto*. Although I fear that it will arrive too late to receive the consideration of Her Majesty's Government before the measures now before the Imperial Parliament for

Colonial Trade. the alteration of the Corn Laws shall have become Law, I have not felt myself at liberty to refuse the request of the Petitioners that it might be transmitted to your Lordship.

I have, &c.

(Signed.) *Charles Bagot.*

The Right Honble. the Lord *Stanley,*  
&c. &c. &c.

(Copy.)  
No. 153.)

*Downing Street,*  
29th May, 1842.

Sir,

I have received your Despatch, No. 93, of the 28th April, enclosing a Petition to the Queen, from the Merchants, Millers, Agriculturists, and other inhabitants of the *Home District* of Western *Canada*, praying for the admission into the United Kingdom, duty free, of Canadian Corn, and the imposition of the Foreign duty upon American Corn on its importation into *Canada*.

I have to instruct you to acquaint the Petitioners, that I have had the honour to lay their Petition before the Queen, and that Her Majesty was pleased to receive it very graciously.

Previously, however, to the arrival of this Petition, the Bill for amending the Acts regulating the Corn Trade had passed into a law.

I have &c.

(Signed.) *Stanley.*

The Right Honble. Sir *Charles Bagot*, G. C. B.  
&c. &c. &c.

(Copy.)  
No. 138.

*Downing Street,*  
30th April, 1842.

Sir,

I have the honour to transmit to you the accompanying copy of a Petition, which I have laid before the Queen, from certain Inhabitants of the townships of Western *Canada*, praying for a remission of duties on Canadian produce coming into this country, and for your co-operation with the Provincial Parliament in imposing duties on the agricultural produce of the *United States*, imported into *Canada*; and I have received the Queen's commands to instruct you to give this latter prayer your deliberate consideration.

I have, &c.

(Signed.) *Stanley.*

The Rt. Honble. Sir *Chas. Bagot*, G. C. B.  
&c. &c. &c.

(Copy.)

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign:

We, Your Majesty's most faithful subjects, Inhabitants of *Canada*, beg leave to approach Your Majesty with our earnest and humble Petition, and while making known the difficulties under which we are labouring, we beg to assure Your Majesty, that the chief object of our solicitude is the continuance of the happy union which exists between this Colony and the Parent State.

Your Petitioners, Most Gracious Sovereign, deeply regret the necessity which compels them to renew their supplications for relief, but notwithstanding the disposition frequently manifested to encourage their exertions, a variety of causes have combined to prevent their realizing the fair value of their labour. The great distance from the ocean, and heavy charges for transportation, so enhance the cost of British manufactures necessary for the farmer's use, and so reduce the value of his produce, as to limit his means of contributing to the support of the wealth and industry of the British Empire.

Grateful as we must ever be, for the kind interest Your Majesty has shewn for our welfare, in recommending such aid as will not only relieve us of a part



Colonial Trade.

of our burthens, but will enable us to complete those extensive improvements, tending to benefit the trade and to develop the resources of the Province; yet, aware of the heavy responsibility it attaches to the landed interest, we cannot but feel alarmed lest any change in the commercial policy of the Empire should prevent a just preference being given to our staple produce, without which the Province can never prosper, and upon which our trade and industry almost entirely depend.

As nine-tenths of the population of *Canada* can only be profitably employed in agriculture, the source of their prosperity must be derived from its encouragement and support, as the commerce we possess arises from their industry, and is based on their success. The Inhabitants of this Province feel therefore a deep interest in the approaching discussion on the Corn Laws in *Great Britain*, their substance being dependent on the maintenance of such protection as will prevent the present prices from being materially depressed.

The unfair competition which your Petitioners have to sustain with the *United States of America*, whose agricultural productions are obtruded upon this Province, free of duty, while heavy duties are levied upon our products at their Ports, has, from the year 1834, formed the subject of repeated Petitions to the Provincial Legislature; but although successive Houses of Assembly have concurred in the necessity of protection, and have passed Bills imposing a duty on the products of the *United States*, sufficient to protect the British and Canadian Agriculturist, without depriving British Ship-owners of the carrying trade, their efforts have been invariably defeated, and the evil not only continues to exist, but has been recently aggravated by new protective duties imposed by the last Tariff of the *United States*. It is not for your Petitioners to discuss the policy of Free Trade, but even the advocates of that policy must admit that its advantages are dependent upon reciprocity.

Your Petitioners humbly submit that under the peculiar circumstances in which *Canada* is placed—its agriculture being burthened both by heavy charges for transport, and by the protection afforded to the Shipping, Commercial, and Manufacturing, Interests of *Great Britain*, by the Imperial Government, the want of agricultural protection is felt to be an insupportable grievance.

We therefore earnestly pray that Your Majesty will take this our humble Petition into your most serious consideration, and that your Majesty will be pleased to recommend to your Imperial Parliament to remit the duties now levied at British Ports upon Grain, Flour, Oatmeal, Beef, Pork, Butter, Pease and such other of the staple products of this Province as may to Your Majesty seem fit; and further that Your Majesty will be graciously pleased to instruct your Representative in this Province to co-operate with the Provincial Parliament in imposing such duties as may be thought advisable upon the agricultural products of the *United States of America*, on importation into this Province.

That Providence in its wisdom may grant Your Majesty a long, glorious, happy, and prosperous, reign, is the fervent prayer of Your Majesty's loyal and devoted Canadian subjects.

*Canada*, 3d February, 1842.

[Here follow the Signatures.]

(Copy.)

No. 149.

Downing Street,  
17th May, 1842.

Sir,

Her Majesty's Government having had under their consideration the Petition of the *Montreal* Board of Trade, transmitted in your Despatch, No. 39, of the 21st of February, urging the repeal of all duties levied in the United Kingdom upon Beef, Pork, Cheese,

Butter, Lard, as well as upon Wheat, Grain and Flour imported from *Canada*, I have to make to you the following communication for the information of the petitioners.

Although the alteration of the duties on Corn and Flour by the Act which has just received the Royal Assent, does not amount to an entire fulfillment of the wishes of the petitioners, Her Majesty's Government feel assured that they will nevertheless perceive that by lowering the prices of each sort of Grain, at which the import duty on Colonial Produce becomes nominal, and by preventing, by a gradual scale, the abrupt transition from the nominal, to the maximum duty, the producer and importer of Canadian Grain will derive considerable advantage, both as regards prices and steadiness of Trade, and will still enjoy a large measure of protection, as against foreign importations, and if the proposed diminution of duties on provisions shall receive the sanction of Parliament, no doubt can be entertained that a large additional source of profitable agriculture, and of advantageous commercial intercourse with the United Kingdom will be created. I believe that if the attention of the petitioners is called to the encouragement thus given to the importation of the agricultural produce of *Canada*, and also to the intended reduction in various other articles of Colonial industry, amongst which, as affecting *Canada*, the duties on Furs will be found to deserve particular notice, the petitioners will be satisfied that Her Majesty's Government, amongst the multifarious considerations which are necessarily involved in the Commercial and Fiscal arrangements of the British Empire, have not neglected the wishes or disregarded the interests of British *North America*; but have endeavoured to develop its resources and preserve unimpaired the intimate commercial connection which has so long and so beneficially existed between these important Provinces and the Mother Country.

I have, &c.

(Signed) *Stanley*.

To the Right Honourable  
Sir *Charles Bagot*, G. C. B.  
&c. &c. &c.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker, two Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

*Charles Bagot*,

The Governor-General transmits herewith, in conformity with the intention expressed in his Speech at the opening of the Session, an Act of the Imperial Parliament, 5th & 6th *Victoria*, cap. 118, for guaranteeing the payment of the Interest on a Loan of One Million, Five Hundred Thousand Pounds, to be raised by the Province of *Canada*.

Government House,

*Kingston*, 24th September, 1842.

Anno Quinto & Sexto.

Victoriae Reginae.

CAP. CXVIII.

An Act for guaranteeing the payment of the Interest on a Loan of one million five hundred thousand pounds, to be raised by the Province of *Canada*.

[12 August, 1842.]

WHEREAS Her Majesty was graciously pleased to signify to the Legislative Council and the Legislative Assembly of the Province of *Canada*, by a Message sent to the said Council and Assembly by the Governor General of the said Province, acting for and in the name of Her Majesty, that Her Majesty's Government was ready to propose to Parliament to guarantee a

Loan



Loan

Loan which might be required for Public Works in the said Province, (under certain restrictions therein referred to) and for the re-payment of such part of the Debt of the said Province as might be then redeemable, or might be held by creditors who should declare themselves willing to accept reasonable terms: And whereas, for the purpose of enabling Her Majesty to fulfil Her Majesty's gracious intentions so conveyed to the Legislative Council and Assembly of *Canada*, the Commons of the United Kingdom of *Great Britain and Ireland*, in Parliament assembled, have resolved, that Her Majesty be authorized to guarantee the Interest, at a rate of not more than four per centum per annum, of a Loan to an amount not exceeding one million five hundred thousand pounds, for the service of the Province of *Canada*, and that provision be made out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, for the payment, from time to time, of such sums of money as may become payable by Her Majesty under such guarantee; be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That it shall be lawful for Her Majesty, Her Heirs and Successors, to guarantee the payment of the Dividends and Interest, not exceeding the yearly rate of four pounds in the hundred, on any principal sum or sums of money, not exceeding the sum of one million five hundred thousand pounds in the whole, which shall be raised for all or any of the purposes aforesaid, by Loan, Debenture, or otherwise, and the re-payment of which, with Interest not exceeding the rate aforesaid, shall be charged upon the Consolidated Revenue Fund of the said Province of *Canada*, under any Act passed or to be passed by the Legislature of the said Province, and assented to by Her Majesty, Her Heirs or Successors, and that for the purpose of giving effect to such guarantee it shall be lawful for the Lord High Treasurer, or any three or more of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, to direct and cause to be issued and paid, out of the growing produce of the Consolidated Fund of the said United Kingdom, such sums as shall be required to make good any deficiency which shall happen in the regular payment of the Interest accruing due upon any such Loan as aforesaid, on the part of the said Province of *Canada*.

Her Majesty may guarantee a loan of £1,500,000;

To be charged upon the Consolidated Fund of the Province.

Advances out of Consolidated Fund of United Kingdom to be charged on Consolidated Revenue Fund of Canada.

3 & 4 Vic. c. 35.

Certificate of amount paid to be sent to Canada.

II. Provided always, and be it enacted, That all the sums so issued and paid out of the Consolidated Fund of the United Kingdom, with Interest upon the same after the yearly rate of five pounds in the hundred, to be computed from the several times of issuing the same, shall be charged upon the Consolidated Revenue Fund of the Province of *Canada*, and shall form the seventh charge upon the said Consolidated Revenue Fund, with preference to all payments which heretofore have been, or which hereafter shall be charged upon the said Consolidated Revenue Fund, other than the six charges preferably charged upon such Fund by an Act passed in the fourth year of the Reign of Her Majesty, intituled, "An Act to re-unite the Provinces of *Upper and Lower Canada*, and for the Government of *Canada*."

III. And be it enacted, that the Lord High Treasurer, or three or more of the Commissioners of Her Majesty's Treasury, shall from time to time certify to one of Her Majesty's Principal Secretaries of State, the amount so paid from time to time, on account of the Interest on the said Loan; and such certificate shall be communicated to the Governor-General of the said Province, and shall be by him communicated to the Legislative Council and the Legislative Assembly of the said Province; and every such certificate shall be conclusive evidence of the amount so paid out of the Consolidated Fund of the said United

Kingdom, and of the time when the same was paid, on account of the Interest of the said Loan.

IV. And be it enacted, That the Lord High Treasurer, or Commissioners of Her Majesty's Treasury, aforesaid, shall cause to be prepared, and shall lay before both Houses of Parliament, within fourteen days next after the beginning of every Session, an account of all sums from time to time issued out of the Consolidated Fund of the said United Kingdom, by virtue of this Act, towards making good any such deficiency as aforesaid, and also an account of all sums repaid by or recovered from the said Province of *Canada*, by reason of such advance, with the Interest paid or recovered thereon.

Account to be laid before Parliament.

Charles Bagot,

The Governor-General transmits for the information of the House of Assembly, a copy of a Despatch from the Secretary of State, No. 15, 2nd March, conveying the Queen's decision on the Address to Her Majesty, passed by the House during the last Session, on the subject of the Seat of Government of the United Province.

Government House,  
Kingston, 24th September, 1842.

(Copy.)

No. 15.

Downing Street,  
2nd November, 1841.

Sir,

I have received Sir *Richard Jackson's* Despatch, No. 10, of the 28th September, forwarding an Address to the Queen from the Legislative Assembly of the Province of *Canada*, praying Her Majesty to order the Provincial Parliament to be held alternately at the Cities of *Quebec* and *Toronto*.

Seat of Government.

I have had the honour to lay that Address before the Queen, and I have received Her Majesty's commands to instruct you to acquaint the House of Assembly that Her Majesty is always desirous, so far as may be possible, of consulting the wishes of Her Loyal subjects in *Canada*, deliberately entertained and constitutionally expressed through their representatives in the House of Assembly; but that the establishment of *Kingston* as the seat of the United Legislature was not adopted without full consideration, and, that a change, involving among other consequences, largely increased expenditure, ought not to be sanctioned, except upon the clearest necessity, and the general sense of the Province unequivocally expressed in its favour.

Many and serious objections attach to the proposal for holding Sessions for alternate periods of four years each, at distinct and distant places, which, upon re-consideration, Her Majesty can hardly doubt will induce the House of Assembly to take a different view from that which is expressed in the Address now submitted to Her Majesty.

I have, &c.

(Signed) *Stanley*.

To the Right Honourable  
Sir *Charles Bagot*, G. C. B.  
&c. &c. &c.

On motion of the Honourable Mr. *Harrison*, seconded by the Honourable Mr. *Hincks*,

Ordered, That Mr. Speaker do issue his warrant to the Clerk of the Crown in Chancery, to make out a new Writ for the Election of one Member to serve in the present Provincial Parliament, for the Third Riding of the county of *York*, in the room and place of *James Edward Small*, Esquire, who, since his Election, hath accepted the Office of Her Majesty's Solicitor General, for that part of the Province formerly called *Upper Canada*.

Writ of Election, county of York.

On motion of the Honourable Mr. *Harrison*, seconded by the Honourable Mr. *Hincks*,

Resolved,

Duty on Imports.

*Resolved*, That this House will, on to-morrow, resolve itself into a Committee of Ways and Means, to consider the propriety of laying a duty upon Imports of Foreign Wheat into the Ports of this Province, and that it be then the first order of the day.

On motion of the Honourable Mr. *Harrison*, seconded by the Honourable Mr. *Hincks*,

Administration of Justice.

*Resolved*, That this House will, on to-morrow, resolve itself into a Committee of the whole House, to consider the propriety of repealing certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relative to the Administration of Justice, and that it be then the third order of the day.

On motion of the Honourable Mr. *Harrison*, seconded by the Honourable Mr. *Hincks*,

Rural Police, Canada East.

*Resolved*. That this House will, on to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of repealing certain Ordinances relating to the establishment of a System of Rural Police in *Canada East*; and that it be then the fourth order of the day.

On motion of Mr. *Morris*, seconded by the Honourable Mr. *Neilson*,

Conference with L. C. on printing App'x.

*Resolved*, That a conference be desired with the Honourable Legislative Council, upon the subject matter of the printing of the Documents submitted to both Branches of the Legislature, and hitherto contained in the Appendices to their respective Journals.

*Ordered*, That Mr. *Morris* do go to the Legislative Council, and desire the said conference.

Canada Corn.

*Ordered*, That two hundred and fifty copies of the Despatch from the Secretary of State for the Colonies, on the subject of the free admission of *Canada Corn* into *Great Britain*, be printed in each of the English and French languages, for the use of the Members of this House.

Writ of Election for county of York.

Sir *Allan N. MacNab* moved, seconded by Mr. *Cartwright*, that Mr. Speaker do issue his warrant to the Clerk of the Crown in Chancery, to make out a new writ for the Election of one Member to serve in the present Provincial Parliament, for the second Riding of the County of *York*, in the room and place of *George Duggan*, Esquire, whose Election and Return have been declared void.

The Honourable Mr. *Neilson* moved, seconded by Mr. *Boulton*, that the further consideration of the said motion be postponed until Monday next.

The question having been put upon the said motion, a division ensued, and the names being called for they were taken down, as followeth :

## YEAS.

*Armstrong, Barthe, Berthelot, Boutillier, Boulton, Cameron, Child, Christie, Cook, Delisle, De Witt, Draper, Dunlop, Dunn, Durand, Foster, Gilchrist, Harrison, Hincks, Hopkins, Kimber, Leslie, D. McDonald, J. S. Macdonald, Merritt, Neilson, Noel, Papineau, Parent, Parke, Powell, Quesnel, Roblin, Harmannus Smith, Steele, Taché, Turcotte, Turgeon, D. B. Viger, L. M. Viger, and Williams.* (41.)

## NAYS.

*Black, Burnet, Cartwright, Forbes, Hale, Jones, Sir Allan N. MacNab, McLean, Moffatt, Moore, Henry Smith, Sherwood, Taschereau, Thompson, Woods and Yule.* (16.)

So it was carried in the affirmative; and,  
*Ordered* accordingly.

Seat of Govern't.

*Ordered*, That two hundred and fifty copies of His Excellency, the Governor-General's Message, with the Despatch relating to the seat of Government, be printed in each of the English and French languages, for the use of the Members of this House.

*Ordered*. That Mr. *Cameron* have leave to withdraw the Petition of *Charles Symmes*, Esquire, of *Aylmer*, one of the Candidates at the late Election for the County of *Ottawa*, the said Petitioner not desiring this House to proceed thereon.

Pet of Chas. Symmes.

*Ordered*. That Mr. *Johnston* have leave to absent himself from this House, until this day week, on urgent business.

Leave of absence to Mr. Johnston.

*Resolved*, That a Select Committee composed of Messieurs *Parent, D. B. Viger, Neilson, Dunlop*, and Sir *Allan N. MacNab*, be appointed to examine the progress made in the formation of General Indices to the Journals of the Houses of Assembly of the late Provinces of *Lower* and *Upper Canada*, pursuant to a Resolution of this House of the 8th of September 1841, and to Report their observations thereupon to the House; with power to send for persons, papers, and records.

Indices to Journals.

A Bill to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned, was, according to order, read a second time.

Freedom of Elections' Bill.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Wednesday next, and that it be then the first order of the day.

The order of the day for the second reading of the Bill to render Lands in the hands of Executors and Administrators, more available as assets for the payment of Debts, being read,

Lands for payment of debts.

*Ordered*, That the said order of the day be discharged.

A Bill to fix the places of Election in the several counties in *Canada East*, was, according to order, read a second time.

Election Bill.

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

Salmon Fishery Bill.

*Ordered*, That the said order of the day be postponed until Friday, the thirtieth instant.

A Bill for better proportioning the punishment to the Offence in certain cases, was, according to order, read a second time.

Bill proportioning punishment.

*Ordered*, That the said Bill be engrossed.

A Bill to amend the Act therein mentioned, relative to the Desertion of Seamen, and others in the Sea Service, was, according to order, read a second time.

Bill, description of Seamen.

*Ordered*, That the said Bill be engrossed.

The order of the day for the House in Committee, on the Bill to make the Law for vacating the Seats of Members of the Legislative Assembly, accepting office, and for filling up vacancies in that Body, uniform throughout this Province, being read;

Members' Seats Vacation Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Cartwright* took the Chair of the Committee; and after some time spent therein;

Mr. Speaker resumed the Chair;

And Mr. *Cartwright* reported that the Committee had gone through the Bill, and had made an amendment thereto; which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

The order of the day for the House in Committee, on the Bill to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient Boundaries and Limits of the city of *Montreal*; and

Montreal boundary Bill.

Quebec bound-  
ary Bill.

and the Bill to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient Boundaries and Limits of the city of Quebec, being read.

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the chair,

And Mr. *Barthe* reported that the Committee had gone through the first of the said Bills, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Offices and  
departments of  
House.

The order of the day for the House in Committee, on the First Report of the Special Committee appointed to enquire into the present state of the Offices and Departments of this House, with a view of ascertaining if any, and what, vacancies have occurred by resignation or otherwise, since the last Session, and the necessity of filling such vacancy, if any there be, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the chair,

And Mr. *Boulton* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received, to-morrow.

Jesuits' Estates.

The order of the day for the House in Committee, on the First Report of the Special Committee, to which was referred that part of the Petition of the Reverend *T. Cooke*, *S. B. Hart*, and others, Inhabitants of the District of *Three Rivers*, praying for the application of the Jesuits Estates to the purposes of Education in *Canada East*, and for the concession of the Crown Lands in the rear of the town of *Three Rivers*; and the Petition of certain Censitaires in the Fiefs and Seignories belonging to the late order of Jesuits in the town and District of *Three Rivers*, being read.

The House accordingly resolved itself into the said Committee.

Sir *Allan N. McNab* took the chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the chair,

And Sir *Allan N. MacNab* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That this House doth concur with the Special Committee in the said Report.

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to take into his favourable consideration the benefits which may be derived to the Province generally, and the locality of the town and the neighbourhood of *Three Rivers*, in particular, from opening to actual settlement the unoccupied lands on the River *St. Maurice*, or in the rear of the said town, and preventing large tracts in that vicinity from being held without the enforcing the conditions of settlement as provided by Law. That His Excellency will also be pleased to take into his consideration the ruinous effects which would result under the present distressed state of the agricultural population on the Jesuits Estates in that neighbourhood, from prosecutions for arrears, which have long been suffered to accumulate, and cause such prosecutions to be suspended, till

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after the close of the ensuing Session of the Legislature.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

The order of the day for the House in Committee, on the Bill to amend and repeal, in part, two certain Ordinances therein mentioned, relative to *Winter Roads*, in that part of the Province formerly called *Lower Canada*, being read.

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Neilson* took the chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the chair,

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

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

The order of the day for the House in Committee, on the Bill to revive a certain Act of the Legislature of *Lower Canada*, for the qualification of Justices of the Peace, being read.

*Ordered*, That the said order of the day be postponed, until Wednesday next.

Then, on motion of the Honourable Mr. *Viger*, seconded by Mr. *Taschereau*,  
The House adjourned.

Martis 27<sup>o</sup> die Septembris.Anno 6<sup>o</sup> Victoriae Reginae, 1842.

MR. Speaker laid before the House, general statements of the affairs of the Bank of *Upper Canada*; of the Commercial Bank of the *Midland* District; of the Bank of *Montreal*; and of the *Quebec* Bank, received in conformity to an order of this House of the seventeenth instant.

[For the said Statements, see Appendix (R.) at the end of this Volume.]

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

Mr. Speaker,

The Legislative Council have passed a Bill, intituled, "An Act to authorize the Courts of Queen's Bench and Chancery to admit *William Vynne Bacon*, to practise therein as an Attorney and Solicitor, respectively," to which they desire the concurrence of the Assembly; and also—

Legislative Council,

Tuesday, 27th Sept. 1842.

*Ordered*, That the Master in Chancery, do go down to the Legislative Assembly, and acquaint that House, that the Legislative Council agrees to the conference desired upon the subject matter of the printing of the documents submitted to both branches of the Legislature, and hitherto contained in the Appendices to their respective Journals; and that the managers on the part of this House are to be the Honourable Messieurs *De Blaquiere* and *Hamilton*, who are to meet the number as managers on the part of the Legislative Assembly, required by Parliamentary usage, to-morrow at half-past three o'clock, in the joint Committee Room of the Legislative Council.

Attest.

*Charles de Lery*,  
Dy. Clerk Leg. Council,

And then he withdrew.

An

Black's relief Bill.

An engrossed Bill from the Legislative Council, intitled: - An Act to authorize the Courts of Queen's Bench and Chancery to admit *William Vyane Bacon*, to practise therein as an Attorney and Solicitor, - respectively," was read for the first time.

26 Petitions rec'd. up.

The following Petitions were severally brought up, and laid on the table:—

By Mr. *J. S. Macdonald*, the Petition of *J. B. Baby*, and others, Freeholders and Inhabitants of the Western District; and the Petition of the Municipal Council of the Eastern District.

By Mr. *Foster*, the Petition of *William Taylor*, and others, directing officers of the *Shefford Academy*; and the Petition of *Washington Frost*, and others, Inhabitants of *Granby*, in the Municipal District of *Missisquoi*.

By Mr. *Black*, the Petition of the Honourable *William Walker*, and others, of *Quebec*; the Petition of *Joseph Plante*, and others, Pilots for and below the Harbour of *Quebec*; and the Petition of the Trustees of the *Quebec Turnpike roads*.

By Mr. *Cameron*, the Petition of *William Bell*, and others, land owners on the River *Tay*; the Petition of *John Pattie*, and others, Members of the *Ottawa Total Abstinence Society*; and the Petition of *Henry Mulholland*, and others, of *Montreal*.

By Mr. *McLean*, the Petition of *Hugh McKinnon*, and others, of the township of *Finch*; and the Petition of the Reverend *Andrew Balfour*, of the village of *Waterloo*.

By Mr. *Basirell*, the Petition of *George G. Boswell*, and others, of the town of *Cobourg*; and the Petition of the Board of Police of *Cobourg*.

By Mr. *Leslie*, the Petition of *John Clark*, and others, Inhabitants of *Côte St. Martin*, *Longue Pointe*, and other places.

By Mr. *Duncombe*, the Petition of *George Pringle*, and others, of *Hemmingford*, and other places, relating to Division Courts; and the Petition of *George Pringle*, and others, proprietors and occupiers of land in *Hemmingford*, and other places, relating to agriculture.

By Mr. *Cook*, the Petition of the Municipal Council of the *Home* District, relating to assessments; and the Petition of the Municipal Council of the *Home* District, relating to the periods of their meetings.

By Mr. *Taschereau*, the Petition of the Municipal Council of the District of *Dorchester*, relating to Tavern Licenses; and the Petition of the Municipal Council of the District of *Dorchester*, relating to the Sleigh Ordinance.

By Mr. *Hopkins*, the Petition of the Municipal Council of the *Gore* District.

By the Honourable Mr. *Neilson*, the Petition of the Ladies of the Committee of the *Quebec* Infant School.

By Mr. *Simpson*, the Petition of *Henry Hoyle*, and others, Inhabitants of the Seignory of *Lacolle* and *Delery*; the Petition of Messieurs *Macpherson*, *Crane* and *Compar*, and others, concerned in the Forwarding Trade, relating to water communication; and the Petition of *Lewis Odell*, and others, of the Seignory of *Lacolle*.

Bill, appropriating punishment to offences.

An engrossed Bill for better proportioning the Punishment to the Offence in certain cases, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Black* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill, Desertion of Seamen.

An engrossed Bill, to amend the Act therein mentioned, relative to the Desertion of Seamen, and others, in the Sea Service, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Black* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill, to make the Law for vacating the Seats of Members of the Legislative Assembly accepting Office, and for filling up vacancies in that Body, uniform throughout this Province, was read for the third time.

Resolved, That the Bill do pass, and that the Title be, - An Act to make the Law for vacating the Seats of Members of the Legislative Assembly, - accepting Office, uniform throughout this Province."

Ordered, That Sir *Allan N. MacNab* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient Boundaries and Limits of the city of *Montreal*, was read for the third time.

Resolved, That the Bill do pass, and that the Title be, - An Act to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient Boundaries and Limits of the cities of *Quebec* and *Montreal*."

Ordered, That Mr. *Leslie* do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. *Cameron*, from the Select Committee to which was referred the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and for other purposes relating to the same, reported that the Committee had gone through the said Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be referred to a Committee of the whole House, on Thursday next.

Mr. *Thompson*, from the Special Committee to which was referred the Petition of *Walter Willson*, and others, Inhabitants of the town of *Niagara*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:—

"That they have examined into the prayer of the said Petition, and recommend, that the said town be incorporated, under certain conditions."

Resolved, That this House doth concur with the Special Committee, in the said Report.

Ordered, That Mr. *Thompson* have leave to bring in a Bill to incorporate the town of *Niagara*, and to establish a Police therein.

He accordingly presented the said Bill to the House; and the same was received and read for the first time, and ordered to be read a second time, on Friday next.

Mr. *Parent*, from the Special Committee to which was referred the Petition of Mrs. *M. G. P. Painchaud*, and other Ladies, of *Quebec*, praying for an incorporation, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:

"Your Committee have examined the said Petition, and after mature deliberation thereon, have agreed to report a Bill to incorporate the charitable association of the Roman Catholic Ladies of *Quebec*."

Resolved, That this House doth concur with the Special Committee, in the said Report.

Ordered, That Mr. *Parent* have leave to bring in a Bill to incorporate the charitable association of the Roman Catholic Ladies of *Quebec*.

He accordingly presented the said Bill to the House; and

Seats vacating Bill.

Montreal boundaries' Bill.

Timber inspection Bill.

Report on Petition of Walter Willson, and others.

Niagara incorporation Bill.

Report on Petition of Mrs. M. G. P. Painchaud, and others.

Roman Catholic Ladies charitable association Bill.

and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

Appendices  
to Journals.

*Resolved*, That four Managers be appointed, to meet the Managers appointed by the Legislative Council, at the time and place appointed for holding the conference desired upon the subject matter of the printing of the documents submitted to both branches of the Legislature, and hitherto contained in the Appendices to their respective Journals.

*Ordered*, That Mr. Morris, the Honourable Mr. Neilson, Mr. Parent, and Mr. DeWitt, be appointed Managers, on the part of this House.

On motion of the Honourable Mr. Viger, seconded by Mr. DeWitt;

Queen's Relief  
Bill.

*Ordered*, That the engrossed Bill from the Legislative Council, intitled, "An Act to authorize the Courts of Queen's Bench and Chancery to admit William Vynne Bacon to practise therein as an Attorney and Solicitor respectively," be read a second time, on Friday next.

On motion of Mr. Christie, seconded by Mr. Kimber, *Resolved*, That this House will, on Thursday next, resolve itself into a Committee of the whole House, to take into consideration the expediency of amending an Act passed in the last Session of the Legislature, "For the disposal of Public Lands."

Public Lands.

On motion of Mr. Cameron, seconded by Mr. Dunlop;

Timber Duties.

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House a detailed statement of the duties on Timber—the names of the parties paying such duties—and the number of pieces or logs for which such duties were paid, at the office of the Commissioner of Crown Lands, in Bytown; with a statement in detail of the disbursement for the said office, in 1841.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Dunlop, seconded by Mr. Thompson;

Nelson Hacket.

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House the correspondence relative to the surrender of Nelson Hacket to the authorities of Arkansas.

*Ordered*, That the said Address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Neilson, seconded by Mr. Cartwright;

Members who  
have accepted  
Office.

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a List of all Members returned at the late General Election, or since, to serve in this House, who have accepted of, or been appointed to, any Office under the Provincial Government, or as Commissioners, or otherwise, with the date of their acceptance or appointment, and the amount of their salaries, allowances, fees or emoluments, respectively.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House

as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Neilson, seconded by Mr. Boulton;

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a list of the Members and Officers of the Board of Works, and of all persons employed under its authority, and in what situations, and the amount of payments to such persons severally; said payments not being for services or work performed under contract or public competition; payments to common labourers only excepted.

Members and  
Officers of  
Board of Works.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

On motion of Mr. Boulton, seconded by Mr. Cartwright;

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a Tabular Return from each Department of the Executive Government for the years 1840, 1841 and 1842, exhibiting the names of the Heads of, and the subordinate persons employed, in such Departments, with the designation of such persons respectively, whether Clerks, Assistants, permanent or supernumerary, Messengers or otherwise; with the amount of salary accorded to each, and the fees, if any, receivable by such Heads of Departments, or their subordinates, and, if any, for what services and by whom payable; and under what authority such salaries and fees have respectively been established; and also the Contingent Expenses of each Department, classed under the various heads of expenditure applicable thereto.

Tabular Return  
of Executive  
Departments.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

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

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a Return of the names of the various Patent Officers who have been appointed since the division of the late Province of Quebec into the Provinces of Upper and Lower Canada, to any Judicial or Executive employment in the late Province of Lower Canada, the salary or emoluments whereof have amounted to £300, or upwards, designating the date of each appointment and salary and other emoluments receivable by each functionary so appointed.

Return of names  
of Patent  
Officers.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

The Honourable S. B. Harrison laid before the House, by command of His Excellency, the Governor-General:—

Return to an Address of the House of Assembly to His Excellency, the Governor-General, bearing date the 21st September 1842, and praying His Excellency to cause the Proper Officer to lay before the House, copies of the last Report of the Commissioners and of the Secretary of the late Board on Militia Claims for Lower Canada, and also copies of all instructions which may have been given to the Commissioner

Militia Claims.



Militia Claims.

missioner of Crown Lands on that subject, subsequently to the time when the Board ceased its operations.

By command,  
D. Daly,  
Secretary.

Secretary's Office, East,  
Kingston, 24th September, 1842.

Return to an Address of the Legislative Assembly to His Excellency, the Governor-General, dated 21st September 1842, calling for copies of the last Report of the Commissioners and of the Secretary of the late Board on Militia Claims for Lower Canada, and copies of all instructions which may have been given to the Commissioner of Crown Lands on that subject, subsequently to the time when the Board ceased its operations.

The Commissioners do not appear to have signed any formal Report after the 31st December, Mr. Langevin, the Secretary, who was instructed to perfect all matter which had been admitted by the Board, made a formal Report on the 22d May, a copy of which is now transmitted. On the removal of the Office from Quebec, the boxes, with the Militia papers,

Militia Claims.

were sent to the Land Office, but without any further instructions than a verbal order to deliver to the parties entitled to receive it any scrip signed by the Commissioners, which had not been applied for at Quebec.

John Davidson.

Crown Lands Office,  
Kingston, Sept. 24th, 1842.

To His Excellency, the Right Honourable Charles Baron Sydenham, Governor-General of British North America, and Captain General and Governor-in-Chief in and over the Province of Canada, &c. &c. &c.

Report of the proceedings of the Board for Militia Claims appointed by His Excellency, the late Earl of Durham, then Governor-General, by Proclamation of the 11th September, 1838, (Appendix A.) with certain remarks connected therewith.

The Militia Claims recognized by the Board, under the authority vested in them by said Proclamation, or by subsequent Instructions, are comprized in five Lists, (Appendices B. C. D. E. F.) of which the following is an abstract.

What List.	Cases transmitted for Letters Patent.	Acres.	Cases satisfied by scrip.	Acres.	Cases for which either Letters Patent or scrip may issue.	Acres.	Cases for which scrip only can issue, and is actually prepared.	Acres.	Total cases recognized.	Acres.	Including cases satisfied through J. L. between 1 January and 1 April, 1841.	Acres.
List No. 1, cases originally located.....	297	41135	177	30548	131	15200	33	4008	638	90891	21	4500
List No. 2, scrip cases not located.....			799	115800			105	12900	904	128700	64	6600
List No. 3, similar cases.....			586	68700			169	19700	755	88400	86	9400
List No. 4, do. do. ....			454	53200			54	9200	508	62400	168	21100
List No. 5, viz:												
Cases originally located.....	10	3600	1	500	14	3900			53	12592	5	700
Do. not located.....			26	4392			2	200				
Less, for cases twice mentioned in the accompanying Lists, (Appendix G.).....									2858			
Total.....	307	44735	2043	273140	145	19100	363	46008	2845	382983	346	42300

Brought down, total recognized.....	Cases 2845	Acres 382983
To which may be added the Militia cases satisfied independently of either of the two Militia Boards, by issue of, or reference for, Letters Patent, in so far as the same has been ascertained by the late Board, (Appendix H.)..	532	157538
Also, the Militia cases under location, investigated by the first Board, appointed by the Earl of Gosford, on the 22nd February, 1837, (Appendix I.) comprised in two Lists, dated, respectively, 25th August, 1837, and 15th January, 1838, (Appendix K.) as subsequently furthered on for Letters Patent .....	329	51416
Total Militia cases recognized .....	3706	
Total Land required to satisfy the said cases..		Acres 591937

On the portion of said quantity of land for which scrip has issued, or may hereafter issue, there will be a saving to Government of about thirty per cent, owing to the nominal price at which land is reckoned in the scrip being but 3s. 6d. while the present selling prices, after which said scrip is redeemable, are 4s. and 4s., the medium of which is 5s. per acre for Crown lands.

It may, perhaps, be proper to state here, that there are still among the documents of the late Board, papers relating to numerous Militia claims which, owing to the sudden closing of its proceedings on the 31st December, 1840, by command of Your Excellency, remain uninvestigated, and from which, if duly classified and examined, might eventually be found entitled to the Militia bounty, at least 500 more cases, to satisfy which, if by scrip, would require about 500000 more acres of land.

Exclusive



Militia Claims.

Exclusive of the scrip filled up, and remaining undelivered, as before mentioned, there remains among the papers of the said late Board, blank scrip, as follows:

English scrip book, numbered from 1 to 500, signed, but not filled up .....	Copies 251
French do. 2001 to 2200 counting 500 copies numbered in part only, signed, but not filled up .....	334
Another French scrip book, numbered by mistake from 2001 to 2500, signed partly by one, and partly by more of the Commissioners, but not filled up .....	500
Scrip on loose sheets,	
In English, signed, but not filled up .....	42
In French, do. do. ....	1
Do. neither signed nor filled up .....	54
Total copies remaining .....	1182

none of which, however, nor any of the scrip filled up, and remaining undelivered, are countersigned by the undersigned, as Secretary to the late Board.

The whole, nevertheless, respectfully submitted.

Quebec, 22nd May, 1841.

(Signed,) *Jean Langevin,*  
Late Secretary to the Board  
for Militia Claims.

Certified,  
*John Davidson.*

The Honourable *Francis Hincks*, laid before the House, by command of His Excellency, the Governor General:

Indemnity to Members.

Statement of the amount received from the several Treasurers of the different Districts of that part of the Province formerly *Upper Canada*, collected especially as an Indemnity to Members of the Legislature, and paid into the hands of the Honourable the Receiver-General, since 1st January 1841.

Indemnity to Members.

Furnished pursuant to an Address from the Honourable the Legislative Assembly, of 23d September, 1842.

District.	Date of Payment.	Amount, Currency.	Remarks.
<i>Bathurst</i> .....	13th June, 1842 .....	£ 184 0 0	
<i>Brock</i> .....	6th December, 1841 .....	31 10 9	
<i>Colborne</i> .....	.....	.....	Proclaimed 14th October, 1841.
<i>Dalhousie</i> .....	.....	.....	Do. 19th March, 1842.
<i>Eastern</i> .....	.....	.....	
<i>Gore</i> .....	.....	.....	
<i>Home</i> .....	.....	.....	
<i>Huron</i> .....	.....	.....	Proclaimed 14th October, 1841.
<i>Johnstown</i> .....	.....	.....	
<i>London</i> .....	.....	.....	
<i>Midland</i> .....	.....	.....	
<i>Newcastle</i> .....	.....	.....	
<i>Niagara</i> .....	6th April, 1842 .....	224 15 7	
<i>Ottawa</i> .....	.....	.....	
<i>Prince Edward</i> .....	10th February, 1842 .....	68 10 0	
<i>Talbot</i> .....	6th January, " .....	142 15 0	
<i>Victoria</i> .....	15th January, " .....	164 8 3½	
<i>Wellington</i> .....	.....	.....	
<i>Western</i> .....	{ 30th December, 1841 .....	160 15 0	
	{ 26th January, 1842 .....	11 5 0	
	Total .....	£ 987 19 7½	

Inspector General's Office,  
Kingston, 24th September, 1842.

Report on Offices and Departments of House.

Mr. *Boulton*, from the Committee of the whole House, on the first Report of the Special Committee appointed to enquire into the present state of the Offices and Departments of this House, with a view of ascertaining, if any, and what, vacancies have occurred by resignation, or otherwise, since last Session, and the necessity of filling such vacancy, if any there be, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved, That this House doth concur with the Special Committee in the appointment of Mr. *F. X. Garneau*, as Assistant French Translator to this House, with an annual salary of two hundred pounds, currency.

A Bill for better preventing the obstruction of Rivers and Rivulets, in *Canada East*, was, according to order, read a second time.

Ordered, That the said Bill be referred to a Committee of the whole House, to-morrow.

Quebec Gas-light  
Bill.

A Bill to incorporate a Company under the style and title of "The Quebec Gas Light and Water Company," was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Friday next.

Duty on Imports.

The order of the day for the House in Committee of Ways and Means, to consider the propriety of laying a duty upon Imports of Foreign Wheat into the Ports of this Province, being read,

The House, accordingly, resolved itself into the said Committee.

Mr. *Leslie* took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair.

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

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

Registration,  
Real Estate.

The order of the day for the House in Committee, on the Bill to extend the time allowed by the Ordinance therein mentioned for the registration of certain charges or incumbrances on Real Estate, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Dunlop* took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair.

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

*Ordered*, That the said Committee have leave to sit again, on Thursday next.

Ordinances,  
Administration  
of Justice.

The order of the day for the House in Committee, to consider the propriety of repealing certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relative to the administration of Justice, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Roblin* took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair.

And Mr. *Roblin* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That that it is expedient that the Ordinance 3 & 4 Vic. cap. 45, and the Ordinance 4 Vic. cap. 19, relative to the establishment of a system of Judicature in *Lower Canada*; and the Ordinance 4 Vic. cap. 15, for regulating the Office of Sheriff, and the exercise of the Judicial powers vested in that Officer, by the two first mentioned Ordinances (none of which Ordinances have yet been brought into force) be repealed, with so much of the Act of the last Session of the Provincial Parliament, as empowers the Governor of this Province to bring the said Ordinances into force.

*Ordered*, That the Honourable Mr. *Harrison* have leave to bring in a Bill to repeal certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relative to the administration of Justice.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

Rural Police.

The order of the day for the House in Committee, to consider the expediency of repealing certain Ordinances relating to the establishment of a system of Rural Police, in *Canada East*, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Parent* took the chair of the Committee; and after some time spent therein.

Mr. Speaker resumed the Chair.

And Mr. *Parent* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is expedient that the Ordinance 2 Vic. cap. 55, the Ordinance 3 & 4 Vic. cap. 17, and the Ordinance 3 & 4 Vic. cap. 47, passed by the Governor and Special Council of the late Province of *Lower Canada*, and providing for the establishment and maintenance of a Police force in other parts of *Lower Canada*, than the cities of *Quebec* and *Montreal*, be repealed from and after the first day of January 1843.

*Ordered*, That the Honourable Mr. *Harrison* have leave to bring in a Bill to repeal certain Ordinances therein mentioned, relative to the establishment of a system of Police in *Canada East*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, to-morrow.

The order of the day for the House in Committee, to consider the expediency of amending the Act of the Legislature of *Upper Canada*, 35 Geo. 3. chap. 5, in so far as relates to the place of holding the Registry Office for the County of *Middlesex*, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Delisle* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is expedient to amend the Act now under consideration, so that the Registry Office of and for the County of *Middlesex* may hereafter be kept at the town of *London*, in the said County, and not at the township of *Dunwich*, as appointed by the Lieutenant Governor of the late Province of *Upper Canada*, under the provisions of the said Act.

*Ordered*, That Mr. *Parke* have leave to bring in a Bill to change the place of the Registry Office for the County of *Middlesex*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, to-morrow.

The order of the day for the House in Committee, to consider whether it is expedient for this House to subscribe for a certain number of copies of a work now in course of publication on the Criminal Laws of *Canada*, by Mr. *Jacques Cremazie*, for the use of the Members of this House, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

And Mr. *Boutillier* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever the House shall be pleased to receive the same.

*Ordered*, That the report be received to-morrow.

The order of the day for the House in Committee, on the Bill to regulate the Inspection of Pot and Pearl Ashes, being read.

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Viger* took the chair of the Committee; and after some time spent therein;

Mr. Speaker resumed the Chair,

And

And the Honourable Mr. *Viger* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the said report be received to-morrow.

Contingent  
accounts.

The order of the day for the House in Committee, on the First Report of the Special Committee on the Contingent Accounts and Expenses of this House, during the present Session, being read.

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

Winter Roads.

The order of the day for the House in Committee, on the Bill to amend and repeal, in part, two certain Ordinances therein mentioned relative to Winter Roads, in that part of the Province formerly called *Lower Canada*, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Quesnel* reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

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

The House adjourned.

### Mercuri 28<sup>o</sup> die Septembris.

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

Montreal City  
Bank.

MR. Speaker laid before the House a general statement of the affairs of the "City Bank" at *Montreal*, received in conformity to an order of the House of the seventeenth instant.

[For the said Statement, see Appendix (R.) at the end of this Volume.]

12 Petitions  
bro't up.

The following Petitions were severally brought up, and laid on the table:

By Mr. *Harmannus Smith*, the Petition of *Adam Thompson*, and others, of *West Flamborough* and other places.

By Mr. *Moore*, the Petition of *William Morris*, and others, of the Eastern townships; and the Petition of *John Rankin*, and others, Inhabitants of the townships of *Ascot*, *Brompton*, and other places.

By Mr. *Hopkins*, the Petition of the Warden and Municipal Council of the *Gore* District, relating to the Common School Act; and the Petition of the Warden and Municipal Council of the *Gore* District, relating to a Petition for the dismemberment of the District.

By Mr. *Christie*, the Petition of *William Adams*, and others, Inhabitants of *Ristigouche*.

By the Honourable Mr. *Harrison*, the Petition of the Board of Trade of the town of *Kingston*.

By Sir *Allan N. MacNab*, the Petition of Major *John Richardson*.

By Mr. *Burnet*, the Petition of the Right Reverend the Lord Bishop of *Montreal*, and others, Inhabitants of *Quebec*.

By the Honourable Mr. *Jones*, the Petition of *A. C. Chapman*, and others, Inhabitants of the County of *Rouville*.

By the Honourable Mr. *Moffatt*, the Petition of the Mayor, Aldermen, and Citizens of *Montreal*.

By Mr. *Simpson*, the Petition of the Reverend *John Leeds*, and others, members of the Church of *England*, at *Coteau du Lac*.

The Honourable *S. B. Harrison* laid before the House, by command of His Excellency, the Governor-General:—

Return to an Address of the House of Assembly Nelson Hacket. of the 27th September 1842, praying the Governor-General to cause to be laid before them the correspondence relative to the surrender of *Nelson Hacket*, to the authorities of *Arkansas*.

[For the said Return, see Appendix (S.) at the end of this Volume.]

And also,

A Return to an Address of the Legislative Assembly Timber duty. to His Excellency, the Governor-General, dated 27th September 1842, calling for a detailed statement of the duty on Timber; the names of the parties that have paid such duties, and the number of pieces or logs for which such duties were paid, at the Office of the Commissioner of Crown Lands in *Bytown*, with a Statement, in detail, of the disbursements for the said Office in 1841.

[For the said Return, see Appendix (T.) at the end of this Volume.]

An engrossed Bill to amend and repeal, in part, two certain Ordinances therein mentioned relative to Winter Roads, in that part of the Province, formerly called *Lower Canada*, was read for the third time.

*Resolved*, That the Bill do pass, and that the title be "An Act to amend two certain Ordinances therein mentioned relative to Winter Roads, in that part of the Province, formerly called *Lower Canada*."

*Ordered*, That Mr. *Armstrong* do carry the said Bill to the Legislative Council, and desire their concurrence.

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

Of *John Le Boutillier*, and others, of *Gaspé*, representing the heavy duty on Salt and Fishing Tackle; the bad state of their roads, and the imperfect manner in which Justice is administered, and praying relief. John Le Boutillier.

Of *Robert McKenzie*, and others, of *Gaspé*, praying the repeal of the Municipal Law as regards the said District; also an amendment to the Laws for the administration of Justice; and the appointment of Inspectors of weights and measures for the said District. R. McKenzie, and others.

Of *E. H. Enright*, and others, of the County of *Bonaventure*, District of *Gaspé*, praying for the establishment of certain Judicial Courts in the said District. E. H. Enright, and others.

Of *Edward Man*, and others, of the District of *Gaspé*, praying for the establishment of certain Judicial Courts in the said District. Ed. Man, and others.

Of *M. Murray*, and others, of the County of *Bonaventure*, and the District of *Gaspé*, praying for the establishment of certain Judicial Courts in the said District. M. Murray, and others.

Of *Thomas Busted*, and others, of the county of *Bonaventure*, District of *Gaspé*, praying for the establishment of certain Judicial Courts in the said District. Thos. Busted, and others.

Of *Daniel Lavra*, and others, of *Percé*, District of *Gaspé*, praying for a repeal of the Municipal Law, as far as it regards the said District. Daniel Lavra, and others.

Of *E. H. Enright*, and others, of the county of *Bonaventure*, praying for the repeal of the Municipal Law. E. H. Enright, and others.

Law

Law, and of every Ordinance of the Governor and Special Council of *Lower Canada*, which imposes pecuniary burthens on the people.

Richard Drury,  
and others.

Of *Richard Drury*, and others, of the township of *Oro*, praying that the Milita Law of *Canada West* be replaced or amended.

Ed. Ryall, and  
others.

Of *Edward Ryall*, and others, of the township of *Oro*, praying that the township of *Gwillimbury West* may not be divided.

H. Robinson,  
and others.

Of *Richard Robinson*, and others, of the township of *Gwillimbury West*, praying that a protecting duty may be imposed on American produce introduced into this Province.

T. J. Taschereau.

Of *T. J. Taschereau*, Collector of Customs at the inland Port of *LaBeauce*, praying for an increase of salary; and also, for the removal of the Custom House of the said Port to the parish of *Ste. Marie de la Nouvelle Beauce*.

John P. Bower,  
and others.

Of *John P. Bower*, and others, of *Montreal* and *Kingston*, Leather manufacturers, praying that a duty be levied on leather introduced into this Province from the *United States*.

John Voller.

Of *John Voller*, Messenger of the Legislative Assembly, praying for the grant of a sum equal to that allowed to the other Messengers of the Assembly, during the last Session.

A. Kilborn, and  
others.

Of *Alexander Kilborn*, and others, Trustees of the *Stanstead Academy*, praying for an aid.

C. Wheeler, and  
others.

Of *Charles Wheeler*, and others, Inhabitants of *Barnston* and *Barford*, praying for the renewal of the "Small Causes" or "Commissioners' Court Act," or the passing of any other measure to afford similar relief.

E. S. White, and  
others.

Of *E. S. White*, and others, Inhabitants of *Barnston*, *Barford*, and vicinity, praying an aid for a road.

W. Ritchie.

Of *William Ritchie*, of *Sherbrooke*, Registrar, praying for a sum to compensate him for compiling a proposed new Index to the Registry Books of the District of *Sherbrooke*.

Petitions referred;  
Thos. Ferguson.

Resolved, That the Petition of *Thomas Ferguson*, of the township of *Oro*, presented to the House on the twenty-second instant, be referred to a Select Committee, composed of Messieurs *Steele*, *Williams*, *Dunlop*, *Roblin* and *Morris*, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Report on Pet. of  
Widow Bouchette.

Mr. *Burnet*, from the Special Committee to which was referred the Petition of Mrs. *Adélaïde Bouchette*, of *Quebec*, widow of the late *Joseph Bouchette*, Surveyor General, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"That in consequence of the services of Mr. *Bouchette*, and the circumstances of his widow, she has a just claim to an annuity for her subsistence, during the remainder of her life."

Ordered, That the said Report be referred to a Committee of the whole House, to-morrow.

Report on Pet.  
of Rev. C. P.  
Reid, and others.

Mr. *Hale*, from the Special Committee to which was referred the Petition of the Reverend *C. P. Reid*, and others, members of the Church of *England*, in the township of *Compton*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

"That having examined the said Petition, they re-

commend to your Honourable House, that the prayer therein contained be granted."

Resolved, That this House doth concur with the Special Committee, in the said Report.

Ordered, That Mr. *Hale* have leave to bring in a Bill to make provision for the management of the Temporalities of the United Church of *England* and *Ireland*, in the Diocese of *Quebec*, in this Province, and for other purposes therein mentioned. He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, to-morrow.

Church Temporalities Bill.

Ordered, That two hundred and fifty copies of the Return of the duty levied on Timber cut on Crown and Clergy Lands, laid before the House this day, be printed in each of the English and French languages, for the use of the Members of this House.

Timber duty.

On motion of Mr. *Thompson*, seconded by Mr. *Powell*,

Ordered, That the order of the day for the House in Committee, on the Bill to provide for the detention and conveyance to Gaol of Debtors, in certain cases, within *Canada West*, lost by the adjournment of the House of yesterday, be revived, and that this House do resolve itself into the said Committee, to-morrow.

Debtors conveyance to Gaol.

On motion of Mr. *Christie*, seconded by Mr. *Kimber*.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of such correspondence as may have taken place since the first of June, 1841, relative to the erection of the Counties of *Bonaventure* and *Gaspé* into Municipal Districts, and of all communications and papers of a public nature, since the same period, addressed on that subject to the Executive, from either of the Municipal Districts.

Gaspé Municipal Districts.

Ordered, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Morris*, seconded by Mr. *De-Witt*,

Ordered, That the item on the order of the day book, relating to the First Report of the Special Committee, on the Contingent Accounts and Expenses of this House during the present Session be now read.

Contingent accounts.

The order of the day for the House in Committee, on the First Report of the Special Committee on the Contingent Accounts and Expenses of this House during the present Session, being read.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Hamilton* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received, to-morrow.

Mr. *Boutillier*, from the Committee of the whole House, to consider whether it is expedient for this House to subscribe for a certain number of copies of a work now in course of publication, on the Criminal Laws of *Canada*, by Mr. *Jacques Crémazie*, for the use of the Members of this House, reported, according to order, the Resolution of the said Committee, which

Criminal Laws of Canada.

Resolution

Resolution was again read at the Clerk's table, and is as followeth:

*Resolved*, As the opinion of this Committee, that it is expedient to encourage the publication of a work now in course of publication, intituled, "Les Lois criminelles Anglaises traduites et compilées de Blackstone, Chitty, Russell, et autres criminalistes Anglaises et telles que suivies en Canada," by Jacques Crémazie, Advocate, of Quebec.

Mr. Parent moved, seconded by Mr. Black, That this House doth concur with the Committee in the said Resolution.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

## YEAS.

Armstrong, Berthelot, Boswell, Boutillier, Child, Christie, Delisle, Derbyshire, DeWitt, Draper, Dunn, Foster, Gilchrist, Hamilton, Hincks, Hopkins, Jones, Kimber, Leslie, D. McDonald, J. S. Macdonald, Neilson, Ogden, Papineau, Parent, Parke, Quesnel, Simpson, Harmannus Smith, Steele, Taché, Turcotte, Turgeon, D. B. Viger, L. M. Viger, and Woods. (36.)

## NAYS.

Cook, Durand, Hale, Sir Allan N. McNab, McLean, Maffatt, Morris, Powell, Roblin, Sherwood, Thompson, and Williams. (12.)

So it was carried in the affirmative; and, *Resolved* accordingly.

The Honourable Mr. Viger, from the Committee of the whole House, on the Bill to regulate the Inspection of Pot and Pearl Ashes, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

A Bill to extend the Charter of the Commercial Bank of the Midland District, and to increase its Capital Stock, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Friday next.

A Message from the Legislative Council by John Godfrey Spragge, Esquire, Master in Chancery. Mr. Speaker,

The Legislative Council have passed a Bill, intituled, "An Act to amend the Usury Laws," to which they desire the concurrence of the Assembly.

And then he withdrew.

An engrossed Bill from the Legislative Council, intituled, "An Act to amend the Usury Laws," was read for the first time.

A Bill to extend the Charter of the Bank of Upper Canada, and to increase the Capital Stock thereof, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Friday next.

A Bill to grant further powers to the Montreal Fire Assurance Company, and to change the name of the said Corporation, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

A Bill to change the place of the Registry Office for the County of Middlesex, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

The order of the day, for the House in Committee, on the Bill to revive a certain Act of the Legislature of Lower Canada, for the qualification of Justices of the Peace, being read,

The House, accordingly, resolved into the said Committee.

Mr. DeWitt took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. DeWitt reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received, to-morrow.

The order of the day, for the House in Committee, on the Bill for better preventing the obstruction of Rivers and Rivulets, in Canada East, being read,

The House, accordingly, resolved itself into the said Committee.

Mr. Taschereau took the chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. Taschereau reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received, to-morrow.

On motion of the Honourable Mr. Draper, seconded by Mr. Black,

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to take into consideration the propriety of repealing an Ordinance of Lower Canada, intituled, "An Ordinance concerning Bankrupts and the administration of their effects," and to make provision for the same object throughout the Province of Canada.

The House, accordingly, resolved into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. Morris reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That it is desirable to repeal a certain Ordinance of Lower Canada, intituled, "An Ordinance concerning Bankrupts, and the administration of their effects," and to make provision for that object by a general enactment applicable to the Province of Canada.

*Ordered*, That the Honourable Mr. Draper have leave to bring in a Bill to repeal an Ordinance of Lower Canada, intituled: "An Ordinance concerning Bankrupts and the administration of their effects," and to make provision for the same object throughout the Province of Canada. He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

On motion of the Honourable Mr. Draper, seconded by Mr. Boulton,

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to take into consideration the propriety of amending, consolidating, and reducing into one Act, the several laws now in force, establishing or regulating the practice of the District Courts in the several Districts of that part of this Province formerly Upper Canada.

The House accordingly resolved itself into the said Committee.

Mr. Powell took the chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair,

Pot and Pearl Ash Bill.

Commercial Bank (M. D.)

Usury Laws.

U. C. Bank stock.

Montreal Fire Assurance Company Bill.

Registry Office, County Middlesex.

Justices' Qualification Bill.

Bill to prevent obstruction of rivers.

Ordinances respecting bankrupts (L. C.)

Bill to repeal Bankrupt Ordinances.

District Court Acts.

And Mr. *Powell* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is desirable to amend, consolidate, and reduce into one Act, the several laws now in force establishing or regulating the practice of the District Courts, in the several Districts of that part of the Province formerly *Upper Canada*.

District Court amendments Bill.

*Resolved*, That the Honourable Mr. *Draper* have leave to bring in a Bill to amend, consolidate, and reduce into one Act, the several laws now in force establishing or regulating the practice of the District Courts, in the several Districts of that part of this Province formerly *Upper Canada*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

Canada East Police Bill.

The order of the day for the second reading of the Bill to repeal certain Ordinances therein mentioned, relative to the establishment of a system of Police in *Canada East*, being read.

*Resolved*, That the said order of the day be postponed, until to-morrow, and that it be then the first order of the day.

Freedom of Elections Bill.

The order of the day, for the House in Committee, on the Bill to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned, being read.

*Ordered*, That the said order of the day be postponed, until to-morrow, and that it be then the second order of the day.

Duty on Imports.

The order of the day, for the House in Committee, of Ways and Means, to consider the propriety of laying a duty upon imports of Foreign Wheat into the Province, being read.

*Ordered*, That the said order of the day be postponed, until to-morrow, and that it be then the third order of the day.

Then on motion of Mr. *Black*, seconded by Mr. *Delisle*,  
The House adjourned.

*Jovis 29<sup>o</sup> die Septembris.*

Anno 6<sup>a</sup> Victoriae Reginae, 1842.

4 Petitions bro't up.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. *Roblin*, the Petition of *Owen McMahon*, and others, of the town of *Picton*.

By the Honourable Mr. *Jones*, the Petition of *R. Jones*, and others, of the county of *Missisquoi*.

By Mr. *Morris*, the Petition of *William Dixon*, and others, Messengers of the Legislative Assembly.

By Mr. *Hopkins*, the Petition of the Municipal Council of the *Gore* District, relating to macadamized roads.

Registry Office, Middlesex.

An engrossed Bill to change the place of the Registry Office for the County of *Middlesex*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Parke* do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal Fire Assurance.

An engrossed Bill to grant further powers to the *Montreal* Fire Assurance Company, and to change the name of the said Corporation, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Moffatt* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill, to regulate the Inspection of Pot and Pearl Ashes, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Moffatt* do carry the said Bill to the Legislative Council, and desire their concurrence.

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

Of *J. B. Baby*, and others, Freeholders and Inhabitants of the *Western* District, praying that the Public Offices and the County Town of the said District, may not be removed from the town of *Sandwich*.

Of the Municipal Council of the *Eastern* District, praying that all applications for the dismemberment of the said District, be rejected.

Of *William Taylor*, and others, directing officers of the *Shefford* Academy, praying for an aid.

Of *Washington Frost*, and others, Inhabitants of *Granby*, in the Municipal District of *Missisquoi*, praying for amendments to the Registry Act, and the re-establishment of Commissioners' Courts.

Of the Honourable *William Walker*, and others, of *Quebec*, praying for the erection of a new Custom House in the Lower Town of *Quebec*, and that the present building be used as a Marine Hospital.

Of *Joseph Plante*, and others, Pilots for and below the Harbour of *Quebec*, praying for some alterations in the law regulating the duties of Pilots.

Of the Trustees of the *Quebec* Turnpike Roads, praying to be authorised to raise, by way of loan, a sum sufficient to complete the said Roads; and also, for certain alterations in the Ordinance constituting the said Trust.

Of *William Bell*, and others, land owners on the *River Tay*, praying for certain amendments to the *Tay* Navigation Act.

Of *John Pattie*, and others, members of the *Ottawa* Total Abstinence Society, praying that an investigation may be made into the causes of intemperance, and that such measures be taken as shall secure its suppression.

Of *Henry Mulholland*, and others, of *Montreal*, praying that an enquiry be instituted into the causes and extent of intemperance in this Province, with a view to its suppression.

Of *Hugh McKinnon*, and others, of the Township of *Finch*, praying to be indemnified for work performed by them on the faith of Government.

Of the Reverend *Andrew Balfour*, of the Village of *Waterloo*, praying an aid for a Grammar School in the said Village.

Of *George G. Boswell*, and others, of the Town of *Cobourg*, praying for an alteration in the limits of the said Town.

Of the Board of Police of *Cobourg*, praying for certain alterations in the Act incorporating the said Town.

Of *John Clark*, and others, Inhabitants of *Côte St. Martin*, *Longue Pointe*, and other places, complaining of the proceedings of the Trustees of the *Montreal* Turnpike Roads, and praying relief.

Of



Geo. Pringle,  
and others.

Of *George Pringle*, and others, of *Hemmingford*, and other places, praying that one of the Division Courts for the District of *Beauharnois* be established at *Russelltown* flats.

Ditto.

Of *George Pringle*, and others, of *Hemmingford*, and other places, praying that a protecting duty be laid on American produce introduced into this Province.

Mun. Council,  
Home District.

Of the Municipal Council of the *Home* District, praying that property may be taxed in proportion to its situation and value.

Ditto.

Of the Municipal Council of the *Home* District, praying that an alteration be made in the periods of their meetings.

Mun. Council,  
District of  
Dorchester.

Of the Municipal Council of the District of *Dorchester*, praying to be authorised to grant licences to Tavern Keepers, and to appropriate the duties thereon for District purposes.

Ditto.

Of the Municipal Council of the District of *Dorchester*, praying amendments to the Ordinances relative to Winter Roads.

Mun. Council,  
Gore District.

Of the Municipal Council of the *Gore* District, praying for certain amendments to the Municipal Council Act.

McPherson &amp; Co.

Of Messieurs *Macpherson*, *Crane*, and Company, and others, concerned in the Forwarding trade, relating to water communication, and praying that it may be improved.

L. Odell, and  
others.

Of *Lewis Odell*, and others, of the Seignory of *Lacolle*, praying for the abolishment of the Division Courts, and the establishment of others better adapted to the ends of Justice.

H. Hoyle, and  
others.

Of *Henry Hoyle*, and others, of the Seignories of *Lacolle* and *Deléry*, praying to be relieved from the unjust exactions of their Seignors.

*Ordered*, That two hundred copies of the said Petition be printed in each of the English and French languages, for the use of the Members of this House.

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

Mr. Speaker,

Queen's Bench  
Rules Bill.

The Legislative Council have passed a Bill, intituled, "An Act to confirm certain Rules, Orders, and Regulations, made by the Chief Justice and Judges of Her Majesty's Court of Queen's Bench for *Canada West*," to which they desire the concurrence of the Assembly.

And then he withdrew.

An engrossed Bill from the Legislative Council, intituled, "An Act to confirm certain Rules, Orders, and Regulations, made by the Chief Justice and Judges of Her Majesty's Court of Queen's Bench for *Canada West*," was read for the first time.

Petitions  
referred;  
A. Balfour.

*Resolved*, That the Petition of the Reverend *Andrew Balfour*, of the Village of *Waterloo*, be referred to a Select Committee, composed of Messieurs *McLean*, *Hale*, and *Jones*, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Hugh McKinnon,  
and others.

*Resolved*, That the Petition of *Hugh McKinnon*, and others, of the Township of *Finch*, be referred to a Select Committee composed of Messieurs *McLean*, *Forbes*, and *Chesley*, to examine the contents thereof, and to report thereon with all

convenient speed; with power to send for persons, papers, and records.

*Ordered*, That the Petition of the Municipal Council of the *Eastern* District, be referred to the Special Committee to which was referred the Petition of divers Freeholders and Inhabitants of the Township of *Lochiel*, and other places.

Mun. Council  
Eastern District.

Sir *Allan N. MacNab*, from the Select Committee to which was referred the Petition of *William Ross*, and others, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:—

Report on  
Petition of  
Wm. Ross,  
and others.

"Your Committee have carefully examined the Petition to them referred, and after mature deliberation, are of opinion, that the prayer of the Petitioners ought to be granted; and that the amount which has been retained from their respective salaries, as Officers and Clerks of the late House of Assembly of *Lower Canada*, during the suspension of the Constitution of the said Province, should be paid to them by the Clerk of this House, out of any moneys which may come into his hands, for the contingencies of this House."

*Ordered*, That the said Report be referred to a Committee of the whole House, to-morrow.

Mr. *Boswell*, from the Special Committee to which were referred the Petition of *George S. Boulton*, of *Cobourg*, and the Petition of the President, Directors and Company, of the *Cobourg* Harbour Company, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report on  
Petition of  
Geo. S. Boulton.

"That by an Act of Parliament of that part of the Province formerly *Upper Canada*, passed in the 2nd year of the Reign of His late Majesty, King *Will. IV.* a Loan of £3000 was authorised to the said Company, the time for the payment of which has expired.

"That the repayment of the said Loan, and six per cent. interest thereon, is amply secured by mortgage on private property.

"That a considerable portion of the interest has been paid, and your Committee can see no reasonable objection to an extension of time for the payment of the said Loan, upon the express condition that the interest shall be regularly paid, and the securities remain in full force.

"Your Committee therefore recommend, that the time for the repayment of the said Loan be extended accordingly."

*Ordered*, That the said Report be referred to a Committee of the whole House, to-morrow.

Mr. *Quesnel*, from the Special Committee appointed to proceed to the enquiry on certain outrages alleged as having occurred during the late general Election in the counties of *Terrebonne*, *Montreal*, *Vaudreuil*, *Beauharnois*, *Chambly* and *Rouville*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:—

Report Select  
Committee,  
Lower Canada  
Elections.

"That your Committee having taken into consideration the order of reference, and the Petitions therein mentioned, and the notification of an early prorogation, have confined themselves to ordering the Poll Books taken at the Elections for the said Counties to be laid before them, together with other documentary evidence, and they have not thought it expedient to order the attendance of any witnesses, seeing the great expenses which it would entail, without producing any beneficial result, this Session.

"Your Committee are of opinion, that the investigation ought to be continued at the opening of the ensuing Session of the Legislature, and brought to a conclusion as speedily as possible, consistent with the Justice, the rights and liberties of the subject, and the privileges of the House."

*Resolved*,

*Resolved*, That this House doth concur with the Special Committee, in the said Report.

Report Com.  
on Printing.

Mr. *Morris*, from the Standing Committee appointed to superintend the Printing of this House, during the present Session, with power to Report from time to time, presented to the House the First Report of the said Committee, which was again read at the Clerk's table, as followeth:

"With a view of improving the appearance of the Journals of the House, and assimilating them as nearly as possible to the Journals of the House of Commons, your Committee recommend that the Journals and Appendices be hereafter Printed upon paper of the same size and quality as that used in Printing the Journals of the House of Commons for the year 1838, and that the matter be arranged in double columns upon each page, as in that Journal, with brief marginal notes, and in the same type.

"Conference has been held with managers on the part of the Honourable the Legislative Council regarding the Printing of the Public Accounts, and other documents usually Printed by both Houses, and your Committee being of opinion that a large sum of money would be annually saved, were these papers to be Printed but by one branch of the Legislature, it was Resolved that, in Printing these documents for your Honourable House, a sufficient extra number be also struck off for the Honourable the Legislative Council.

"Agreeably to the procedure of the printing Committee of last Session, your Committee received Tenders for performing the daily Printing of the House during the present Session, and the Tender of *Eduard John Barker*, being considerably under the Tenders of the other competitors for the work, your Committee directed the Clerk of the House to employ the said *Barker*, who has been required to furnish two sufficient sureties for the due performance of the work."

*Ordered*, That the said Report be referred to a Committee of the whole House, to-morrow.

Report on  
Petitions of  
Municipal Coun-  
cil, Niagara  
District.

Mr. *Thompson*, from the Special Committee, to which were referred the various Petitions of the Municipal Council of the *Niagara* District, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:

"That they have taken the Petition of the Municipal Council of the *Niagara* District, praying for an alteration in the site of the District town, into consideration, and they recommend that time should be allowed to the said Petitioners to name a place where they would wish the site of the said District town to be placed."

Catholic Clergy  
support.

Mr. *Dunlop* moved, seconded by Mr. *Forbes*, that this House will, to-morrow, resolve itself into a Committee of the whole House, to consider whether it is expedient and necessary that some provision be made by the Government for the support of the Catholic Clergy of *Canada West*.

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

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Simpson*;

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of all correspondence that may have taken place with the Colonial Secretary during the years 1841 and 1842, on the subject of the appointment of an Engineer to inspect, report on, or superintend, the construction of the *St. Lawrence* Canal.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House,

as are of the Honourable the Executive Council of this Province.

*Resolved*, That a Message be sent to the Honourable the Legislative Council, praying their Honors will permit the Honourable *Alexander Fraser*, one of their Members, to attend the Special Committee to which is referred the Petition of *George Macdonell*, and others, on the subject of the Military Road for the *Eastern* and *Ottawa* Districts, on Saturday next, at ten o'clock in the forenoon, to be examined on the subject of the said reference.

*Ordered*, That Mr. *J. S. Macdonald* do carry the said Message to the Legislative Council.

On motion of Mr. *Merritt*, seconded by Mr. *L. M. Viger*.

*Ordered*, That the Committee of the whole House, on the Report of the Special Committee to which was referred the Petition of the President, Directors, and Company, of the *Gore* Bank, be directed to Report whether it is expedient to repeal the double security clause contained in the several Bank Charters within this Province.

On motion of Mr. *Hale*, seconded by the Honourable Mr. *Jones*,

*Ordered*, That the engrossed Bill from the Legislative Council, intituled, "An Act to amend the "Usury Laws," be read a second time, to-morrow.

On motion of Mr. *Merritt*, seconded by the Honourable Mr. *Moffatt*,

*Ordered*, That the Return to the Address of this House, of the twenty-second instant, with the several Despatches, on the subject of the importation of Wheat and Wheaten Flour, be referred to the Special Committee to which was referred the Petition of the North American Committee of the Colonial Society.

On motion of Mr. *Hale*, seconded by Mr. *Child*,

*Ordered*, That it be an instruction to the Committee of Ways and Means, to consider the propriety of laying a duty upon Imports of Foreign Wheat into the Ports of the Province; to consider at the same time the expediency of imposing a proportionate and simultaneous duty upon all other sorts of agricultural produce.

Mr. *Simpson* moved, seconded by Sir *Allan N. MacNab*, That it be a further instruction to the said Committee, to enquire into the propriety of continuing the construction of the Canals on the *St. Lawrence*, in the event of the said duties being imposed.

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

On motion of Mr. *Hopkins*, seconded by Mr. *Harmannus Smith*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a detailed statement of all losses sustained during the late War with the *United States of America*, and unpaid, with each District by itself.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Mr. *Hamilton*, from the Committee of the whole House, on the First Report of the Special Committee on the Contingent Accounts and Expenses of this House during the present Session; reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*,

Military Road,  
Ottawa District.

Gore Bank.

Usury Laws.

Wheat, and  
Wheaten Flour.

Duty on Imports.

War Losses.

Contingencies.

Address for  
correspondence,  
St. Lawrence  
Canal.

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to issue his warrant in favour of *William Burns Lindsay*, Esquire, the Clerk of this House, for the sum of six thousand pounds, currency, towards defraying the current expenses of this House for the present Session; and assuring His Excellency, that this House will make good the same.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Obstruction of rivers, &c.

Mr. *Taschereau*, from the Committee of the whole House, on the Bill for better preventing the obstruction of Rivers and Rivulets in *Canada East*, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Qualification of Justices.

Mr. *DeWitt*, from the Committee of the whole House, on the Bill to revive a certain Act of the Legislature of *Lower Canada* for the qualification of Justices of the Peace, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Real Estate.

A Bill to afford relief in certain cases to sellers of Real Estate, in *Canada West*, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, to-morrow.

Charitable association.

A Bill to incorporate the Charitable Association of the Roman Catholic Ladies of *Quebec*, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Quesnel* reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

*Ordered*, That the said Bill be engrossed.

Church temporalities.

A Bill to make provision for the management of the Temporalities of the United Church of *England* and *Ireland*, in the Diocese of *Quebec*, in this Province, and for other purposes therein mentioned, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, to-morrow.

Duty upon supports.

The order of the day for the House in Committee of Ways and Means, to consider the propriety of laying a duty upon imports of Foreign Wheat into the Ports of the Province, with an instruction to the said Committee, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Leslie* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received, to-morrow.

The order of the day for the second reading of the Bill to repeal certain Ordinances therein mentioned, relative to the establishment of a system of Police in *Canada East*, being read,

*Ordered*, That the said order of the day be postponed until to-morrow, and that it be then the first order of the day.

The order of the day, for the House in Committee, on the Bill to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned, being read,

*Ordered*, That the said order of the day be postponed until to-morrow, and that it be then the second order of the day.

Mr. *Black* moved, seconded by Mr. *L. M. Viger*, That the House do now adjourn.

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

The order of the day, for the House in Committee, on the Report of the Special Committee to which was referred the Petition of the President, Directors, and Company, of the *Gore Bank*, with an instruction to the said Committee, being read,

Mr. *Thompson* moved, seconded by Mr. *Morris*, that the said order of the day be postponed until to-morrow, and that it be then the third order of the day.

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

The order of the day, for the House in Committee, on the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and for other purposes relating to the same, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Derbshire* took the chair of the Committee.

Several Members having retired,

Mr. Speaker resumed the Chair,

And the names of the Members present were taken down, as followeth:

Mr. Speaker, Mr. *Armstrong*, Mr. *Berthelot*, Mr. *Boutillier*, Mr. *Cameron*, Mr. *Christie*, Mr. *Cook*, Mr. *Delisle*, Mr. *Derbshire*, Mr. *DeWitt*, Mr. *Draper*, Mr. *Foster*, Mr. *Gilchrist*, Mr. *Hale*, Mr. *Hamilton*, Mr. *Morris*, Mr. *Papineau*, Mr. *Parke*, and Mr. *D. B. Viger*.

And at five minutes past eleven o'clock at night, Mr. Speaker adjourned the House for want of a quorum.

Veneris 30<sup>o</sup> die Septembris.

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. *Powell*, the Petition of *John Heath*, Junior, and others, of the township of *Townsend*.

By Mr. *Boswell*, the Petition of *James Lyons*, and others, Inhabitants of the township of *Hamilton*.

An engrossed Bill to revive a certain Act of the Legislature of *Lower Canada*, for the qualification of Justices of the Peace, was read for the third time.

*Resolved*, That the Bill do pass, and the title be, "An Act for the qualification of Justices of the Peace."

*Ordered*, That the Honourable Mr. *Jones* do carry the said Bill to the Legislative Council, and desire their concurrence.

River obstruction Bill.

An engrossed Bill for better preventing the obstruction of Rivers and Rivulets, in *Canada East*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. Jones do carry the said Bill to the Legislative Council, and desire their concurrence.

Quebec Ladies' charitable association Bill.

An engrossed Bill to incorporate the Charitable Association of the Roman Catholic Ladies of *Quebec*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Parent do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read:

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

Adam Thompson, and others.

Of *Adam Thompson*, and others, of *West Flamborough*, and other places, complaining of partiality in the site of the toll gates on the road from *Dundas* to *Galt*, and praying redress.

Wm. Morris, and others.

Of *William Morris*, and others, of the Eastern Townships, praying an aid for certain roads.

John Rankin, and others.

Of *John Rankin*, and others, Inhabitants of the townships of *Ascot*, *Brompton*, and other places, praying an aid for a road.

Warden, Gore District.

Of the Warden and Municipal Council of the *Gore* District, praying for amendments to the Common School Act.

Ditto.

Of the Warden and Municipal Council of the *Gore* District, praying that no division be made of the said District.

Wm. Adams, and others.

Of *William Adams*, and others, Inhabitants of *Ristigouche*, praying an aid for a road.

Kingston Board of Trade.

Of the Board of Trade of the Town of *Kingston*, praying for certain amendments to the Currency Law.

Major Richardson.

Of Major *John Richardson*, praying for encouragement in the publication of a History of the War of 1812.

Bishop of Montreal.

Of the Right Reverend the Lord Bishop of *Montreal*, and others, Inhabitants of *Quebec*, praying for certain amendments to the Common School Act.

A. Chapman, and others.

Of *A. C. Chapman*, and others, Inhabitants of the County of *Rouville*, praying an aid to complete the erection of an Academy in the said County, and to support the same.

Mayor, &c. of Montreal.

Of the Mayor, Aldermen, and citizens of the City of *Montreal*, praying for certain amendments to the Act incorporating the said City.

Rev. Jno. Leeds, and others.

Of the Reverend *John Leeds*, and others, of the Church of *England*, at *Coteau du Lac*, praying for the passing of an Act regulating the Church Temporalities in the Diocese of *Quebec*.

Petitions referred: H. Mulholland, and others.

*Ordered*, That the Petition of *Henry Mulholland*, and others, of *Montreal*, presented to the House on the twenty-seventh instant, be referred to the Select Committee to which was referred the Petition of *John Knowlson*, and others, of the townships of *Cavan* and *Manvers*.

John Pattie, and others.

*Ordered*, That the Petition of *John Pattie*, and others, members of the "*Ottawa* Total Abstinence Society," presented to the House on the twenty-seventh instant, be referred to the said Committee.

*Ordered*, That when this House doth adjourn, it will adjourn until to-morrow, at eleven o'clock a. m.

On motion of Mr. *Thompson*, seconded by Mr. *Hale*,

*Ordered*, That the order of the day, for the House in Committee, on the Report of the Special Committee to which was referred the Petition of the President, Directors, and Company, of the *Gore* Bank, with an instruction to the said Committee, lost by the adjournment of the House of yesterday, be revived, and that this House will, to-morrow, resolve itself into the said Committee.

On motion of the Honourable Mr. *Hicks*, seconded by the Honourable Mr. *Harrison*,

*Resolved*, That this House will, on Monday next, resolve itself into a Committee of Supply.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker, two Messages from His Excellency, the Governor-General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:

*Charles Bagot*.

THE Governor-General, in conformity with the intention expressed in his Speech at the opening of the Session, and in compliance with the desire of Her Majesty's Secretary of State for the Colonies, makes the following communication to the House of Assembly, upon the subject of the Acts, cap. 28 and 33 of last Session, relating to Public Works and the proposed Loan.

His Excellency is instructed by the Secretary of State to assure the people of *Canada*, through their Representatives in the House of Assembly, that the objects contemplated in the above Acts, of relieving the Finances and improving the credit of *Canada*, and at the same time of developing by measures of extensive internal improvement the vast natural resources of the Province, are viewed by Her Majesty's Government with hardly less of interest, than by the Legislature and people of the Province; and every consideration of good faith, and of policy, would lead Her Majesty's Government scrupulously to fulfil to their utmost extent, the pledges of assistance held forth by their predecessors in Office, and communicated to the Legislature of *Canada* by Lord *Sydenham*, and also to aid in the accomplishment of the objects sought to be obtained by the Acts now under consideration.

Her Majesty's Government have given to the financial project, proposed to be carried into effect by the Acts in question, their most deliberate and anxious consideration, and the result of that consideration has been to impress upon them a very strong conviction, that with the view of most effectually and most economically benefiting the Province, and conducing to the maintenance of public credit, and to the promotion of those great undertakings of internal improvement which may ultimately make an ample return for the original outlay but upon which, unassisted, the Province could not safely enter, it would be inexpedient to interpose the credit of the Mother Country, between the Province and the Creditors under the existing debt; and that it would be more for the advantage of the Province that the aid to be rendered should be applied exclusively to the promotion of the intended Public Works.

According to the arrangement proposed by Lord *Sydenham*, and the Acts under consideration, the execution of the Public Works of every description is made mainly to depend upon Funds to be raised upon the sole responsibility of the Canadian Government. If the cost of the local works should, in many instances,

Public Works,  
and proposed  
loan.

stances, exceed the Estimate, or if, in consequence of the priority given to the loan of £1,500,000 and of the general management of Canadian Finance, the credit of the Province should not continue to be such as to enable it to raise the whole of the second Loan of £1,678,682, at 5 per cent, funds might be wanting to complete those great works, with a view to which mainly the assistance of *Great Britain* was originally given: and Her Majesty's Government is compelled to acknowledge that where it appears that the sum necessary for a work in *Lower Canada*, of which the Tolls were represented to be an ample security for the amount, could only be raised on the double security of those Tolls, and the credit of the Province at a rate of from 6 to 8 per cent, they cannot but entertain serious apprehensions as to the practicability of carrying into effect the objects of the Public Works' Act by sums raised on the Provincial security only, within the terms authorised by that Act, it will of course be understood that there is no authority in any case to issue the Provincial Debentures below par; such a step would be in fact a violation of the spirit, if not of the letter, of the Provincial Act which limits the rate of interest at five per cent.

Her Majesty's Government hopes it is equally unnecessary to offer a caution against any vague estimates, or excess of outlay being sanctioned, under the expectation of a further advance of the credit of the Mother Country beyond that which has been so liberally afforded, and, although it is no doubt true, that, in the exercise of the discretion vested in the Governor by the Public Works' Act, he might abstain from issuing Debentures beyond the means of the Province to bear the charge, yet this step on his part, or the inability to raise the money, at the prescribed rate of interest, might leave unfinished the most important works, and thus frustrate the objects contemplated by the British Government.

In order to guard against the possibility of such a result, and to secure the application of the assistance of *Great Britain* in the most direct manner, to the benefit of the Province, it is proposed by Her Majesty's Government, that the existing Canadian Debt should remain a first charge upon the Revenue of the Province, and should be paid off, as it became due, from the produce of the current Revenue, and that the £1,500,000 to be raised under the guarantee of the Imperial Parliament, should be applied directly to the execution of the Public Works, enumerated in the Act already referred to.

Under this arrangement the credit of the Province would be strengthened by the continuance of the priority of the present debt, and by the prospect of early repayment at or before the expiration of the existing Bonds. The local Legislature, thus unencumbered with other obligations, would be enabled to enter into negotiations with the creditors under the existing debt, and either to continue during the terms of their respective engagements, the present rate of interest, or to extinguish the debt by mutual agreement, on far more favourable terms than the British Government could do if they were to become responsible for the amount. By this course, also, the Public Debt of *Canada* in addition to the existing debt, which would be gradually paid off as funds became available for the purpose, would be limited to the sum appropriated for the completion of the Public Works, of which there would be, at least, £1,500,000, raised at a rate of interest not exceeding 4 per cent.

This arrangement, no doubt, would require *Great Britain* to give up her security of priority of claim upon the Consolidated Provincial Revenue, that is to say, the payment of the new Loan of £1,500,000, would become chargeable after the payment of the existing debt, instead of becoming the first charge, by the extinction of that debt, as first proposed. But Her Majesty's Government willingly consent to make

this sacrifice because they feel convinced that this arrangement is more conducive to the financial prosperity of *Canada* than that proposed to be adopted under the two Acts, and that setting aside higher considerations, priority of claim upon the Provincial Revenue is an inferior security to that derived from the prosperity of the Province.

Her Majesty's Government, therefore, do not propose to interfere with the existing debt; but with the view of furthering the important objects contemplated by the Act numbered 28, they propose to pledge the credit of *Great Britain* to a sum not exceeding £1,500,000, to be raised by the Province at a rate of interest not exceeding 4 per cent, under the guarantee of the Imperial Parliament, and with a provision to be made for a sinking fund at the rate of, not less than, five per cent per annum of the principal, to be secured in the first instance upon the Tolls of the Works to be undertaken, the ordinary Revenues of the Province being pledged as a collateral security, and the charge to rank next in order to the obligations now by law permanently attaching to the consolidated fund.

Government House,

Kingston, 29th September, 1842.

Charles Bagot.

His Excellency, the Governor General, transmits to the House of Assembly a Report which he has received from Doctor *Thomas Rolph*, late Emigration Agent, in the United Kingdom, on behalf of the Government of *Canada*; and recommends to their consideration the propriety of awarding to that Gentleman a sum, not exceeding £500, Sterling, in remuneration for his past services, in the above capacity.

Government House,  
Kingston, 29th September, 1842.

(Copy.)

Kingston, September 24th, 1842.

May it please your Excellency:

I take the earliest opportunity afforded me by your Excellency's permission to return to *Canada*, to announce my arrival, and report my proceedings in the United Kingdom, since my departure.

On arrival in *London*, I waited on his Lordship, the Secretary of State for the Colonies, apprizing him of the appointment which I had the honor of receiving from your Excellency; and was presented by him to Her Majesty, at the first Levee, in the capacity as Agent for Emigration on behalf of the Government of *Canada*.

Feeling much inconvenience from the want of a suitable office in the Metropolis, I made application to the North American Committee of the Colonial Society, for permission to receive persons and communications at their Rooms in *St. James Square*; and having received their assent, communicated my appointment and that circumstance to the Colonial Land and Emigration Commissioners, who placed my name amongst the list of Agents in their book of instructions and information to those who were desirous of proceeding to the North American Colonies, and obtain such particulars as would guide them to their settlement on their arrival. By this extended notice of my appointment, daily applications were made to me, personally and by letter, from all parts of the United Kingdom; from many persons who, being possessed of capital, and had resolved on removing to some of the Colonies, were most desirous, before so doing, of obtaining every possible information of the country to which they were removing—the price of land, the best route of travel, the respective prices of cultivated and uncultivated land, in the various sections of the Province; the means of internal communication; contiguity to market of respective localities; the progress of settlement; the augmented value of property; opportunities for worship and education; the

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the state of society—in fine, as much information of the country as could be furnished them; firstly, to enable them to decide whether such description would induce them to visit it with the intention to settle; and secondly, if they did so make up their minds, facilitate and expedite their settlement on their arrival. It is to this valuable description of settlers—those who are possessed of some means, which they desire to join with their own industry, in a sphere not closed against them by over population, or where a large capital is required to follow the pursuits of husbandry—that the services of a resident Emigrant Agent in *England*, to whom they can apply, is eminently useful, and almost indispensably necessary; and numbers of that valuable yeomanry, from the rural Districts of the United Kingdom, now settled in the *Ottawa, Midland, Newcastle, Home, Gore, Brock, Talbot, London, Huron, and Wellington* Districts, have expressed their great obligation for the information I afforded them, previous to their departure from *Great Britain and Ireland*.

On each occasion of my respective visits to *England*, during the years 1839, 1840, 1841, and 1842, I have met with publications, generally emanating from persons of slender and inaccurate information, occasionally stimulated by improper motives, and frequently having very extended circulation, calculated materially to injure the Province, retard its settlement, and deter the respectable yeomanry of the United Kingdom from cherishing favourable or correct impressions and opinions of it. In the years 1839 and 1840, I had the honour of carrying on a long correspondence with Lord *Cloncurry* on this subject, which excited great attention, had an extensive circulation, and which, His Lordship assured me, had been attended with the most beneficial results, in removing many prejudices which existed against *Canada*, equally in his own mind and that of many others. In the same year the late deeply lamented Sir *Robert Wilmot Horton*, Baronet, a most devoted friend to *Canada*, published also my correspondence with him on the subject of the colonization of *Canada*, which, recommended by his name and kind partiality, had extensive circulation also—led to the warm and zealous co-operation of many others, and gave a great impetus to Emigration to this Province. In 1840, a pamphlet was also published by Mr. *Thornton Leigh Hunt*, treating of two countries, neither of which he had seen, but contrasting in the most partial and unfavourable manner, *Canada* with *Australia*. I replied also to that pamphlet, and my reply was warmly approved of, and noticed by the different public Journals and Reviews. Shortly after my arrival in *England* this season, I found that Captain *Barclay*, who had made a most hurried visit to *Hamilton* and *Toronto* last year, had, on his return to *Scotland*, written a work, advising all settlers to go to the *United States* in preference to *Canada*, representing this Province in the most unfaithful and unfavourable light. Copious extracts from his work were published in many of the leading Journals of *Great Britain*, producing a very powerful sensation. A gentleman, who had been in correspondence with me during the preceding year, and who had intended to have made very considerable purchases in the *Huron* District, abandoned that intention solely from the unfavorable bias he had imbibed from the perusal of Captain *Barclay's* work. This circumstance decided me at once to examine the pretensions and statements of that author, in a public letter which I addressed him, and a copy of which I forwarded to your Excellency; which letter, both in his own country, and generally throughout the United Kingdom, was read with the greatest avidity, and received, without an exception, the approbation of such portions of the public Press as noticed it.

I was earnestly pressed by the Reverend Dr. *McLeod*, of *St. Columba, Glasgow*, and the Reverend Dr. *Burns*, of *Paisley*, to visit *Scotland*, and confer

with the members of the different Emigration Societies scattered throughout the country, and formed for the express purpose of mutually aiding each other by weekly savings, and the contributions of the affluent, in order that they might proceed to *Canada* in a more suitable manner than heretofore. Having personally seen the mischievous results of the improvident manner and utter want of due precaution and preparation in which many persons from *Scotland*,—equally from the Manufacturing Districts as from the Highlands, had proceeded to *Canada*,—I immediately complied with the request of those Reverend Gentlemen. A large number of persons, selected from the various Societies, met me at *Edinburgh, Glasgow, and Paisley*, and listened with great attention to my advice. I read to them various extracts from the able Report of Mr. *Buchanan*, on the Emigration of 1841; also, from other Agents in *Canada*; and from the Report of the Colonial Land and Emigration Commissioners, complaining of the refusal of the Scotch Emigrants to accept the first offers of employment made to them on their arrival, and who, from such folly, frequently lost employment at the first and best part of the season, and were compelled to take it ultimately under far more disadvantageous circumstances. My advice to these people was widely disseminated by the public Press, one specimen of which I subjoin.—(Appendix A.)

The Scotch Landlords who were in correspondence with me—of whom I may particularly allude to the Earl of *Dunmore*, Lord *MacDonald*, and Neil *Malcolm*, Esquire, of *Pottaloch*—contributed most generously and usefully to the comfortable removal of their tenantry and people. The subject to which your Excellency particularly directed my attention—the shameful manner in which emigrant ships were crowded, the want of air, water, and food, frequently producing great suffering, disease and death—was occupying the attention of Her Majesty's Government on my arrival in *England*; and although I fear that there have been some dreadful cases of mismanagement and cruelty, even this season, yet it is a matter of great gratification, that the Colonial Passengers Act, now the law of the land, will effectually prevent these evils in future, and greatly restrain that indiscriminate emigration of the indigent and destitute, which every one must discountenance and denounce.

The correspondence with *William Valentine*, Esq. of *Belfast*, (marked 1, 2, 3.) respecting 1500 poor persons who were desirous of being forwarded to *Canada* this season, I subjoin. I feel particularly rejoiced that I gave the advice I did, for although no person has ever been more ready to hail the arrival of the Irish Emigrant with more unfeigned delight than myself, or to bear more willing testimony to their general good conduct, deportment and industry, it is only the importations direct from *Ireland* that I have encouraged, and I believe that from that class no disturbance has at any time proceeded, but that their conduct has been uniformly most creditable, as well in the settlement of the country as in its defence. In connection with my duties I have visited the Cities and Towns of *Edinburgh, Glasgow, Dublin, Belfast, Cork*; several places in the Counties of *Devonshire, Wiltshire, Somersetshire, Hampshire, Sussex, Suffolk, Cambridgeshire, Essex, Bedfordshire, Hertfordshire, Surry, Berkshire, Middlesex*; the Towns of *Aberdeen, Inverness, &c.*; where I have held public meetings, and conferred with parties anxious to obtain information of *Canada*. In all these places I have met with the cordial support, countenance, and approbation, of the nobility, gentry, clergy, and people.

Since May, 1839, I have entirely devoted myself to this cause. I have crossed the Atlantic since that period six several times; visited the greater portion of the United Kingdom; established Emigration Societies in many parts; maintaining during the whole time a most extensive correspondence; formed the North American Colonial Committee of the Colonial

Report of  
Emigrant Agent.



Report of  
Emigrant Agent.

Society, expressly for promoting the interest of *Canada*, acting as its Honorary Secretary during the last three years; and at the request of the Agricultural Society of *England*, became the Corresponding Secretary to that important Society, on behalf of *Canada*.

I have received the approbation and thanks of Lords *Seaton* and *Nydenham*, and Sir *George Arthur*, for these exertions; together with those of the respective Districts of *London, Gore, Western, Brock, Home, Midland, Niagara, and Newcastle*; of the Cities of *Quebec, Montreal, and Toronto*; and of the Towns of *Hamilton, Kingston, Niagara, Brantford, Goderich, and Sherbrooke*.

Under these circumstances, I most respectfully request that your Excellency will bring my services and claims under the notice and consideration of the Legislature, in fulfilment of the purport of the letter addressed to me by Mr. *Murdoch*, 16th February, 1842, in order that should the Legislature deem the services I have performed of sufficient usefulness and importance to the Province, to warrant a continuance of them, that they may grant a compensation for the past, and make a suitable provision for the future.

I have the honour, &c.

(Signed) *Thomas Rolph*.

His Excellency  
Sir *Charles Bagot*, G. C. B.  
&c. &c. &c.

## APPENDIX A.

(Emigration Gazette.)

Emigration.

*Dr. Rolph* and Emigration.—In the speeches delivered by *Dr. Rolph* at *Glasgow* and *Paisley*, which we hope to publish in a future number at full length, we observe that he severely admonishes the people for quitting their native country, in the usual improvident manner, and for being equally improvident on their arrival in *Canada*. He read to them Mr. *Buchanan's* letter, and said that it had come to his own knowledge that persons who had been offered profitable employment immediately on their arrival in *Canada*, instead of availing themselves of it, had gone parading through the country at the Government expense, and after wasting the most precious portion of their time, the early summer months, husbanding their resources against the ensuing winter, had been compelled at length to take less wages than those first offered, and then charged the Government Officers with the fault of their own improvidence. *Dr. Rolph* told the meeting that the Government did not invite Emigrants to *Canada*, and that it was most preposterous in the Emigrants to expect that Government would assist those who refused to assist themselves; that it was their duty, as it should be their pleasure, to work at the first place where work was offered, and that if they did not, they would certainly rue the consequences, and be the sufferers.

## 1.

Belfast, 6th Month 20, 1842.

Dear Sir,

After the long correspondence we have carried on respecting *Canada*, I am desirous of taking your advice on the propriety of *Belfast* forwarding 1500 poor persons to that Province this season.

A Public Meeting is convened by the Reverend *Dr. Cooke*, for the 28th, the Marquis of *Donegal* to preside; when any advice or suggestion from you on this subject, will meet with due attention, and probably influence the meeting in their decision.

I am, &c.

(Signed) *William Valentine*.

*Dr. Rolph*,  
Colonial Society, London.

## 2.

Emigration.

Copy.

Colonial Society, St. James' Square,  
London, June 24th, 1842.

Dear Sir,

In conformity with your desire, I proceed to give you the information, which the 1500 intending Emigrants desirous of proceeding from *Belfast* to *Canada*, have requested you to obtain from me. As a general principle, the labouring classes who go to *Canada*, should leave as early in the season as possible; the passage is usually much shorter, from the greater prevalence of Easterly winds, in the Spring months; their labour is in greater demand; they are better enabled to provide for the ensuing Winter; and they acquire an early and perfect knowledge of the seasons, and their adaptation to the purposes of husbandry.—Had, however, the period of departure generally been a matter of indifference, it is one of the greatest possible consequence at the present period. A combination of circumstances during the existing season, renders it very desirable that such of the labouring classes who are destitute, should not proceed to *Canada* until the following Spring. A large number of persons heretofore engaged in the lumbering business on the shores of the *Ottawa* and the *St. Lawrence*, and in the adjoining Province of *New Brunswick*, have been thrown out of employment by the alteration in the Timber duties; a vast number this season, have also quitted the *United States* to seek occupation in *Canada*. Now, although I do hope that the practical knowledge which these people have acquired in the forests, in their pursuits as lumbermen in *Canada*, and as labourers on the public works in the *United States*, will induce them to become settlers, and proceed to the clearing of the public domain, yet, I am still extremely apprehensive that numbers of them will be seeking that employment which has always hitherto been absorbed by the Emigrants who arrive from the United Kingdom.

As also, there has been a very large Emigration this year from all parts of the United Kingdom, I am very anxious not further to provoke or encourage it, least it might entail a heavy burden on the Province; prove unsatisfactory to those who hoped to find profitable employment and a comfortable home therein; and thus prove exceedingly detrimental to future Emigration.

Secondly, I strongly recommend that all Emigrants should be furnished with a small sum of money on landing at *Quebec* or *Montreal*, as they may possibly have to proceed some distance up the country before obtaining employment.

Thirdly, I earnestly advise them to take the first employment afforded to them, as it is of vital consequence to their future welfare to commence husbanding their means immediately. Much foolish prejudice has hitherto existed against Eastern *Canada*, and the whole current of Emigration has been generally directed to the West. Without denying that the climate is more severe in Eastern than in Western *Canada*, I am very far from thinking it more disagreeable, or less desirable, on that account. Its salubrity is unquestionable, the Seasons are decidedly more uniform, there is no interruption to the sleighing in the winter months, and that is most useful and beneficial to the settler; whilst decidedly the greater contiguity to market, and the higher price of all agricultural produce, renders the advantages between Eastern and Western *Canada* nearly equal to the industrious Emigrant. No persons have succeeded better in all British *America* than the Irish settlers in the immediate vicinity of *Quebec*; and there is not a more industrious, worthy, wholesome population, than the Anglo-American population throughout the Eastern Townships; no portion of the American Continent is better cleared than the lands bordering on the Rivers *Saint Lawrence* and *Richelieu*: this was entirely the work of the French population,

and

Emigration.

and, I ask you, will the Irish people shrink from any work successfully performed by the French? The canals, the rail roads, the public roads, the aqueducts, the viaducts, the bridges, the harbours, the villages, the cities and towns, throughout *America*, have been principally the result of Irish industry; and a moment's reflection must convince any one of their ability to subjugate the forest, and reclaim the wilderness, fully as well as the French *habitan*; and I am quite persuaded from their more perfect knowledge of husbandry and agriculture, they would also cultivate the land with more diligence, neatness, and success. It is then, sir, a matter of great moment, indeed of the most vital importance, that they should take the first occupation offered on their arrival at *Quebec*, and have no difficulty of remaining or settling in *Eastern Canada*. The Government have given great assistance in forwarding destitute emigrants to the Western portions of the Province; but emigrants have no right to ask for or expect this aid, if profitable employment is afforded to them in *Eastern Canada*. It has come, not unfrequently, to my own knowledge, that emigrants who had neglected to avail themselves of the excellent advice and favourable opportunities afforded them by the zealous and indefatigable Emigrant Agent, *A. C. Buchanan*, Esquire, *Quebec*, after travelling about, losing the best portion of the season, were compelled to take less wages than what had been offered to them, and refused; and repented bitterly the folly of which they had been guilty. You are, sir, so thoroughly acquainted with all essentials relative to voyage, that it would be presumptuous in me to descant on that subject; but my advice to the labouring classes who propose to emigrate is, that they should quit the shores of the United Kingdom as early as possible in the spring; to take the first work that offers; to husband all their surplus wages to carry them through the ensuing winter; and, with these wise precautions, there is every reason to hope that a man, blessed with health, industriously following his occupation, strictly observing temperance, frugality, probity, and perseverance, will become a successful settler, and a valuable addition to the population of *Canada*. It is my intention again to visit *Ireland*, and it will afford me the greatest pleasure to communicate freely with every class of persons proposing to settle in *Canada*; for it is perfectly undeniable that the Irish population throughout *British North America* have proved hitherto amongst the most faithful, devoted, loyal, improving, and valuable subjects of the Queen in that hemisphere. If I have not furnished you in detail with such information as you require, I would suggest that you would forward to me any interrogatories on this subject you may desire, for my answer.

I have the honour, &c.

(Signed) *Thomas Rolph*.

*William Valentine*, Esquire,  
*Belfast*.

3.

Copy.

*Belfast*, 6th Month 28, 1842.

Dear Sir,

I duly received your admirable letter, dated 24th, which was this day read at a Public Meeting of the Town, most numerously attended, and convened for the purpose of taking into consideration the best means of affording relief to the destitute, by the Reverend *Dr. Cooke*, and was the means of deciding the Meeting to postpone the Emigration to the ensuing year.

The Letter will be published, with the proceedings of the Meeting, and it will give me much pleasure to furnish you with a few copies.

The Emigration Season is now over for the present, as the last Ship with Emigrants for *Quebec* sails hence to-morrow; and your journey to *Ireland*, which has

especial reference to Emigration, I should respectfully suggest your deferring it till the ensuing Spring.

I am, &c.

(Signed) *William Valentine*.

*Dr. Rolph*,  
Colonial Society, *London*.

Ordered, That one hundred copies of the Message of His Excellency, the Governor General, upon the subject of the Loan proposed to be raised for the benefit of this Province, upon the guarantee of an Act of the Imperial Parliament, be printed in each of the English and French languages, for the use of the Members of this House.

On motion of the Honourable *Mr. Harrison*, seconded by the Honourable *Mr. Hincks*,

Resolved, That this House will, on Monday next, resolve itself into a Committee of the whole House, to take into consideration the Message of His Excellency, the Governor General, upon the subject of the said Loan.

Ordered, That two hundred and fifty copies of the Message of His Excellency, the Governor General, with *Dr. Rolph's* Report, be printed in each of the English and French languages, for the use of the Members of this House.

Ordered, That two hundred copies of the Rules and Regulations of the Court of Queen's Bench of *Upper Canada*, laid before the House on the twenty-third instant, be printed for the use of the Members of this House.

*Mr. Leslie*, from the Committee of Ways and Means, to consider the propriety of laying a duty upon imports of Foreign Wheat into the ports of the Province, with an instruction to the said Committee, reported, according to order, the Resolutions of the said Committee; which Resolutions were again read at the Clerk's table, and are as followeth:

Resolved, As the opinion of this Committee, that it is expedient, in order to encourage the agricultural interests of this Province, and facilitate the free admission of Canadian Wheat into the ports of the United Kingdom, to impose a duty on Foreign Wheat imported into this Province.

Resolved, As the opinion of this Committee, that the said duty be Three Shillings, Sterling, per Imperial quarter.

Resolved, As the opinion of this Committee, that in addition to the duty resolved to be imposed upon Foreign Wheat by the preceding Resolutions, a duty be imposed upon all other agricultural products, imported into this Province, from the *United States of America*.

Ordered, That the question of concurrence be now separately put upon the said Resolutions.

The first of the said Resolutions being again read,

*Mr. Black* moved, in amendment, seconded by the Honourable *Mr. Neilson*, that the following words be added to the said Resolution, and do make part thereof, "provided that such duty be levied only when Canadian Wheat shall be admitted into the ports of the United Kingdom, duty free, or at a merely nominal duty; and Foreign Wheat imported into *Canada*, and exported thence to the United Kingdom, shall be admitted on the same terms as if the produce of *Canada*."

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

YEAS.

*Black, Burnet, Boulton, Chesley, Christie, Dunlop, Dunscomb, Forbes, Hale, Hamilton, Kimber, Leslie, D. McDonald, McLean, Neilson, Noel, Simpson, and Thompson.* (18.)

NAYS.

Duty upon  
Imports.

## NAYS.

*Armstrong, Barthe, Berthelot, Boswell, Boutillier, Cameron, Child, Cook, Daly, Delisle, Derbshire, De Witt, Dunn, Durand, Foster, Gilchrist, Harrison, Hincks, Hopkins, Jones, J. S. Macdonald, Merritt, Moore, Morris, Papineau, Parent, Parke, Queneel, Roblin, Harmanus Smith, Steele, Taché, Taschereau, Turcotte, Turgeon, D. B. Viger, L. M. Viger, Watts, and Williams.* (39.)

So it passed in the negative.

The question being then put on the said first resolution, the House divided thereon, and the names being called for, they were taken down, as followeth:

## YEAS.

*Armstrong, Barthe, Berthelot, Boswell, Boutillier, Boulton, Cameron, Child, Cook, Daly, Delisle, Derbshire, De Witt, Dunn, Duncomb, Durand, Foster, Gilchrist, Hale, Harrison, Hincks, Hopkins, Jones, Kimber, Sir Allan N. MacNab, D. McDonald, J. S. Macdonald, Merritt, Moffatt, Moore, Morris, Papineau, Parent, Parke, Queneel, Roblin, Harmanus Smith, Steele, Taché, Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger, L. M. Viger, Watts, Williams, Woods, and Yule.* (49.)

## NAYS.

*Black, Burnet, Chesley, Christie, Dunlop, Forbes, Hamilton, Leslie, McLean, Neilson, Noel, Simpson, and Sherwood.* (13.)

So it was carried in the affirmative.

The second of the said resolutions being again read, and the question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down, as in the last preceding division.

So it was carried in the affirmative.

The third, and last, of the said resolutions being again read,

Mr. Hamilton moved, in amendment, seconded by Mr. Simpson, that the following words be added to the said resolution, and do make part thereof, "provided always that all agricultural produce imported into the Inferior District of Gaspé for the use of the fisheries, be exempted from any duty."

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

## YEAS.

*Barthe, Black, Boutillier, Burnet, Boulton, De Witt, Dunlop, Duncomb, Hale, Hamilton, Kimber, D. McDonald, Moffatt, Neilson, Papineau, Simpson, Sherwood, and L. M. Viger.* (18.)

## NAYS.

*Armstrong, Berthelot, Boswell, Cameron, Chesley, Child, Christie, Cook, Delisle, Dunn, Durand, Forbes, Foster, Gilchrist, Harrison, Hincks, Hopkins, Jones, Leslie, Sir Allan N. MacNab, J. S. Macdonald, McLean, Moore, Morris, Noel, Parent, Parke, Queneel, Roblin, Harmanus Smith, Steele, Taché, Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger, Williams, and Woods.* (39.)

So it passed in the negative.

The question being then put on the said third and last resolution, the House divided thereon, and the names being called for, they were taken down as followeth:

## YEAS.

*Armstrong, Boswell, Boutillier, Boulton, Cameron, Chesley, Child, Cook, Derbshire, De Witt, Dunn, Duncomb, Durand, Foster, Gilchrist, Hale, Harrison, Hincks, Hopkins, Jones, Kimber, Sir Allan N. MacNab, J. S. Macdonald, Moore, Morris, Parke, Roblin, Harmanus Smith, Sherwood, Steele, Taché, Taschereau, Thompson, Turcotte, Turgeon, Watts, Williams, Woods, and Yule.* (39.)

## NAYS.

*Barthe, Berthelot, Black, Burnet, Christie, Delisle, Dunlop, Forbes, Hamilton, Leslie, D. Macdonald, McLean, Moffatt, Neilson, Noel, Papineau, Parent, Queneel, Simpson, D. B. Viger, and L. M. Viger.* (21.)

So it was carried in the affirmative, and,

Resolved, That this House doth concur with the Committee in the said resolutions.

Ordered, That the Honourable Mr. Harrison have leave to bring in a Bill, to impose a duty upon Foreign Wheat, imported into this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

The Honourable S. B. Harrison, one of Her Majesty's Executive Council, delivered to Mr. Speaker four Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:

*Charles Bagot.*

The Governor General informs the House of Assembly, in reply to the Address which they have presented to him this morning, that no correspondence has taken place with the Colonial Secretary during the years 1841 and 1842, on the subject of the appointment of an Engineer to inspect, report on, or superintend the construction of the *St. Lawrence Canal*, specially, but that a correspondence has taken place on the subject of the appointment of an Engineer Officer, as Commissioner on the part of Her Majesty's Government, to superintend the execution of all the Public Works about to be undertaken by the Province, with the funds to be raised upon the guarantee of the Imperial Parliament.

His Excellency feels some scruple as to the propriety of communicating this correspondence to the House of Assembly, without the permission of the Secretary of State, but being desirous of furnishing the fullest information to the House, His Excellency lays before them herewith, extracts of the correspondence which has taken place upon the subject, trusting that the Secretary of State, will, upon being informed of the occasion, sanction the course he has adopted.

Government House,

Kingston, 30th September, 1842.

Extracts from correspondence between Her Majesty's Secretary of State for the Colonies, and His Excellency, the Governor-General, respecting the appointment of an Engineer Officer, as a Commissioner on the part of Her Majesty's Government, to superintend the Public Works about to be undertaken with the funds to be raised under the guarantee of the Imperial Parliament.

Extract from a Despatch from Lord Stanley to Sir Charles Bagot, dated 2nd April, 1842.

"It can hardly be doubted that works so extensive, and calculated to produce such important results, ought to be superintended by the best professional assistance which it is possible to obtain. Her Majesty's Government entertain no doubt of the anxious desire of the Canadian Board of Works, to discharge with fidelity the arduous duties which will devolve upon them; but I can as little doubt the anxiety which they must feel to have associated with them in such a trust, the best professional assistance which it is in the power of the Mother Country to furnish.

"It is therefore my intention, in anticipation of the acquiescence, which I cannot for a moment doubt, of the Colonial Legislature in the general arrangements suggested by Her Majesty's Government, to send over an Officer of Engineers, whom, as Her Majesty's Commissioner, I trust the Legislature will have no difficulty in associating with the Board of Works, in the superintendence of the works to be undertaken, and whose experience may probably enable the undertakings to be conducted with the efficiency and economy which must be alike the interest of the Colony and of this Country."

EXTRACT from Despatch of His Excellency Sir Charles Bagot, to Lord Stanley, dated 28th April, 1842.

"I think

Foreign Wheat,  
duty bill.

Engineer St.  
Lawrence Canal.

Engineer St. Lawrence Canal.

"I think it necessary to make some remarks on the appointment of an Engineer Officer, as Commissioner on the part of Her Majesty's Government, to superintend the execution of the works."

"Of course as Her Majesty's Government provide the funds with which the Public Works are to be conducted, it is but reasonable that they should have a share in the management of it, if so desired. To such an appointment, Mr. Killaly would not, I am sure, object, but it would be highly desirable that the person to be selected should be a Civil and not a Military Engineer. The rules of the Military service render Officers of the Royal Engineers responsible to their own immediate superiors, and to no one else: they correspond only through them, and receive their instructions in the same course: where employed on Civil Works, this system inevitably produces delay and confusion, and not unfrequently collisions of authority. In every instance, I believe, in which Civil and Military Engineers have been placed on the same works in this Province, and the instances are not unfrequent, these inconveniences have arisen. If, however, Your Lordship would select a Civil Engineer to cooperate with the Board of Works as Her Majesty's Commissioner, I do not apprehend that any difficulty need exist, none, I am sure, would be made by Mr. Killaly.

"But I apprehend that the Legislature would view with some dislike the appointment of a Military man, the rules of whose profession, as they know from experience, would prevent them from requiring from him that full information which they would at once obtain from a Civilian."

EXTRACT from Despatch from Lord Stanley to His Excellency Sir Charles Bagot, dated 2nd July, 1842.

"In your Despatch of the 28th of April, you advert to the necessity of appointing an Engineer Officer, as Commissioner on the part of Her Majesty's Government to superintend the execution of the Works which may be undertaken; and point out the reasons which induce you to prefer a Civil to a Military Engineer."

"On this subject, I have only to observe, that if provision be made by the Legislature for the payment of such an Officer, (which I agree with you would be very desirable,) Her Majesty's Government would have no preference for a Military over a Civil Engineer, nor any wish on the subject, but to procure the services of the most competent person who could be engaged for this purpose."

Charles Bagot.

3 British Acts.

The Governor General transmits for the information of the House of Assembly, copies of three Acts which have been passed by the Imperial Parliament, during the last Session, for amending the Laws for the importation of Corn into the United Kingdom; for the amendment of the Laws for the regulation of the Trade of the British Possessions abroad; and for regulating the carrying of Passengers in Merchant Vessels.

Government House, Kingston, 30th September, 1842.

Anno Quinto.  
Victoria Regina.  
Sess. 2.  
CAP. XIV.

An Act to amend the Laws for the Importation of Corn.

[20th April, 1842.]

9 Geo. IV. ch. 60.

WHEREAS an Act passed in the ninth year of the reign of His late Majesty King George the Fourth, intituled, "An Act to amend the Laws relating to the Importa-

tion of Corn:" Whereas it is expedient that the said Act should be repealed, and that new provisions should be made in lieu thereof: be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That the said Act shall be and the same is hereby repealed: Provided nevertheless, that all Acts, or parts of Acts, which by virtue of the above recited Act were repealed, shall still be deemed and taken to be and remain repealed.

Recited Act repealed.

II. And whereas it is expedient that Corn, Grain, Meal, and Flour, the growth produce, and manufacture of any Foreign Country, or of any British Possession out of Europe, should be allowed to be imported into the United Kingdom for consumption, upon the payment of duties to be regulated from time to time according to the averaged price of British Corn, made up and published in manner hereinafter required: be it therefore enacted, That from and after the passing of this Act, there shall be levied and paid to Her Majesty, upon all Corn, Grain, Meal, or Flour, entered for Home consumption in the United Kingdom, from parts beyond the Seas, the several duties specified and set forth in the table annexed to this Act; and that the said duties shall be raised, levied, collected and paid, in such and the same manner in all respects as the several duties of Customs mentioned and enumerated in the table of duties of Customs Inwards, annexed to an Act passed in the Session of Parliament held in the third and fourth years of the reign of His late Majesty King William the Fourth, intituled, "An Act for granting Duties of Customs," hereinafter referred to as the Customs Duties Act, and by virtue and in pursuance of the several powers and provisions in that Act contained, and in the Acts amending the same, and not otherwise.

Corn &c. may be imported from foreign Countries, and from the British possessions out of Europe, on payment of the duties specified in the table to this Act.

3 & 4 Wm. IV. chap. 56.

III. And whereas by an Act passed in the Session of Parliament held in the fifth and sixth years of His late Majesty King William the Fourth, intituled, "An Act to regulate the Importation of Corn into the Isle of Man," it was enacted, that it should not be lawful to import into the Isle of Man any Foreign Corn, Grain, Meal, or Flour, except upon payment of the same duties as were by the said recited Act of the ninth year of His late Majesty King George the Fourth, made payable on the importation into the United Kingdom of Corn, Grain, Meal, or Flour, which duties were, by the said Act now in recital, directed to be ascertained, levied, and paid, as therein is mentioned: And whereas it is expedient that the duties payable on Foreign Corn, Grain, Meal, or Flour, imported into the Isle of Man, should be the same as those payable on the importation of Foreign Corn, Grain, Meal, or Flour, into the United Kingdom, and that for this purpose the said recited Act for regulating the importation of Corn into the Isle of Man, should be repealed, and such provision should be made in that behalf as hereinafter is contained; be it therefore enacted, That the said recited Act, regulating the importation of Corn into the Isle of Man, shall be and the same is hereby repealed; and that from and after the passing of this Act it shall not be lawful to import into the Isle of Man any Foreign Corn, Grain, Meal, or Flour, except upon payment of the same duties as are by this Act made payable upon Corn, Grain, Meal, or Flour, imported from any Foreign Country, and entered for Home consumption in the United Kingdom; and such duties shall be levied, collected, and paid, in such and the same manner as if the same had been imposed by an Act passed in the Session of Parliament held in the third and fourth years of the reign of His late Majesty King William the Fourth, intituled, "An Act for regulating the Trade with the Isle of Man."

Repeal of 5 & 6 Wm. IV. chap. 12, imposing the same duties on the importation of foreign Corn into the Isle of Man as into the United Kingdom, under 9 Geo. IV. chap. 60:

Foreign Corn imported into the Isle of Man to pay the same duties as are imposed by this Act on foreign Corn imported into the United Kingdom;

3 & 4 Wm. IV. chap. 60.

IV. Provided always, and be it enacted, That all actions, suits, and prosecutions, now depending or hereafter

Actions &c. for breach of provisions of Acts hereby repealed, or for duties payable under them may be proceeded with.

Regulations to be observed on shipping Corn from any British Possession out of Europe.

hereafter to be brought, for or by reason of any breach or non-performance of any of the provisions of the said Acts hereby repealed, or either of them, or for the recovery of any duties or sums of money payable under or by virtue of the same Acts, or either of them, shall and may be proceeded with as fully and effectually, to all intents and purposes, as if this present Act had not been made.

V. Provided always, and be it enacted, That no Corn, Grain, Meal, or Flour, shall be shipped from any Port in any British Possession out of *Europe*, as being the produce of any such Possession, until the owner, or proprietor, or shipper thereof shall have made and subscribed, before the Collector or other chief officer of Customs, at the Port of shipment, a declaration in writing, specifying the quantity of each sort of such Corn, Grain, Meal, or Flour, and that the same was the produce of some British Possession out of *Europe*, to be named in such declaration, nor until such owner, or proprietor, or shipper, shall have obtained from the Collector, or other chief officer of the Customs of the said Port, a certificate, under his signature, of the quantity of Corn, Grain, Meal, or Flour, so declared to be shipped; and before any Corn, Grain, Meal, or Flour, shall be entered at any Port or place in the United Kingdom, as being the Produce of any British Possession out of *Europe*, the Master of the ship importing the same shall produce and deliver to the Collector, or other chief officer of Customs, of the Port or place of importation, a copy of such declaration, certified to be a true and accurate copy thereof, under the hand of the Collector and other chief officer of Customs at the Port of shipment before whom the same was made, together with the certificate, signed by the said Collector or other chief officer of Customs, of the quantity of Corn so declared to be shipped; and such Master shall also make and subscribe, before the Collector, or other chief officer of Customs, at the Port or place of importation, a declaration in writing, that the several quantities of Corn, Grain, Meal, or Flour, on board such ship, and proposed to be entered under the authority of such declaration, are the same that were mentioned and referred to in the declaration and certificate produced by him, without any admixture or addition; and if any person shall, in any such declaration, wilfully and corruptly make any false statement respecting the place of which any such Corn, Grain, Meal, or Flour, was the Produce, or respecting the identity of any such Corn, Grain, Meal, or Flour, such person shall forfeit and become liable to pay to Her Majesty the sum of one hundred pounds, and the Corn, Grain, Meal, or Flour, to such person belonging, on board any such ship, shall also be forfeited; and such forfeiture shall and may be sued for, prosecuted, recovered, and applied, in such and the same manner, in all respects, as any forfeiture incurred under and by virtue of the said Customs Duties Act.

Prohibition of importation of Malt.

VI. Provided always, and be it enacted, That it shall not be lawful to import from parts beyond the Seas into the United Kingdom, for consumption there, any Malt, or any Corn ground, except Wheat Meal, Wheat Flour, and Oat-Meal; and that if any such article, as aforesaid, shall be imported contrary to this provision, the same shall be forfeited; and such forfeitures shall and may be sued for, prosecuted, recovered, and applied, in such and the same manner, in all respects, as any forfeiture incurred under and by virtue of the said Customs Duties Act.

Accounts of Corn imported, of Corn upon which duty is paid, of the rates of duty, and of Corn in warehouses, to be published monthly.

VII. Provided always, and be it enacted, That the Commissioners of Her Majesty's Customs shall, once in each calendar month, cause to be published in the *London Gazette*, an account of the total quantity of each sort of the Corn, Grain, Meal and Flour, respectively, which shall have been imported into the United Kingdom, and also an account of the total quantity of each sort of the Corn, Grain, Meal and Flour, re-

spectively, upon which the duties of importation shall have been paid in the United Kingdom, during the calendar month next preceding, and of the several rates of duty which shall from time to time during such month, have been payable upon each sort of Corn, Grain, Meal and Flour, respectively, together with an account of the total quantity of each sort of the said Corn, Grain, Meal and Flour, respectively, remaining in warehouse at the end of such next preceding calendar month.

VIII. Provided always, and be it enacted, That if it shall be made to appear to Her Majesty in Council, that any Foreign State or Power hath subjected British Vessels at any Port within the Dominions of such State or Power, to any other or higher duties, or charges whatever, than are levied on National Vessels at any such Port, or hath subjected at any such Port, Goods the growth, produce or manufacture, of any of Her Majesty's Dominions, when imported from any of such Dominions in British Vessels, to any other or higher duties, or charges whatever, than are levied on such or the like goods, of whatever growth, produce or manufacture, when so imported in National Vessels, or hath subjected at any Port or place within the Dominions of such Foreign State or Power, any article of the growth, produce or manufacture, of Her Majesty's Dominions, when imported from any of such Dominions in British Vessels, or in National Vessels, to any duties or charges which would not be payable on the like article, being of the growth, produce or manufacture, of any other Country, and imported from such other Country in National Vessels; or that any such Foreign State or Power hath granted any bounties, drawbacks or allowances, upon the exportation from any Port or place within the Dominions thereof, of any articles the growth, produce or manufacture, of the Dominions of any other Foreign State or Power, which hath not also been granted upon the exportation from such Port or place of such or the like articles, being the growth, produce or manufacture, of Her Majesty's Dominions; then, and in any of the cases aforesaid, it shall and may be lawful for Her Majesty, by any order or orders to be by her made, with the advice of Her Privy Council, to prohibit the importation of all or of any sort of Corn, Grain, Meal or Flour, from the Dominions of any such Foreign State or Power; and it shall also be lawful for Her Majesty, from time to time, with the advice of Her Privy Council, to revoke and to renew any such orders or order, as aforesaid, as there shall be occasion.

If any foreign State shall subject British Vessels, Goods, &c. to any higher duties or charges than are levied on the Vessels of other Countries &c.

Her Majesty may prohibit the importation of Corn from such State.

IX. And whereas it is necessary, for regulating the amount of such duties, that effectual provision should be made for ascertaining from time to time the average prices of British Corn; be it therefore enacted, That weekly returns of the purchases and sales of British Corn shall be made, collected and transmitted, in the manner hereinafter directed, in and from the cities and towns named in the Schedule of cities and towns annexed to this Act.

Weekly Returns of purchases and sales of Corn to be made in the places herein mentioned.

X. And be it enacted, That it shall be lawful for Her Majesty to appoint a fit and proper person to be Comptroller of Corn Returns, for the purposes hereinafter mentioned, to grant to such Comptroller of Corn Returns such salary and allowances as to Her Majesty shall seem meet: Provided always, that such person shall be appointed to and shall hold such his Office during Her Majesty's pleasure, and not otherwise, and shall at all times conform to and obey such lawful instructions touching the execution of the duties of such his Office as shall from time to time be given to him by the Lords of the Committee of Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations.

Power of appointing a Comptroller of Corn Returns.

XI. And be it enacted, That the said Comptroller of Corn Returns shall at all times execute the duties of such his office, in person and not by Deputy; but that

Comptroller to execute his office in person.



A Deputy may be appointed to act in certain cases.

that it shall be lawful for Her Majesty to appoint a fit and proper person, who shall act as Deputy Comptroller of Corn Returns, in case of the sickness or other incapacity of the said Comptroller, or in case he the said Comptroller should, with the permission of the Lords of the said Committee of Privy Council, be absent from the duties of such his Office; and all and every the powers hereby vested in the said Comptroller of Corn Returns, and all and every the acts, matters and things, hereby directed to be done and performed by him, shall be vested in, and shall and may be done and performed by any such Deputy, as aforesaid, during the continuance of any such sickness, incapacity or absence, as aforesaid, of the said Comptroller of Corn Returns; and such Deputy shall hold such his Office during Her Majesty's pleasure, and not otherwise, and shall receive and be paid such salary and allowances as to Her Majesty shall seem meet.

Lord Mayor, &c. to appoint an Inspector of Corn Returns for the City of London.

XII. And be it enacted, That it shall be lawful for the Lord Mayor and Aldermen of the city of London, at a Court to be holden for that purpose, and they, or the majority of them present at such Court, are hereby authorised and required, to nominate and appoint some fit and proper person to be Inspector of Corn Returns for the city of London; and it shall be lawful for the said Lord Mayor and Aldermen, from time to time, as occasion may require, upon any misbehaviour or neglect of duty of any such Inspector, to remove him from such his Office, by any order to be by them made at a Court to be specially convened and holden for that purpose; and upon the death, resignation, permanent incapacity, or removal of any such Inspector of Corn Returns, for the city of London, it shall be lawful for the said Lord Mayor and Aldermen, at a Court to be holden for that purpose, and they, or a majority of them present at any such Court, are hereby authorised and required to nominate and appoint some fit and proper person to succeed to the said Office.

Said Inspector to execute his office in person.

XIII. And be it enacted, That the said Inspector of Corn Returns for the city of London, shall at all times execute the duties of such his office in person, and not by Deputy; but that in case of the sickness or other temporary incapacity of the said Inspector, it shall be lawful for the said Lord Mayor and Aldermen of the city of London, to appoint some fit and proper person to act as the Deputy of the said Inspector, during the continuance of any such sickness or incapacity, as aforesaid, of that officer, and no longer; and all and every the powers hereby vested in the said Inspector of Corn Returns for the city of London, and all and every the acts, matters, and things, hereby directed to be done and performed by him, shall and may be vested and be done and performed by any such Deputy, as aforesaid, during the continuance of such his appointment.

A Deputy may be appointed to act in certain cases.

Chancellors of the Universities of Oxford and Cambridge to appoint and remove Inspectors of Corn Returns for the said City and Town.

XIV. And whereas it is expedient that the Inspectors of Corn Returns, for the city of Oxford, and the town of Cambridge, respectively, should, as heretofore, be appointed and removed by the Chancellors, Masters, and Scholars, of the respective Universities of Oxford and Cambridge, and should perform, as heretofore, the duties of their respective offices, and that the Chancellors, Masters, and Scholars, of the said respective Universities, should have power to suspend such Inspectors, respectively, as hereinafter is mentioned: Be it therefore enacted, That the Chancellors, Masters, and Scholars, of the Universities of Oxford and Cambridge, respectively, shall, and they are hereby respectively authorised and required, to nominate and appoint some fit and proper person to be the Inspector of Corn Returns for the city of Oxford and the town of Cambridge, respectively; and it shall be lawful for the said Chancellors, Masters, and Scholars, respectively, from time to time, as occasion may require, upon any misbehaviour or neglect of duty of any such Inspector, or for any other good and sufficient cause to them respectively appearing, to remove or suspend any such Inspector from his

office; and upon the death, resignation, removal, or suspension, of any such Inspector of Corn Returns for the city of Oxford or town of Cambridge, it shall be lawful for the said respective Chancellors, Masters, and Scholars, and they are hereby authorised and required, respectively, to nominate and appoint some fit and proper person to succeed to the said office, vacant by such death, resignation or removal, or to hold the same during the continuance of such suspension, (as the case may be.)

No person dealing in Corn, Flour or Malt, to be appointed Inspector or Deputy Inspector of Corn Returns for the City of London or Oxford or Town of Cambridge.

XV. And be it enacted, That no person shall be eligible, or shall be appointed to the office of Inspector, or Deputy Inspector of Corn Returns for the city of London, or to the office of Inspector of Corn Returns for the city of Oxford, or the town of Cambridge, who, within six months next preceding the time of any such appointment, shall have been engaged in trade or business as a Miller, Malster, or Corn Factor, or who, during that period, shall, as a Merchant, Clerk, Agent, or otherwise, have bought Corn for sale, or for the sale of Meal, Flour, Malt, or Bread made or to be made thereof; and if any Inspector or Deputy Inspector of Corn Returns for the city of London, or any Inspector of Corn Returns for the city of Oxford, or the town of Cambridge, shall, during his continuance in such his office, engage in trade or business as a Miller, Malster, or Corn Factor, or shall, as a Merchant, Clerk, Agent, or otherwise, buy Corn, for sale, or for the sale of Meal, Flour, Malt, or Bread made or to be made thereof, he shall, in manner aforesaid, be removed from such his office, and from and after the time of such removal shall become incapable of acting as Inspector of Corn Returns under this Act.

Appointments of Inspectors for London, Oxford and Cambridge, to be enrolled.

XVI. And be it enacted, That every nomination and appointment, so to be made as aforesaid, of any Inspector of Corn Returns for the city of London, or of any Inspector of Corn Returns for the city of Oxford, or the town of Cambridge, shall be enrolled at the next Sessions of the Peace to be holden in and for such city or town; and the said enrolment, or a copy thereof, certified under the hand of the Clerk of the Peace for the said city of London, or under the hand of the Town Clerk of the said city of Oxford, or of the Town Clerk of the said town of Cambridge, as the case may be, to be a true copy, shall, for all intents and purposes, be and be deemed and taken to be good and conclusive evidence of any such appointment as aforesaid having been duly made.

Dealers in Corn in and near London to deliver an a Declaration to the Lord Mayor, &c.

XVII. And be it enacted, That every person who shall carry on trade or business in the city of London, or within five miles from the Royal Exchange in the said city, as a Corn Factor, or as an Agent employed in the sale of British Corn, and every person who shall sell any British Corn within the present Corn Exchange in Mark Lane in the said city, or within any other building or place which now is or may hereafter be used within the city of London, or within five miles from the Royal Exchange in the said city, for such and the like purposes for which the said Corn Exchange in Mark Lane hath been and is used, shall, before he or they shall carry on such trade or business, or sell any Corn, in manner aforesaid, make and deliver to the Lord Mayor, or one of the Aldermen, of the city of London, a declaration, in the following words: (that is to say)

'I, A. B. do declare, that the Returns to be by me made, conformably to an Act passed in the fifth year of the reign of Her Majesty Queen Victoria, intituled, [here set forth the title of this Act,] of the quantities and prices of British Corn which henceforth shall be by or for me sold or delivered, shall, to the best of my knowledge and belief, contain the whole quantity, and no more, of the Corn bona fide sold and delivered by or for me within the periods to which such Returns, respectively, shall refer, with the prices of such Corn; and the names of the buyers, respectively, and of the persons for whom such Corn shall have been sold by me, respectively, and to the best of my judgment,

Form of Declaration.



judgment the said Return shall in all respects be conformable to the provisions of the said Act.

Which declaration shall be in writing, and shall be subscribed with the hand of the persons so making the same; and the Lord Mayor or such Alderman, as aforesaid, of the city of *London*, for the time being, shall and he is hereby required to deliver a certificate thereof, under his hand, to the Inspector of Corn Returns for the city of *London*, to be by him registered in a Book to be by him provided and kept for that purpose.

XVIII. And be it enacted, That every such Corn Factor, and other person, as aforesaid, who is hereinbefore required to make, and who shall have made such declaration, as aforesaid, shall and he or she is hereby required to return, or cause to be returned, on Wednesday in each and every week, to the Inspector of Corn Returns for the City of *London*, an account in writing, signed with his or her own name, or the name of his or her Agent, duly authorised in that behalf, of the quantities of each respective sort of British Corn by him or her sold during the week ending on and including the next preceding Tuesday, with the prices thereof, and the amount of every parcel, with the total quantity and value of each sort of Corn, and by what measure or weight the same was sold, and the names of the buyers thereof, and of the persons for and on behalf of whom such Corn was sold; and it shall be lawful for any such Inspector of Corn Returns, to deliver to any person making or tendering any such Return, a notice in writing, requiring him or her to declare and set forth therein, where and by whom and in what manner any such British Corn was delivered to the purchaser or purchasers thereof; and every person to whom any such notice shall be so delivered, shall, and he or she is hereby required to comply therewith, and to declare and set forth in such his or her Return, or in a separate statement in writing, the several particulars aforesaid.

XIX. And be it enacted, That the Comptroller and Deputy Comptroller of Corn Returns, and the Inspectors of Corn Returns, for the City of *London*, the City of *Oxford*; and the Town of *Cambridge*, respectively, who at or immediately before the passing of this Act shall respectively hold such Offices or Appointments under and by virtue of the said recited Act, of the ninth year of the Reign of His late Majesty King *George* the Fourth, shall and they are hereby authorised and required, respectively, without further Appointment to hold and forthwith to act in such their Offices or Appointments under and by virtue of this present Act, and to discharge the several duties of and belonging to such their former Offices or Appointments, in such and the same manner, and as fully and effectually, to all intents and purposes, as if they had been respectively appointed to such their Offices or Appointments, as aforesaid, under and by virtue of this present Act; and each and every Inspector of Corn Returns for any City or Town, other than the City of *London*, the City of *Oxford* and the Town of *Cambridge*, who, at or immediately before the passing of this Act, shall hold such Office or Appointment under or by virtue of the said recited Act of the ninth year of the Reign of His late Majesty King *George* the Fourth, shall and they are hereby respectively authorised to continue to hold their respective Offices or Appointments until the Twenty-fourth day of *June* next after the passing of this Act, and are hereby authorised and required to perform the several duties herein-after assigned to them: Provided nevertheless, that, except so far as respects the Inspector of Corn Returns for the City of *London*, the City of *Oxford* and the Town of *Cambridge*, and such other Inspectors of Corn Returns as shall be continued in Office by virtue of the Warrant of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, as herein-after is provided, the Office or Appointment of every Inspector of Corn

Returns, who, at or immediately before the passing of this Act, shall hold such Office or Appointment, shall, on the said Twenty-fourth day of *June* next after the passing of this Act cease and determine.

XX. And be it enacted, That in the several Cities and Towns enumerated in the said Schedule hereunto annexed, except the City of *London*, the City of *Oxford* and the Town of *Cambridge*, and except the Cities or Towns in which the Inspectors of Corn Returns appointed under or by virtue of the said recited Act of the ninth year of the Reign of His late Majesty King *George* the Fourth, shall for the time being continue to hold their respective Offices under the provisions of this Act, the duties of the Inspector of Corn Returns shall be performed as hereinafter is mentioned by the Officers of Excise, under the orders and directions of the Commissioners of Excise; and in order thereto, the Commissioners of Excise shall cause a fit and convenient place to be appointed, such place to be varied from time to time as the said Commissioners may see occasion, at which the Accounts by this Act required to be returned by persons purchasing Corn within such Cities and Towns, respectively, shall be delivered, and shall cause an Officer of Excise to attend at such place on the days on which such Accounts are required to be returned, for the purpose of receiving the same; and every Officer of Excise attending at such place and receiving such Returns shall be deemed and taken to be an Inspector of Corn Returns under the provisions of this Act.

XXI. And be it enacted, That the Commissioners of Excise shall, as soon as such place for receiving such Returns shall have been fixed and appointed in any such City or Town as aforesaid, cause the same to be made known by advertisement in the *London Gazette*, and in some newspaper circulating within the City or Town, and shall also cause a Board to be affixed in the Market House, or, if there shall be no Market House, in some conspicuous place near to the place where the Corn Market is usually held in such City or Town, setting forth the place at which such Accounts of Corn brought within the City or Town are to be delivered; and any person who shall wilfully and maliciously remove, deface, obliterate, or injure any such Board, or the writing thereon, or any part thereof, shall, for each such his offence, forfeit and pay a sum not exceeding Five Pounds.

XXII. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any three or more of them, by any Warrant or Warrants under the hands of them or any three or more of them, to be signed before the Twenty-fourth day of *June* next after the passing of this Act, to order and direct that the person who, at or immediately before the time of the passing of this Act, shall hold the Office of Inspector of Corn Returns in any City or Town named in such order, other than the City of *London*, the City of *Oxford*, and the Town of *Cambridge*, under or by virtue of the said recited Act of the ninth year of His late Majesty King *George* the Fourth, shall continue to hold such Office, and such person shall accordingly be Inspector of Corn Returns for such City or Town under this Act, until he shall die or resign, or until the determination of his Office or Appointment as hereinafter is mentioned, and shall, as respects the City or Town for which he is so continued as Inspector, perform under the orders and directions of the Commissioners of Excise, the duties assigned to him by this Act; and it shall be lawful for the Commissioners of Her Majesty's Treasury, or any three or more of them, by any Warrant under the hands of them or any three or more of them, to direct that, at any time to be named in such Warrant, the Office or Appointment of any such Inspector of Corn Returns, so continued in Office by any such previous Warrant as aforesaid, shall cease and determine, and the Office or Appointment of such Inspector shall

In other Cities and Towns than *London*, *Oxford* and *Cambridge*, Officers of Excise to act as Corn Inspectors, and attend at places appointed.

Commissioners of Excise to make known the place to be appointed for delivering Returns of Corn purchased.

Inspectors of Corn Returns may continue to hold their offices by warrant of the Commissioners of the Treasury.

Dealers in Corn to make Returns to Corn Inspectors.

The present Comptroller, Deputy Comptroller, and Inspectors of Corn Returns for *London*, *Oxford* and *Cambridge*, so continue in office.

The appointments of the other Inspectors of Returns to cease on the 24th day of *June* next after the passing of this Act.

cease

cease and determine accordingly; and in case of the death, resignation, or determination, of any such Inspector of Corn Returns, so continued in Office in any city or town by such previous Warrant, as aforesaid, the duties of Inspector of Corn Returns for such City or Town shall thenceforth be performed by the Officers of Excise, as herein before is mentioned.

Dealers in Corn in Cities and Towns to make Declaration.

XXIII. And be it enacted, That every person who shall deal in British Corn at or within any city or town named in the said Schedule hereunto annexed, other than the city of *London*, or who shall, at or within any such city or town, engage in or carry on the trade or business of a Corn Factor, Miller, Malster, Brewer, or Distiller, or who shall be the owner or proprietor, or part owner or proprietor, of any Stage Coaches, Wagons, Carts, or other Carriages, carrying goods or passengers for hire to and from any such city or town, and each and every person who, as a Merchant, Clerk, Agent, or otherwise, shall purchase at any such city or town any British Corn for sale, or for the sale of Meal, Flour, or Malt, or Bread made or to be made thereof, shall, before he or she shall so deal in British Corn at any such city or town, or shall engage in or carry on any such trade or business, as aforesaid, or shall purchase any British Corn for any such purpose, as aforesaid, at or within any such city or town, make and deliver, in manner hereinafter mentioned, a declaration in the following words: (that is to say.)

Form of Declaration.

‘I, A. B., do declare, that the Returns to be by me made, conformably to the Act passed in the fifth year of the reign of Her Majesty Queen *Victoria*, intitled, [here set forth the title of this Act.] of the quantities and prices of British Corn which henceforward shall by or for me be bought, shall, to the best of my knowledge and belief, contain the whole quantity, and no more, of the British Corn *bonâ fide* bought for or by me within the periods to which such returns, respectively, shall refer, with the prices of such Corn, and the names of the sellers, respectively, and to the best of my judgment the said Returns shall in all respects be conformable to the provisions of the said Act.’

Declaration to be delivered to the Mayor, &c. who shall give a certificate thereof to the Officer of Excise, acting as Inspector of Corn Returns.

Which declaration shall be in writing, and shall be subscribed with the hand of the person so making the same, and shall by him or her, or by his or her Agent, be delivered to the Mayor or chief Magistrate, or to some Justice of the Peace, for such city or town, or for the county, riding, or division, in which the same is situate, who are hereby required to deliver a certificate thereof to the Officer of Excise acting as Inspector of Corn Returns for such city or town, as aforesaid, or to such continuing Inspector of Corn Returns, as aforesaid, for such city or town, (as the case may be.) to be by such Officer or Inspector registered in a book to be by him provided and kept for that purpose.

Inspectors of Corn Returns empowered to require such declaration from Corn Dealers.

XXIV. And be it enacted, That it shall be lawful for the Inspectors of Corn Returns for the city of *London*, the city of *Oxford*, and the town of *Cambridge*, respectively, and for any Officer of Excise acting as Inspector of Corn Returns in any such other city or town, as aforesaid, or for any continuing Inspector of Corn Returns in any such other city or town, as aforesaid, to serve upon and deliver to any person buying or selling Corn in any such city or town, and who is not within the terms and meaning of this present Act specially required to make any such declaration, as aforesaid, a notice in writing, under the hand of such Inspector or Officer, requiring him to make such declaration, as aforesaid; and every such person upon whom such notice shall be served, as aforesaid, shall and he is hereby required to comply with such notice, and to make such declaration, in such and the same manner, in all respects, as if he or she had been specially required to make the same by the express provisions of this present Act.

XXV. And be it enacted, That all persons who are hereinbefore required to make, and who shall

have made such declaration, as aforesaid, shall, and they are hereby required, on the first market day which shall be holden in each and every week within each and every city or town named in the said Schedule hereunto annexed, except the city of *London*, at or within which they shall, respectively, deal in Corn, or engage in or carry on any such trade or business, as aforesaid, or purchase any Corn for any such purpose, as aforesaid, to Return, or cause to be Returned to the Officer of Excise acting as Inspector of Corn Returns for such city or town, at the place appointed for receiving such Returns, or to the continuing Inspector of Corn Returns for such city or town, or to the Inspector of Corn Returns for the city of *Oxford*, or the town of *Cambridge*, (as the case may be.) an account in writing, signed with their names, respectively, of the amount of each and every parcel of each respective sort of British Corn so by them, respectively, bought during the week ending on and including the day next preceding such first market day, as aforesaid, with the price thereof, and by what weight or measure the same was so bought by them, with the names of the sellers of each of the said parcels, respectively, with the names of the person or persons, if any, other than the person making such Return for or on account of whom the same was so bought and sold; and it shall be lawful for any such Officer of Excise acting as Inspector of Corn Returns, or any such continuing Inspector of Corn Returns, as aforesaid, to deliver to any person making or tendering any such Return a notice in writing requiring him or her to declare and set forth where and by whom, and in what manner any such British Corn was delivered to him or her; and every person to whom any such notice shall be so delivered, shall, and he or she is hereby required to comply therewith, and to declare and set forth in such his or her Return, or in a separate statement, in writing, the several particulars aforesaid.

Corn Dealers to make Returns in writing to Inspectors, of the Corn bought by them.

XXVI. And be it enacted, That the Inspector of Corn Returns for the city of *London*, the city of *Oxford*, and the town of *Cambridge*, and every Officer of Excise acting as Inspector of Corn Returns for the several other cities and towns, aforesaid, and every such continuing Inspector of Corn Returns for any of such other cities or towns, as aforesaid, shall duly and regularly enter in a book, to be by him provided and kept for that purpose, the several accounts of the quantities and prices of Corn returned to him by such persons, respectively, as aforesaid, and every such Inspector of Corn Returns for the city of *London*, the city of *Oxford*, and the town of *Cambridge*, and every Officer of Excise acting as Inspector of Corn Returns, and every such continuing Inspector of Corn Returns, as aforesaid, for any of the several other cities and towns enumerated in the said Schedule, shall, in each and every week, return to the Comptroller of Corn Returns, an account of the weekly quantities and prices of the several sorts of British Corn sold in the city of *London*, or in the city or town for which he shall be or act as Inspector, according to the Returns so made to him, as aforesaid, and in such form as shall be from time to time prescribed and directed by the said Comptroller of Corn Returns; and the said Returns shall be so made to the said Comptroller by the Inspector of Corn Returns for the city of *London*, on Friday in each week, and by the respective Inspectors of Corn Returns for the city of *Oxford*, and the town of *Cambridge*, and by the respective Officers of Excise acting as Inspectors of Corn Returns, and by the respective continuing Inspectors of Corn Returns, for the several other cities and towns, aforesaid, within three days next after the first market day holden in each and every week in any such city or town.

Inspectors to enter Returns made to them in a book, and transmit to the Comptroller weekly, an account of the quantities and prices of Corn sold.

XXVII. And be it enacted, That no Inspector of Corn Returns in the city of *London*, the city of *Oxford*, or the town of *Cambridge*, nor any Officer of Excise

Inspectors not to  
include Returns  
until they have  
ascertained that  
the persons  
making them  
have taken the  
declaration re-  
quired.

Excise acting as Inspector of Corn Returns in any other of the cities or towns, aforesaid, nor any such continuing Inspector of Corn Returns in any of such other cities or towns, as aforesaid, shall include in the Return so to be made by them, as aforesaid, to the Comptroller of Corn Returns, any account of sales or purchases of Corn, unless such Inspector or Officer shall have received satisfactory proof that the person tendering such account hath made the declaration herein-before required, and hath delivered the same to the Lord Mayor or an Alderman of the city of *London*, Mayor or Chief Magistrate, or to some Justice of the Peace of the city or town for which such Officer or Inspector shall be acting as Inspector of Corn Returns, or to some Justice of the Peace for the county, riding or division, in which such city or town is situate, or that such person hath previously to the passing of this Act made and duly delivered the declaration required of him by the said recited Act of the ninth year of the Reign of His late Majesty King *George the Fourth*.

Average price  
to be made up  
and published  
every week.

XXVIII. And be it enacted, That the average prices of all British Corn, by which the rate and amount of the said duties shall be regulated, shall be made up and computed on Thursday in each and every week, in manner following; (that is to say,) the said Comptroller of Corn Returns shall, on such Thursday in each week, from such Returns as shall be received by him during the week next preceding, ending on and including the Saturday in such preceding week, add together the total quantities of each sort of British Corn, respectively, appearing by such Returns to have been sold, and the total prices for which the same shall thereby appear to have been sold, and shall divide the amount of such total prices, respectively, by the amount of such total quantities of each sort of British Corn, respectively, and the sum produced thereby shall be added to the sums in like manner produced in the five weeks immediately preceding the same, and the amount of such sums, so added, shall be divided by six, and the sum thereby given shall be deemed and taken to be the aggregate average price of each such sort of British Corn, respectively, for the purpose of regulating and ascertaining the rate and amount of the said duties; and the said Comptroller of Corn Returns shall cause such aggregate weekly averages to be published in the next succeeding Gazette, and shall on Thursday in each week, transmit a certificate of such aggregate average prices of each sort of British Corn to the Collector or other Chief Officer of the Customs, at each of the several Ports of the United Kingdom, and to the Collector or other Chief Officer of the Customs, at the Port of *Douglas*, in the *Isle of Man*; and the rate and amount of the duties to be paid under the provisions of this Act shall from time to time be regulated and governed, at each of the Ports of the United Kingdom, respectively, by the aggregate average prices of British Corn at the time of the entry for Home consumption of any Corn, Grain, Meal or Flour, chargeable with any such duty, as such aggregate average prices shall appear and be stated in the last of such certificates, as aforesaid, which shall have been received as aforesaid by the Collector or other Chief Officer of Customs, at such Port; and the rate and amount of the duties to be paid under the provisions of this Act, shall from time to time be regulated and governed, in the *Isle of Man*, by the aggregate average prices of British Corn at the time of the importation into the *Isle of Man*, of any Corn, Grain, Meal or Flour, chargeable with any such duty, as such aggregate average prices shall appear and be stated in the last of such certificates, as aforesaid, which shall have been received, as aforesaid, by the Collector or other chief Officer of Customs at the Port of *Douglas*.

Certificate of  
averages to be  
transmitted to  
the chief Officers  
of Customs.

Rate and amount  
of duties, how to  
be regulated.

XXIX. Provided always, and be it enacted, That in the Returns, so to be made as aforesaid, to the Comptroller of Corn Returns, and in the publication, so to be made from time to time in the *London Gazette*, and in the certificate, so to be transmitted by the said Comptroller of Corn Returns to such Collectors or other Chief Officers of the Customs, as aforesaid, the quantities of each sort of British Corn, respectively, shall be computed and set forth by, according, and with reference to the Imperial Standard Gallon, as the same is declared and established by a certain Act passed in the fifth year of His late Majesty King *George the Fourth*, intituled, "An Act for ascertaining and establishing uniformity of Weights and Measures," as the said Act is amended or altered by a certain other Act passed in the sixth year of His late Majesty King *George the Fourth*, intituled, "An Act to prolong the time of the commencement of an Act of the last Session of Parliament, for ascertaining and establishing uniformity of Weights and Measures, and to amend the said Act," and by a certain other Act, passed in the Session of Parliament held in the fifth and sixth years of the reign of His late Majesty King *William the Fourth*, intituled, "An Act to repeal an Act of the fourth and fifth year of His present Majesty, relating to Weights and Measures, and to make other provisions instead thereof."

How quantities  
of Corn are to  
be computed.

5 Geo. IV. c. 71.

6 Geo. IV. c. 12.

5 & 6 Will. IV.  
c. 63.

XXX. Provided always, and be it enacted, That until a sufficient number of Weekly Returns shall have been received by the said Comptroller of Corn Returns, under this Act to afford such aggregate average prices of British Corn, as aforesaid, the weekly average prices of British Corn published by him immediately before the passing of this Act, shall by him be used and referred to in making such calculations, as aforesaid, in such and the same manner as if the same had been made up and taken under and in pursuance of this Act.

Until sufficient  
number of Re-  
turns are made,  
Comptroller may  
use the present  
averages.

XXXI. Provided always, and be it enacted, That all Corn, or Grain the produce of the United Kingdom, shall be deemed and taken to be British Corn for the purposes of this Act.

What shall be  
deemed British  
Corn.

XXXII. Provided always, and be it enacted, That if the said Comptroller of Corn Returns shall at any time see cause to believe that any Return made to the Inspector of Corn Returns for the city of *London*, the city of *Oxford*, or the town of *Cambridge*, or to any Officer of Excise acting as Inspector of Corn Returns, or any such continuing Inspector, as aforesaid, for any other city or town, as aforesaid, is fraudulent or untrue, the said Comptroller shall, and he is hereby required with all convenient expedition, to lay before the Lords of the said Committee of Privy Council, a statement of the grounds of such his belief; and if, upon consideration of any such statement, the said Lords of the said Committee shall direct the said Comptroller to omit any such Return in the computation of such aggregate weekly average price, as aforesaid, then and in that case, but not otherwise, the said Comptroller of Corn Returns shall be, and he is hereby authorised, to omit any such Return in the computation of such aggregate weekly average price.

If any Corn Re-  
turn is believed  
fraudulent, the  
same may be  
omitted in the  
computation.

XXXIII. And be it enacted, That any Corn Factor, Dealer, or other person, who, at or previously to the time when this present Act shall come into operation shall have made the declaration required of him in and by the said Act, so passed, as aforesaid, in the ninth year of the Reign of His late Majesty King *George the Fourth*, shall, and he or she, is hereby required forthwith to make all such Returns to the Inspectors for the city of *London*, the city of *Oxford*, and the town of *Cambridge*, and to the respective Officers of Excise acting as Inspectors of Corn Returns in the several other cities and towns aforesaid, or to such continuing Inspector of Corn Returns, as aforesaid, in any such other cities or towns (as the case may be,) and

Corn Dealers  
having made the  
declaration pre-  
vious to this Act  
shall transmit  
Returns, and  
comply with the  
rules hereby  
required.

and to perform and do all such acts, matters and things, and to comply with and observe all such rules and regulations, as are hereby required or directed of or in regard to persons who have made any declaration required of them in and by the present Act, although he or she may not have actually made such last mentioned declaration.

Comptroller to issue directions respecting inspection of books of Inspectors.

XXXIV. And be it enacted, That the Comptroller of Corn Returns shall, and he is hereby authorised, from time to time, in pursuance of any Instructions which he shall receive in that behalf from the Lords of the said Committee of Privy Council, to issue to the Inspectors of Corn Returns for the city of *London*, the city of *Oxford*, and the town of *Cambridge*, respectively, any general or special directions respecting the inspection by any person or persons of the books so directed, as aforesaid, to be kept by such Inspector of Corn Returns; and no such Inspector for the city of *London*, the city of *Oxford*, or the town of *Cambridge*, shall permit or suffer any person to inspect any such book, or to peruse or transcribe any entry therein, except in compliance with some such general or special directions from the said Comptroller of Corn Returns.

Inspectors not to permit books to be perused without such directions.

Copy of the last return to be affixed on market place, on each market day.

XXXV. And be it enacted, That the Inspectors of Corn Returns for the city of *Oxford*, and the town of *Cambridge*, respectively, and each and every Officer of Excise acting as Inspector of Corn Returns, and each and every such continuing Inspector of Corn Returns, as aforesaid, for any city or town other than the city of *London*, shall, and he is hereby required, on each and every market day, to put up, or cause to be put up, in the market place of the city or town for which he shall act as Inspector, or if there shall be no market place in such city or town, then in some other conspicuous place therein near to where the Corn market is usually held, a copy of the last Return made by him to the Comptroller of Corn Returns, omitting the names of the parties who may have sold and bought the said Corn; and every such Officer or Inspector shall also again put up such account on the market day immediately following that on which it shall first have been put up, in case the same shall, from accident or any other cause, have been removed, and shall take due care that the same shall remain up for public inspection until a new account for the ensuing week shall have been prepared and set up.

Treasury to fix salaries of Inspectors.

XXXVI. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, by any warrant or warrants to be for that purpose from time to time made and issued, to settle and allow such reasonable and moderate salaries as shall be paid and payable to the said Inspectors of Corn Returns for the city of *London*, the city of *Oxford*, and the town of *Cambridge*, respectively, and to such continuing Inspectors of Corn Returns, as aforesaid, for and in consideration of the duties so to be performed by them: Provided always, that the salary so to be allowed to the Inspector of Corn Returns for the city of *London*, shall not in any one year exceed the sum of three hundred pounds; in consideration of which salary he shall and is hereby required to keep and maintain a proper and convenient apartment or place of business at or near to the said Corn Exchange, in *Mark Lane*, for transacting the duties of such his office, and to defray all incidental charges and expenses of and attendant upon such his office: Provided also, that the salary to be granted to the Inspectors of Corn Returns for the city of *Oxford*, and the town of *Cambridge*, respectively, and to any such continuing Inspector of Corn Returns, as aforesaid, for any other of the cities or towns, aforesaid, shall not exceed fifty pounds in any one year for such Inspector, or a proportionate sum for any period less than a year.

XXXVII. And be it enacted, That the salary, aforesaid, allowed to the Inspector of Corn Returns for the

said city of *London*, shall be paid quarterly, by the Receiver-General of the Customs or of the Excise in or for the city of *London*; and the salaries which shall be allowed to the Inspectors of Corn Returns for the city of *Oxford*, and the town of *Cambridge*, respectively, or to any such continuing Inspectors of Corn Returns, as aforesaid, for any city or town other than the city of *London*, shall, as regards those persons whose offices or appointments are hereby continued until the said twenty-fourth day of June next after the passing of this Act, and are then to cease, be paid to them up to that day; and as regards the Inspectors of Corn Returns for the city of *Oxford*, and the town of *Cambridge*, respectively, and those persons who shall be continued in office after the said twenty-fourth day of June, by virtue of the warrant of the Commissioners of Her Majesty's Treasury, as hereinbefore is mentioned, shall be paid quarterly; and such salaries shall be paid by the Collectors or other chief Officers of the Customs or Excise in or for the cities or towns for which such continuing Inspectors, as aforesaid, shall be respectively acting; provided that no such payment of salary shall be made either to the Inspector of the Corn Returns for the city of *London*, or to any such continuing Inspector of Corn Returns, as aforesaid, unless the Inspector of Corn Returns claiming the same shall first produce and deliver to the Receiver-General, or Collector of the Customs or Excise by whom the same is to be paid, a certificate under the hand of the Comptroller of Corn Returns, certifying that such Inspector hath duly made the Returns required of him by this present Act, during the period in respect of which any such payment is to be made; and which certificate such Comptroller is hereby required, on the application of any such Inspector, as aforesaid, to grant, unless any such Inspector shall, without good and sufficient cause, have neglected or omitted to make such Returns, as aforesaid, or some of them. Provided also, that if the duties of the said office of Inspector of Corn Returns for the city of *London*, shall, during any such quarter of a year, as aforesaid, have been discharged wholly, or in part, by Deputy, the Comptroller of Corn Returns, shall, in such certificate, as aforesaid, specify the length of time during which such Deputy hath so acted, and the whole, or a proportionate part, as the case may be, of any such quarterly payment shall in that case be paid to the said Deputy.

Regulation as to payment of salaries.

XXXVIII. And whereas, the persons who, at the time of the passing of this Act, respectively, hold the offices or appointments of Inspectors of Corn Returns, in any of the cities or towns, aforesaid, other than the city of *London*, the city of *Oxford*, and the town of *Cambridge*, will, by reason of the determination of their respective offices and appointments, under the provisions of this Act, cease to receive the salaries attached thereto, and it may be reasonable and fit that compensation should be made to such persons; be it therefore enacted, That it shall be lawful for any three or more of the Commissioners of Her Majesty's Treasury, for the time being, by warrant under their hands, to order and direct that such annual compensation or allowance, not exceeding in any case the annual salary of the office in respect of which such compensation or allowance is granted, as to them, in their discretion, shall seem just and reasonable, having due regard to the length of service and conduct of the parties, shall be made to the several persons, who, at or immediately before the time of the passing of this Act, shall, respectively, hold offices or appointments of Inspectors of Corn Returns, for any of the cities or towns, aforesaid, other than the city of *London*, the city of *Oxford*, and the town of *Cambridge*, for any loss of salary attached to such offices or appointments which they may, respectively, sustain by reason of the determination of their respective offices or appointments by the provisions of this Act, and such compensation or allowance shall be

Power to the Lords of the Treasury to grant compensation to Inspectors of corn returns.

be issued and paid to the party to whom such compensation shall be made, at such times, and in such manner, as in such warrant shall be directed by the Collector or the Chief Officer of the Customs, or of the Excise, in or for the city or town for which such party shall hold the office of Inspector of Corn Returns at the time of the passing of this Act: Provided always, that an account of such compensation shall, within fourteen days next after the same shall have been so granted, be laid before the Commons House of Parliament, if Parliament shall be then assembled, or if Parliament shall then not be assembled, then within fourteen days after the meeting of Parliament next following.

Penalty on Corn Dealers for not making declarations or returns.

XXXIX. And be it enacted, That if any person, who is hereby required to make and deliver such declaration or declarations, herein-before particularly mentioned and set forth, or either of them, shall not make and deliver such declaration or declarations, at the time, and in the form and manner, and to the person or persons herein-before directed and prescribed in that behalf, every person so offending shall forfeit and pay a sum not exceeding twenty pounds, for each and every calendar month during which he shall neglect or delay to make and deliver any such declaration; and if any person, who is herein-before required to make any Return to the Inspector of Corn Returns for the city of *London*, or the city of *Oxford*, or the town of *Cambridge*, or to any Officer of Excise acting as Inspector, as aforesaid, or to any such continuing Inspector of Corn Returns, as aforesaid, shall not make such Returns to such Inspector or Officer at the time, and in the form and manner herein-before directed and prescribed, every such offender shall, for such his offence, forfeit and pay a sum not exceeding twenty pounds.

Recovery and application of penalties.

XL. And be it enacted, That all and every the penalties aforesaid shall and may be prosecuted, sued for, and recovered, by and to the use of any person who will sue for the same before any two Justices of the Peace acting in and for the city, town, county, riding or division, within which the offence shall have been committed; and upon conviction of any such offender, before any such Justices of the Peace, either by the confession of the party offending, or by the oath of any credible witness or witnesses, (which oath such Justices are hereby authorised to administer,) the amount of such penalties and forfeitures shall be levied, together with the costs attending the information and conviction, to be assessed and allowed by such Justices, by distress and sale of the goods and chattels of the party or parties offending, by warrant under the hands and seals of such Justices (which warrant such Justices are hereby empowered and required to grant); and the overplus (if any,) after such penalties, forfeitures and fines, and the charges of such distress and sale, are deducted, shall be returned, upon demand, unto the owner or owners of such goods and chattels; and in case such fines, penalties and forfeitures, shall not be forthwith paid upon conviction, then it shall be lawful for such Justices to order the offender or offenders, so convicted, to be detained and kept in safe custody until return can be conveniently made to such warrant of distress, unless the offender or offenders shall give sufficient security to the satisfaction of such Justices, for his or their appearance before such Justices on such day or days as shall be appointed for the return of such warrant of distress, such day or days not being more than seven days from the time of taking any such security, and which security the said Justices are hereby empowered to take by way of recognizance or otherwise; but if upon the return of such warrant it shall appear that no sufficient distress can be had thereupon, then it shall be lawful for any such Justices of the Peace, as aforesaid, and they are hereby authorised and required, by warrant or warrants under their hands and

seals, to cause such offender or offenders to be committed to the common Gaol or House of Correction of the city, town, county, riding or division, where the offender shall be or reside, there to remain without bail or mainprize, for any term not exceeding three calendar months, unless such penalties, forfeitures and fines, and all reasonable charges attending the same, shall be sooner paid and satisfied.

XLI. And be it enacted, That if any person who shall be summoned as a witness to give evidence before any Justices of the Peace, touching any matter of fact contained in any information or complaint for any offence against this Act, either on the part of the prosecutor or of the person or persons accused, shall, after a reasonable sum of money for his or her charges and expenses shall have been paid or been tendered to him, or her, refuse or neglect to appear at the time and place for that purpose appointed, without a reasonable excuse for his, her, or their neglect, or appearing shall refuse to be examined on oath and give evidence before such Justices of the Peace, then, and in either of such cases, such person shall forfeit for every such offence any sum not exceeding Ten Pounds, to be recovered in the manner herein-before provided for the recovery of the several penalties, aforesaid.

Penalty on witnesses not attending when required.

XLII. And be it enacted, That if any person shall make any false and fraudulent statement in any such Return as he is herein-before directed and required to make, or shall falsely and wilfully include, or procure or cause to be included, in any such Return, any British Corn which was not truly and *bonâ fide* sold or bought to, by, or on behalf of the person or persons in any such Return mentioned in that behalf, in the quantity and for the price therein stated and set forth, every such offender shall be and be deemed guilty of a misdemeanor.

Punishment for making false returns.

XLIII. And be it enacted, That nothing in this Act contained shall extend to alter the present practice of measuring Corn or any of the articles aforesaid, to be shipped from or to be landed in the Port of *London*, but that the same shall be measured by the sworn Meters appointed for that purpose, by whose certificate the Searchers, or other proper Officers of Her Majesty's Customs, are hereby empowered and required to certify the quantity of Corn, or other articles, as aforesaid, so shipped or landed; and that nothing in this Act contained shall extend to lessen or take away the rights and privileges of, or the Tolls or Duties due and payable to the Mayor and Commonalty and Citizens of the city of *London*, or to the Mayor of the said city, for the time being, or to take away the privileges of any persons lawfully deriving title from or under them.

Act not to affect practice of measuring, or privileges of the city of London.

XLIV. And be it enacted, That if any action or suit shall be brought or commenced against any person or persons for any thing by him, her or them, done by virtue or in pursuance of this Act, such action or suit shall be commenced within three months next after the matter or thing done, and shall be laid in the proper county; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence, at any trial to be had thereupon; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs, shall discontinue his, her or their action or actions, or be non-suited, or judgment shall be given against him, her or them, upon demurrer or otherwise, then such defendant or defendants shall have treble costs awarded to him, her or them, against such plaintiff or plaintiffs.

Limitation of actions.

XLV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended or repealed.



## TABLE OF DUTIES to which this Act refers.

If imported from any FOREIGN COUNTRY :

## WHEAT—

— Whenever the average price of Wheat, made up and published in the manner required by Law, shall be for every quarter,

	£	s.	d.
Under 51s. the duty shall be for every quarter .....	1	0	0
51s. and under 52s. .....	0	19	0
52s. and under 55s. .....	0	18	0
55s. and under 56s. .....	0	17	0
56s. and under 57s. .....	0	16	0
57s. and under 58s. .....	0	15	0
58s. and under 59s. .....	0	14	0
59s. and under 60s. .....	0	13	0
60s. and under 61s. .....	0	12	0
61s. and under 62s. .....	0	11	0
62s. and under 63s. .....	0	10	0
63s. and under 64s. .....	0	9	0
64s. and under 65s. .....	0	8	0
65s. and under 66s. .....	0	7	0
66s. and under 69s. .....	0	6	0
69s. and under 70s. .....	0	5	0
70s. and under 71s. .....	0	4	0
71s. and under 72s. .....	0	3	0
72s. and under 73s. .....	0	2	0
73s. and upwards .....	0	1	0

## BARLEY—

— Whenever the average price of Barley, made up and published in the manner required by Law, shall be for every quarter,

	£	s.	d.
Under 26s. the duty shall be for every quarter .....	0	11	0
26s. and under 27s. .....	0	10	0
27s. and under 30s. .....	0	9	0
30s. and under 31s. .....	0	8	0
31s. and under 32s. .....	0	7	0
32s. and under 33s. .....	0	6	0
33s. and under 34s. .....	0	5	0
34s. and under 35s. .....	0	4	0
35s. and under 36s. .....	0	3	0
36s. and under 37s. .....	0	2	0
37s. and upwards .....	0	1	0

## OATS—

— Whenever the average price of Oats, made up and published in the manner required by Law, shall be for every quarter,

	£	s.	d.
Under 19s. the duty shall be for every quarter .....	0	8	0
19s. and under 20s. .....	0	7	0
20s. and under 23s. .....	0	6	0
23s. and under 24s. .....	0	5	0
24s. and under 25s. .....	0	4	0
25s. and under 26s. .....	0	3	0
26s. and under 27s. .....	0	2	0
27s. and upwards .....	0	1	0

## RYE, PEAS, and BEANS—

— Whenever the average price of Rye, or of Peas, or of Beans, made up and published in the manner required by Law, shall be for every quarter,

	£	s.	d.
Under 30s. the duty shall be for every quarter .....	0	11	6
30s. and under 33s. .....	0	10	6
33s. and under 34s. .....	0	9	6
34s. and under 35s. .....	0	8	6
35s. and under 36s. .....	0	7	6
36s. and under 37s. .....	0	6	6
37s. and under 38s. .....	0	5	6
38s. and under 39s. .....	0	4	6
39s. and under 40s. .....	0	3	6
40s. and under 41s. .....	0	2	6
41s. and under 42s. .....	0	1	6
42s. and upwards, .....	0	1	0

## WHEAT MEAL AND FLOUR—

— For every barrel being one hundred and ninety-six pounds—A duty equal in amount to the duty payable on thirty-eight and a half gallons of Wheat.

OATMEAL—



**OATMEAL—**

For every quantity of one hundred and eighty-one pounds and a half,—A duty equal in amount to the duty payable on a quarter of Oats.

**MAIZE OR INDIAN CORN, BUCK WHEAT, BEAR OR BIGG.**

For every quarter,—A duty equal in amount to the duty payable on a quarter of Barley.

If the produce of and imported from any British Possession in *North America*, or elsewhere out of *Europe*.

**WHEAT—**

Whenever the average price of Wheat, made up and published in the manner required by Law, shall be,

	£	s.	d.
Under 55s. for every quarter, the duties shall be for every quarter .....	0	5	0
55s. and under 56s. " .....	0	4	0
56s. and under 57s. " .....	0	3	0
57s. and under 58s. " .....	0	2	0
58s. and upwards, " .....	0	1	0

**BARLEY—**

Whenever the average price of Barley, made up and published in the manner required by Law, shall be,

	£	s.	d.
Under 28s. for every quarter, the duty shall be for every quarter .....	0	2	6
28s. and under 29s. " .....	0	2	0
29s. and under 30s. " .....	0	1	6
30s. and under 31s. " .....	0	1	0
31s. and upwards, " .....	0	0	6

**OATS—**

Whenever the average price of Oats, made up and published in the manner required by Law, shall be,

	£	s.	d.
Under 22s. for every quarter, the duty shall be for every quarter .....	0	2	0
22s. and under 23s. " .....	0	1	6
23s. and upwards, " .....	0	0	6

**RYE, PEAS, AND BEANS—**

Whenever the average price of Rye, or of Peas, or of Beans, made up and published in the manner required by Law, shall be,

	£	s.	d.
Under 30s. for every quarter, the duty shall be for every quarter .....	0	3	0
30s. and under 31s. " .....	0	2	6
31s. and under 32s. " .....	0	2	0
32s. and under 33s. " .....	0	1	6
33s. and under 34s. " .....	0	1	0
34s. and upwards, " .....	0	0	6

**WHEAT MEAL AND FLOUR—**

For every barrel being one hundred and ninety-six pounds,  
A duty equal in amount to the duty payable on thirty-eight and a half gallons of Wheat.

**OATMEAL—**

For every quantity of one hundred and eighty-one pounds and a half,  
A duty equal in amount to the duty payable on a quarter of Oats.

**MAIZE OR INDIAN CORN, BUCK WHEAT, BEAR OR BIGG—**

For every quarter,  
A duty equal in amount to the duty payable on a quarter of Barley.

**SCHEDULE of Cities and Towns to which this Act refers.**

COUNTIES.	TOWNS.	COUNTIES.	TOWNS.
<b>CHESHIRE.</b>	Chester, Nantwich, Middlewich, Four Lane Ends, *Congleton, *Macclesfield, *Stockport.	<b>DERBY.</b>	Derby, *Chesterfield.
		<b>NOTTINGHAM.</b>	Nottingham, Newark, *Mansfield, *Retford.
<b>LANCASTER.</b>	Liverpool, Ulverston, Lancaster, Preston, Wigan, Warrington, Manchester, Bolton, *Blackburn, *Bury, *Rochdale.	<b>LEICESTER.</b>	Leicester, *Loughborough, *Hinckley, *Lutterworth.
		<b>NORTHAMPTON.</b>	Northampton, *Peterborough, *Daventry, *Wellingborough, *Kettering,
			<b>WARWICKSHIRE.</b>

COUNTIES.	TOWNS.	COUNTIES.	TOWNS.
WARWICKSHIRE.	Coventry, Birmingham, *Warwick, *Stratford-on-Avon.	RUTLAND.	*Oakham.
WORCESTER.	Worcester, *Broomsgrove, *Kidderminster, *Stourbridge, *Evesham.	HEREFORD.	*Leominster, *Hereford, *Kington.
GLOUCESTER.	Gloucester, Cirencester, Tetbury, Stow-on-the-Wold, Tewkesbury, *Cheltenham, *Dursley, *North Leach, *Stroud.	SHROPSHIRE.	*Shrewsbury, *Ludlow, *Newport, *Oswestry, *Wellington, *Wenlock, *Whitchurch, *Market Drayton.
SOMERSETSHIRE.	Bristol, Taunton, Wells, Bridgewater, Frome, Chard, *Somerton, *Shepton Mallet, *Wellington, *Wiveliscomb.	WILTSHIRE.	*Swindon, *Devizes, *Salisbury, *Trowbridge, Warminster, *Chippenham.
MONMOUTHSHIRE.	Monmouth, Abergavenny, Chepstow, Pontypool, *Newport.	STAFFORDSHIRE.	*Stafford, *Burton-on-Trent, *Litchfield, *Newcastle-under-Lyne, *Stone, *Uttoxeter, *Walsall, *Wolverhampton.
DEVONSHIRE.	Exeter, Barnstaple, Plymouth, Totness, Tavistock, Kingsbridge, *Oakhampton, *Tiverton, *Honiton.	MIDDLESEX.	London, Uxbridge.
CORNWALL.	Truro, Bodmin, Launceston, Redruth, Helston, St. Austell, *Falmouth, *Callington, *Liskeard, *St. Columb.	HERTFORDSHIRE.	Hertford, Royston, *Bishop Stortford, *St. Albans, *Hemel Hempstead, *Hitchin.
DORSETSHIRE.	Blandford, Bridport, Dorchester, Sherborne, Shaftesbury, Wareham, *Poole.	SURREY.	Guildford, *Croydon, *Kingston, *Dorking.
HAMPSHIRE.	Winchester, Andover, Basingstoke, Fareham, Havant, Newport, Ringwood, Southampton, Portsmouth, *Christchurch.	ESSEX.	Chelmsford, Colchester, Romford, *Chipping Ongar, *Saffron Walden, *Braintree.
		KENT.	Maidstone, Canterbury, Dartford, *Chatham and Rochester, *Dover, *Gravesend, *Ashford.
		SUSSEX.	Chichester, Lewes, Rye, *Brighton, *East Grimstead, *Battle, *Arundel, *Hastings, *Midhurst, *Shoreham.
		BEDFORD.	Bedford, *Leighton Buzzard, *Luton.
			BERKSHIRE.

COUNTIES.	TOWNS.	COUNTIES.	TOWNS.
BERKSHIRE.	Windsor, Reading, *Abingdon, *Maidenhead, *Newbury, *Wallingford.	YORK.	York, Leeds, Wakefield, Bridlington, Beverley, Hawden, Sheffield, Hull, Whitby, New Malton, *Barnsley, *Bedale, *Bradford, *Doncaster, *Knaresborough, *Pickering, *Richmond, *Ripon, *Selby, *Skipton, *Thrisk, *Rotherham, *Otley, *Thorne.
BUCKS.	Aylesbury, *Buckingham, *High Wycombe, Newport Pagnel.	DURHAM.	Durham, Stockton, Darlington, Sunderland, Barnard Castle.
OXFORDSHIRE.	Oxford, *Banbury, *Henley, *Witney, *Chipping Norton.	NORTHUMBERLAND.	Walsingham, Belford, Hexham, Newcastle-upon-Tyne, Morpeth, Alnwick, Berwick.
HUNTINGDON.	Huntingdon, St. Ives.	CUMBERLAND.	Carlisle, Whitehaven, Cockermouth, Penrith, Egremont, *Wigton, *Maryport, *Workington.
CAMBRIDGE.	Cambridge, Ely, Wisbeach, *Newmarket.	WESTMORELAND.	Appleby, Kendal.
SUFFOLK.	Ipswich, Woodbridge, Sudbury, Hadleigh, Stow Market, Beccles, Bungay, Lowestoft, Bury St. Edmunds.	WALES.	Carmarthen, C anarvon, Haverford West, Cardiff, Denbigh, Wrexham, *Brecon, *Mold, *Bangor, *Cowbridge, *Newtown, *Corwen, *Welshpool, *Llangenfi, *Llandillo, *Knighton, *Swansea.
NORFOLK.	Norwich, Yarmouth, Lynn, Thetford, Watton, Diss, East Dereham, Harleston, Holt, Aylsham, Falkenham, North Walsham, *Swaffham.		
LINCOLN.	Lincoln, Gainsborough, Glanford Bridge, Louth, Boston, Sleaford, Stamford, Spalding, *Barton on Humber, *Bourne, *Grantham, *Grimsby, *Horncastle, *Market Raisin, *Caistor, *Alford, *Holbech, *Long Sutton.		

Trade.

"An Act to amend the Laws for the regulation of the trade of the British Possessions abroad."

[16th July, 1842.]

(See printed Statutes, 6th Vic.)

Anno Quinto &amp; Sexto.

Victoriæ Reginae.

CAP. CVII.

An Act for regulating the carriage of Passengers in Merchant Vessels.

[12th August, 1842.]

Passengers.

WHEREAS it is expedient to make provision respecting the carriage of Passengers by sea, in certain cases, and for that purpose to repeal, except as hereinafter is mentioned, an Act passed in the Session of Parliament held in the fifth and sixth years of His late Majesty King *William* the Fourth, intituled, "An Act to repeal an Act of the ninth year of His late Majesty, for regulating the carriage of Passengers in Merchant Vessels, from the United Kingdom to the British Possessions on the Continent and Islands of *North America*, and to make further provision for regulating the carriage of Passengers from the United Kingdom;" and also, an Act passed in the Session of Parliament held in the third and fourth years of Her present Majesty, intituled, "An Act to extend to the British Colonies in the West Indies, an Act passed in the fifth and sixth year of His late Majesty King *William* the Fourth, for regulating the carriage of Passengers in Merchant Vessels;" and also, so much of an Act passed in the Session of Parliament held in the first and second years of Her present Majesty, intituled, "An Act to amend the Laws relating to the Customs," as extends the provisions of the Act first before mentioned, to foreign vessels, under certain circumstances; be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That the said recited Acts, and portion of an Act, shall be, and the same are hereby repealed, save and except, so far as the first before-mentioned Act repeals an Act passed in the ninth year of the reign of His late Majesty King *George* the Fourth, intituled, "An Act to regulate the carriage of Passengers in Merchant Vessels, from the United Kingdom to the Continent and Islands of *North America*," which shall remain and continue repealed: Provided nevertheless, that all fines, forfeitures and penalties, to which any person or persons may have become liable under the said Acts, or either of them, shall and may be sued for, prosecuted, and recovered, and that any right of action which may have accrued to any person or persons, by virtue of the said Acts, or either of them, shall and may be enforced hereafter, in such and the same manner, in all respects, as if this present Act had not been made.

Recited Acts, and part of Act repealed, except as to the repeal of 3 Geo. 4, c. 21.

Limitation of numbers of passengers according to tonnage and space.

II. And be it enacted, That no ship carrying Passengers on any voyage, from any port or place in the United Kingdom, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, hereinafter designated as the herein-before mentioned Islands, to or for any port or place out of *Europe*, and not being within the *Mediterranean* Sea, shall proceed on her voyage with, or shall carry more persons on board, than in the proportion of three persons to every five tons of the registered burden of such ship, the Master and Crew being included in and forming part of such prescribed number, and that no such ship shall, whatever be the tonnage thereof, proceed on her voyage with, or carry more Passengers on board, than in the following proportion to the space occupied by them, and appropriated for their use, and unoccupied by stores, not being the personal luggage of Passengers: (that is to say,) on the lower deck or platform, one Passenger for every ten such clear

superficial feet, if such ship is not to pass within the tropics during such voyage, but if such ship is to pass within the tropics during such voyage, then one Passenger for every twelve such clear superficial feet, if such voyage is computed in manner herein-after mentioned, not to exceed twelve weeks, and one Passenger for every fifteen such clear superficial feet, if such voyage is so computed to exceed twelve weeks; and under the poop, and on the orlop deck, if any, one Passenger for every thirty such superficial feet, in all cases; and that if any ship carrying Passengers, upon any such voyage, as aforesaid, shall carry any Passengers beyond the proportions herein-before, respectively, mentioned, or any of them, the Master of such ship shall, for or in respect of every Passenger constituting such excess, be liable, on such conviction as herein-after is mentioned, to the payment of a penalty not exceeding five pounds, to be sued for and recovered as herein-after is mentioned.

III. And be it enacted, That no ship shall carry Passengers, on any such voyage, as aforesaid, unless she have lower or hold beams forming part of the permanent structure of the vessel, and also a lower deck or platform, of which the under surface shall be not lower than three inches above the bottom of the lower beams, and properly and substantially secured to the same, nor unless such lower deck or platform shall be of not less than one and a half inch in thickness.

Construction and thickness of lower deck.

IV. And be it enacted, That no ship shall carry any Passengers, upon any such voyage, as aforesaid, unless such ship shall be of the height of six feet at the least between the upper deck and the lower deck or platform herein-before mentioned, nor carry Passengers on the orlop deck, if any, unless the height between such orlop deck and the deck immediately above the same be six feet at the least.

Height between decks.

V. And be it enacted, That no ship carrying Passengers on any such voyage, as aforesaid, shall have more than two tiers of berths, and that in no such ship shall the interval between the floor of the berths and the deck or platform beneath them be less than six inches; and further, that the berths shall be securely constructed, and that their dimensions shall not be less than after the rate of six feet in length, and eighteen inches in width, for each Passenger.

Sleeping Berths.

VI. And be it enacted, That on board every ship carrying Passengers on any such voyage, as aforesaid, there shall be issued to the Passengers, daily, a supply of water, at the rate of at least three quarts for each Passenger *per* day, and that there shall also be issued, at convenient times, not less often than twice a week, a supply of provisions after the rate of seven pounds of bread, biscuit, flour, oatmeal or rice, *per* week, provided that one half at least of the supply shall consist of bread or biscuit, and that potatoes may be employed to the extent of the remaining half of the supply, five pounds, however, of potatoes being computed as equal to one pound of the other articles above enumerated; and that such issues, as aforesaid, shall be made throughout the whole voyage, including the time of detention, if any, at any port or place before the end of such voyage; and further, that no ship proceeding on any such voyage, as aforesaid, shall be cleared out until there shall be laden and on board such quantity of pure water, and of good and wholesome provisions of the requisite kind, as shall be sufficient to allow of the issues, aforesaid, during the period assigned to such voyage under the provisions of this Act.

Quantities of Provisions and Water to be issued to each passenger.

VII. And be it enacted, That in any such ship the water to be laden on board, as herein-before required, shall be carried in tanks or sweet casks, and that none of such casks shall exceed three hundred gallons in capacity; and further, that when any ship shall be destined to call at a port or place in the course of her voyage, for the purpose of filling up her water, a supply

Further regulations as to water.

supply of water at the rate before mentioned for every week of the computed voyage to such port or place of calling shall be deemed to be a compliance with the provisions of this Act, subject to the following conditions; (that is to say,)

First—That the Government Emigration Agent, at ports where there is one, and the Collector or Comptroller of Customs at ports where there is no such Agent, signify his approval in writing, and that the same be carried amongst the papers of the ship, to be delivered to the Collector of Customs, or Her Majesty's Consul, as the case may be, on reaching her final destination.

Secondly—That an engagement to call at such port or place be inserted in the bond which is hereinafter required to be given to the Crown, by the Owner or Charterer and Master.

Thirdly—That if the computed length of voyage to such port or place be not declared in this Act, it shall be competent to the Government Emigration Agent, or the Collector or Comptroller of Customs, as aforesaid, as the case may be, to fix the same in each case; and.

Fourthly—That the ship shall have on board, at the time of clearing out, tanks or water casks sufficient for stowing the quantity of water required for the longest portion of the whole voyage.

VIII. And be it enacted, That the number of weeks deemed to be necessary for the voyage of any such ship, according to her destination, shall be determined by the following rule of computation; (that is to say,)

For a voyage to *North America*, except the West coast thereof, ten weeks.

For a voyage to the *West Indies*, including under that term the *Bahama Islands* and *British Guiana*, ten weeks.

For a voyage to any part of the Continent of *Central or South America*, except the West coast thereof, and except *British Guiana*, twelve weeks.

For a voyage to the West coast of *Africa*, twelve weeks.

For a voyage to the *Cape of Good Hope* or the *Falkland Islands*, fifteen weeks.

For a voyage to the *Mauritius*, eighteen weeks.

For a voyage to *Western Australia*, twenty weeks.

For a voyage to any other of the *Australian Colonies*, twenty-two weeks.

For a voyage to *New Zealand*, twenty-four weeks.

IX. Provided always, and be it enacted, That for the purposes, and within the meaning of this Act, it shall in all cases be computed that two children, each being under the age of fourteen years, shall be equal to one Passenger, and that children under the age of one year shall not be included in the computation of the number of Passengers.

X. And be it enacted, That before any such ship shall be cleared out for the voyage, the Government Emigration Agent, at ports where there is such an officer, or in the absence of such Agent, and in ports where there is no such Agent, the Collector or Comptrollers of Customs, shall survey, or cause to be surveyed by some competent person, the provisions and water herein-before required for the consumption of the Passengers, and shall ascertain that the same are in a sweet and good condition; and shall also ascertain that over and above the same, there is on board an ample supply of water and stores for the victualling of the crew of the ship, and other persons (if any) on board.

XI. And be it enacted, That such officer shall see that the other directions contained in this Act be complied with, so far as the same can be complied with, before the departure of such ship from any port or place in the United Kingdom, or in the herein-before mentioned Islands.

XII. And be it enacted, That if doubts shall arise whether any ship about to proceed with Passengers,

as aforesaid, is sea-worthy, so as to be fit for her intended voyage, and such doubts shall not be removed to the satisfaction of the Collector and Comptroller of the Customs at the port from which such vessel is to be cleared out, or in case there shall be a Government Emigration Agent at such port, then to the satisfaction of such Emigration Agent, it shall be lawful for such Collector and Comptroller, or for such Government Emigration Agent (as the case may be,) at any time to cause such ship to be surveyed by two competent persons, and if it shall be reported by those persons that such ship is not, in their opinion, sea-worthy, with reference to such voyage, such ship shall not be cleared out, unless the contents of such report be disproved to the satisfaction of the Commissioners of the Customs, or of the Colonial Land and Emigration Commissioners, in those cases in which the report shall have been made at the instance of a Government Emigration Agent, or until such ship shall have been rendered sea-worthy.

XIII. And be it enacted, That no ship shall carry any Passengers on any such voyage, as aforesaid, unless such ship shall be provided with good sound boats of suitable size, and properly supplied with all requisites for their use, in the following proportion to the registered tonnage of such ship, as aforesaid; (that is to say,)

Two boats, if the tonnage of such ship be one hundred and fifty tons, and upwards, but under two hundred and fifty tons.

Three boats, if the tonnage of such ship be two hundred and fifty tons, and upwards.

Four boats, if the tonnage of such ship be five hundred tons, and upwards, and the number of Passengers exceed two hundred:—

Nor unless one of such boats be a long boat, of a size duly proportioned to the tonnage of the ship.

XIV. And be it enacted, that two copies of this Act shall be kept on board every ship carrying Passengers on any such voyage, as aforesaid, and that for this purpose two copies of the same, provided and issued by the authority of the Commissioners of the Customs, shall be delivered to the Master, on demand by the Collector or Comptroller of the Customs at the port and time of clearance of the ship; and one of such copies shall, upon request made at seasonable times to the Master of the ship, be produced to any Passenger for his perusal.

XV. And be it enacted, That no ship carrying Passengers on any such voyage, as aforesaid, to any such port or place, as aforesaid, except any port or place in *North America*, shall, in case the number of such Passengers shall amount to or exceed one hundred, or in case the estimated length of the voyage, computed as herein-before is mentioned, shall exceed twelve weeks, and the number of such Passengers shall amount to or exceed fifty, clear out for such voyage from any port in the United Kingdom, or in the herein-before mentioned Islands, unless there shall be rated upon the ship's company, and shall be actually serving on board such ship, some person duly authorised by law to practise in this Kingdom as a Physician or Surgeon, or Apothecary, and that no such ship shall actually put to sea or proceed on such voyage, unless such Medical Practitioner shall be therein, and shall *bonâ fide* proceed on such voyage, taking with him a medicine chest, and a proper supply of medicines, instruments, and other things suitable to the intended voyage; and no ship carrying Passengers on any voyage from any port or place in the United Kingdom, or in the herein-before mentioned Islands, to or for any port or place out of *Europe*, and not being within the *Mediterranean Sea*, shall clear out for any such voyage, unless and until there shall be actually laden and on board such ship, medicines, and printed or written directions for the use of the same, and other things necessary for the medical treatment

Sea-worthiness of the Ship may be ascertained by survey.

Sufficient Boats to be carried.

Copies of the Act to be kept on board and produced, if demanded.

In every Ship, (except to North America,) carrying 100 passengers, or 50 passengers, if the voyage be longer than 12 weeks, a Medical Practitioner and Medicines to be carried, and in every other Ship a proper supply of Medicines.

Computed length of different voyages.

How children are to be computed in the enumeration of passengers.

Government Emigration Agents or Officers of Customs to survey provisions and water.

The same Officers to attend generally to enforcement of the Act.

treatment of the Passengers on board, during such intended voyage, and available for that purpose, nor unless such medicines and other things shall be adequate in amount and kind to the probable exigencies of any such voyage, and, together with such medicines and other things, shall also be put on board every such ship previously to her clearing out for any such voyage, as aforesaid, a certificate under the hands of any one or more such Medical Practitioner, qualified, as aforesaid, who shall not have been the seller of the medicines and other things, or any part of them, to the effect that the same have been inspected by him, and are, in his judgment, adequate to meet any such probable exigencies, as aforesaid, and further, that he has no pecuniary interest in the supply of the same.

Sale of spirits to passengers prohibited.

XVI. And be it enacted, That in any ship carrying Passengers upon any such voyage, as aforesaid, no spirits or strong water, shall be sold to any Passenger during the voyage; and that if the Master of the ship shall, directly or indirectly, sell, or cause to be sold, any spirits or strong waters to any Passenger during the voyage, he shall be liable to a penalty not exceeding one hundred pounds, to be sued for and recovered in manner hereinafter mentioned.

List of passengers to be delivered before clearing.

XVII. And be it enacted, That the Master of every ship carrying Passengers on any such voyage, as aforesaid, shall, before clearing out his said ship for such voyage from any port or place in the United Kingdom, or in the herein-before mentioned Islands, sign and deliver, in duplicate, to the Collector, or to such officer of Her Majesty's Customs at such port or place as may clear the ship, a list, made out according to the form contained in Schedule (A.) hereunto annexed, of all and every the Passengers on board of such ship, specifying, as accurately as may be, all the particulars in the said form required; and such Collector, or other officer, shall thereupon countersign and return to the said Master one of such duplicate lists, and the said Master shall exhibit such duplicate list, with the additions, if any, to be made thereto, as hereinafter directed, to the Collector or other chief Officer of Her Majesty's Customs at any port or place in Her Majesty's Possessions, or to Her Majesty's Consul at any foreign port, at which the said Passengers, or any of them, shall be landed, and shall deposit the same with such Collector or chief Officer of Customs, or such Consul, as the case may be, at his final port of discharge.

List of additional passengers after clearing out.

XVIII. And be it enacted, That in case any such vessel shall have cleared out, as aforesaid, with a number of Passengers less than the number she could lawfully carry under the provisions of this Act, or in case any Passenger or Passengers named in the list aforesaid shall not proceed on the voyage, and there shall afterwards be taken on board any additional Passenger or Passengers, the Master shall, in every such case, add to the first list so countersigned and returned to him, as aforesaid, and in the same manner as is required in such first list, the names and particulars of such additional Passenger or Passengers; and shall, moreover, prepare, in the form aforesaid, a separate list of such additional Passenger or Passengers, and deliver the same, together with the first list so added to, as aforesaid, both being duly signed by him, to the Collector or other officer of Customs, as aforesaid, at the port or place where any such additional Passenger or Passengers may have embarked; and thereupon such Collector, or other officer of Customs, shall countersign the additions so made to such first list, as aforesaid, and shall return the same to the said Master, and retain the separate additional list; and so on in like manner whenever any additional Passenger or Passengers may be taken on board: Provided always, that in the event of there being no Collector, or other officer of Customs, stationed at any port or place where such additional Passenger or Passengers may be taken on board, then such separate

list, and also the said first list, with the additions so to be made to it, as aforesaid, shall, in case the vessel shall subsequently touch at any port or place at which there shall be stationed any officer of Her Majesty's Customs, be delivered by the said Master to such officer of Customs, and the same, respectively, shall be dealt with in all respects by such officer of Customs as it would have been dealt with by the Collector, or other officer of Customs, as aforesaid, had there been one at the port or place where such additional Passenger or Passengers embarked.

XIX. And be it enacted, That if any Owner, Charterer, or Master, of a ship, or any Passage Broker, Agent, or other person, shall receive any money from any person, for or in respect of the conveyance of any person as a Passenger on any such voyage, as aforesaid, to any port or place in *North America*, the person so receiving such money shall give a written acknowledgment for the same to the party from whom the same shall have been received, in the form contained in the Schedule (B.) hereto annexed, and in default thereof shall be liable to a penalty not exceeding ten pounds, in respect of each such Passenger, to be sued for and recovered as hereinafter is mentioned; and if he shall be so licenced, as hereinafter is mentioned, his licence shall be forfeited, in case the Justices before whom the penalty shall be sued for shall declare the forfeiture thereof.

Written receipts to be given in respect of passengers to North America.

XX. And be it enacted, That from and after the commencement of this Act, no person, not being the Owner or Master of the ship in which such Passengers as are hereinafter mentioned shall be taken, shall carry on the business of a Passage Broker or Passage Dealer in respect of passages from the United Kingdom, or the herein-before mentioned Islands, to any port or place in *North America*, or shall sell or let, or agree to sell or let, to any person any such passage, unless he shall have previously taken out a licence to carry on the business of a Passage Broker or Passage Dealer, as hereinafter is mentioned, and unless such licence shall continue in force; and if any person shall carry on such business, or sell or let, or agree to sell or let, any such passage contrary to this enactment, every person so offending shall be liable to a penalty not exceeding ten pounds, in respect of each and every such offence, to be sued for and recovered as hereinafter is mentioned, and shall further be subject to all the same penalties and liabilities to which licenced Passage Brokers and Passage Dealers are subject under this Act; and that it shall be lawful for any person desiring to carry on the business of Passage Broker or Passage Dealer, in respect of such passages to *North America*, as aforesaid, to make application to the Justices assembled in Petty or Quarter Sessions, held for the district or place in which such person shall reside, for a licence to carry on such business; and such Justices so assembled are hereby authorised to grant such licence to the party making application for the same, such licence to be made out according to the form contained in the Schedule (C.) hereunto annexed, and to continue in force for the period named in such form, unless sooner forfeited in manner hereinafter mentioned; and where any such licence shall be granted, such Justices shall cause notice thereof to be forthwith transmitted by the Post to the Colonial Land and Emigration Commissioners, at their office in *London*: Provided nevertheless, that no such licence shall be granted, unless the party applying for the same shall shew to the satisfaction of the Justices that he has given notice to the Colonial Land and Emigration Commissioners of his intention to apply for the same, twenty-one clear days at least before such application; such notice to be transmitted by the Post to the office of the said Colonial Land and Emigration Commissioners, and to be in the form contained in the said Schedule (D.) hereunto annexed.

Licences to be taken out by dealers and brokers, in respect of passengers to North America.

Licences to be granted by Justices, and notice thereof transmitted to Colonial Land and Emigration Commissioners.

Notice to be given to Colonial Land and Emigration Commissioners, of intended application for Licenses.

XXI. And be it enacted, That if any licenced Broker or Dealer, as aforesaid, shall receive money for



Penalties for acting without written authority from principals, and for obtaining passage money fraudulently.

for or on account of the passage of any Passenger for any such voyage, as aforesaid, to any port or place in *North America*, without having a written authority to act as Agent for the party on whose behalf the contract for such passage purports to be made, or shall, by any fraud or false pretence whatsoever, induce any person to purchase, hire or engage, a passage in any ship for any such voyage, as aforesaid, every such Broker or Dealer shall be liable, upon conviction as hereinafter is mentioned, in respect of every such offence, to a penalty not exceeding ten pounds, to be sued for and recovered in manner hereinafter mentioned; and it shall be lawful for the Justices before whom the penalty shall be sued for, to declare, if they shall think fit, the licence of such Broker or Dealer to be forfeited, and the same shall, upon such declaration, be forfeited accordingly: Provided always, that in any case in which, under the provisions of this Act, any Justices shall declare the licence of any Passage Broker or Passage Dealer to be forfeited, such Justices shall cause notice of such forfeiture, in the form contained in the Schedule (E.) hereunto annexed, to be forthwith transmitted by the Post to the Colonial Land and Emigration Commissioners, at their office in *London*.

Return of passage money, and compensation to Passengers, in certain cases.

XXII. And be it enacted, That if any Passenger, or person on his behalf, shall have entered into a contract for a passage or passages for such Passenger, or for him and his family, in any ship, for any such voyage, as aforesaid, from any port in the United Kingdom, or in the herein-before mentioned Islands, to or for any port or place out of *Europe*, and not being in the *Mediterranean Sea*; and if such Passenger, or such Passenger and his family, (as the case may be,) shall be at the place of embarkation at the time appointed for that purpose in and by such contract, and such Passenger shall apply for such passage or passages, and shall on demand pay or tender such part of the passage money not already paid as shall be payable under such contract previously to embarkation, and if, owing to the previous departure of the ship in which such passage or passages shall have been engaged, or the neglect, refusal, or other default of the Owner, Charterer, or Master thereof, or of the party with whom such passage or passages shall have been contracted for, such Passenger shall not obtain such passage or passages, or shall not within a reasonable time obtain a passage or passages by some other equally eligible vessel to the same port or place, and in the mean time be paid subsistence money, or be provided with lodging and maintenance, as hereinafter mentioned, such Passenger shall be entitled to recover, in manner hereinafter provided, all moneys which he shall have paid for such passage or passages, from the party to whom he shall have paid the same, or from the Owner or Charterer of the ship for whom such party shall be the Agent, and also such further sum, not exceeding ten pounds, in respect of each such passage as shall, in the opinion of the Justices who shall adjudicate on the complaint, be a reasonable compensation for the loss or inconvenience occasioned to such Passenger or his family by the loss of such passage or passages.

Subsistence in case of detention.

XXIII. And be it enacted, That if any ship shall not actually put to Sea, and proceed upon any such intended voyage, as aforesaid, on the day for that purpose appointed in and by any contract made by the Owner, Master, or Charterer, of such ship, or by their Agent, with any Passenger, who shall on that day be on board the same, or ready to proceed on such intended voyage, then and in every such case the Master of such ship shall victual each and every such Passenger in like manner as if the voyage had commenced; and if the ship does not put to Sea after the interval of two clear working days from the day appointed for sailing, shall be liable to pay to each and every such Passenger, instead of victualling him, sub-

sistence money, after the rate of one shilling in respect of each day of delay, until the actual clearing out and final departure of such ship on such voyage, and the same may be recovered in manner hereinafter mentioned: Provided, however, that such subsistence money shall not be payable in lieu of victualling, in respect of any unavoidable detention by wind or weather; and also, shall not be payable to any Passenger who shall, with his own consent, be suitably lodged and maintained on shore at the expense of the parties who are bound to provide him with a passage.

XXIV. And be it enacted, That the Master of any ship carrying Passengers under the provisions of this Act shall not land or put on shore, or cause to be landed or put on shore, any Passenger, without his previous consent, at any port or place other than the port or place at which he may have contracted to land or put such Passenger on shore.

Passengers not to be landed without their consent at any other place.

XXV. And be it enacted, That at the close of any such voyage, as aforesaid, every person arriving as a Passenger at any port or place, shall, during the space of forty-eight hours next after such arrival, be entitled to continue on board such ship, and to be provided for and maintained on board the same, in such and the same manner as during such voyage, unless in the ulterior prosecution of her voyage any such ship shall quit any such port or place within the said period of forty-eight hours.

Passengers to be maintained for 48 hours after their arrival.

XXVI. And be it enacted, That the Master of every ship carrying Passengers on any such voyage, as aforesaid, shall afford to the Government Agent for Emigration, or to the proper Officer of Customs, at any port or place in Her Majesty's Dominions from which such ship shall sail, or at which such ship shall touch during the voyage, or at which such ship shall arrive at the end of such voyage, and to Her Majesty's Consul at any port or place at which such ship shall arrive, being in a Foreign Country, every facility for the inspection of the ship, and for the communication with the Passengers, and for ascertaining that the Act has been duly observed.

Facilities to be given to the proper officers for inspection of ship, &c.

XXVII. And be it enacted, That if in any ship carrying Passengers on any such voyage, as aforesaid, such lower deck or platform of such thickness, as herein-before directed, shall not be laid and continued throughout the whole duration of any such voyage, in such manner as is herein-before required; or if the height between such lower deck or platform and the upper deck shall be less than six feet; or if there shall be more than two tiers of berths; or if such berths shall not be securely constructed; or shall not be of the dimensions herein-before required; or if there shall not be throughout the whole duration of any such voyage, such an interval as is herein-before prescribed between the deck and the floor of the berths; or if any such ship shall clear out and put to sea, not having on board tanks or sweet casks of such size and number, as aforesaid, and such water and provisions, as aforesaid, for the use and consumption of the said Passengers, of the kind and to the amount, and in the proportion, herein-before required; or if such water and provisions shall not be issued in manner herein-before required; or if such ship shall not be provided with good boats, according to the rates aforesaid; or if copies of this Act shall not have been kept on board, and produced on demand, as herein-before required; or if there shall not be on board any such vessel such Medical Practitioner, as aforesaid, or such medicines, and other things necessary to the medical treatment of the Passengers, as is herein-before required; or if any such ship shall be cleared out before such list of Passengers, as herein-before mentioned, shall have been delivered in manner and form, aforesaid, to such Officer as aforesaid; or if the additions to such list, and such additional separate list or lists, as aforesaid, be not made in the cases, aforesaid, and delivered in the cases in which they

Penalties.

are

are herein-before required to be delivered; or if any such list, or the additions to the same, shall be wilfully false: or if any such list, including the additions, if any, to the same, shall not be exhibited to or deposited with the proper Officer at any port or place, at which it is herein-before required to be exhibited or deposited: or if any Passenger shall, without his previous consent, be put on shore at any place other than the place at which the Master had contracted to land such Passenger; or if any Passenger shall not be allowed to continue on board such ship, in manner herein-before provided; or if every such facility for inspection shall not be afforded, as is herein-before required, the Master of any such ship shall, for and in respect of each and every such offence, be liable on such summary conviction, as herein-after mentioned, to the payment of a fine not exceeding fifty pounds, Sterling, British money.

The right of action of Passengers not to be taken away or abridged.

XXVIII. Provided nevertheless, and be it enacted, That nothing herein contained shall take away or abridge any right of suit or action which may accrue to any Passenger in any such ship, or to any other person, in respect of the breach or non-performance of any contract made or entered into between or on behalf of any such Passenger, or other person, and the Master, Owner or Owners, of any such ship.

Recovery of penalties.

XXIX. And be it enacted, That all penalties imposed by this Act, for any offence against the same, may be sued for and recovered to the use of Her Majesty, as herein-after is mentioned; (that is to say) in the United Kingdom by any Government Emigration Agent, or any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs, authorised in writing by the Commissioners of Her Majesty's Customs to sue for penalties under this Act; and in any of Her Majesty's possessions abroad, by any such Government Agent, Collector, or Comptroller, or other Officer so authorised, as aforesaid; and also by any Officer authorised to sue for penalties under this Act, by writing under the hand and seal of the Governor or Officer administering the Government of any such Possession, which respective authorities the Commissioners of Her Majesty's Customs, and such Governors or other Officers, are hereby empowered to grant; and all sums of money made recoverable by this Act, as return of passage-money, subsistence-money, or compensation, may be sued for and recovered, as herein-after is mentioned, by or to the use of any Passenger entitled thereto, under this Act, or by any of such Officers, as aforesaid, on behalf and to the use of any such Passenger, or on behalf and to the respective use of any number of such Passengers, and either by one or by several complaints; and all such penalties and sums of money may be sued for and recovered before any two or more Justices of the Peace, acting in any part of Her Majesty's Dominions in which the offence shall have been committed, or the cause of complaint shall have arisen, or in which the offender or party complained against shall happen to be; and upon complaint being made before any one Justice of the Peace, as aforesaid, he shall issue a summons, requiring the party offending or complained against to appear on a day and at an hour and place to be named in such summons; and every such summons shall be served on the party offending or complained against, or shall be left at his last house, place of residence, or of business, or on board any ship to which he may belong; and either upon the appearance or default to appear by the party offending or complained against, it shall be lawful for any two or more Justices to proceed summarily upon the case, and either with or without any written information; and upon proof of the offence, or of the complainant's claim, (as the case may be,) either by confession of the party offending or complained against, or upon the oath of one or more credible witness, or witnesses,

(which oath such Justices are hereby authorised to administer.) it shall be lawful for such Justices to convict the offender, or adjudicate the complaint; and upon such conviction or adjudication to order the offender or party complained against to pay such penalty, within the limits herein-before expressed, as the Justices may declare to have been incurred, or (as the case may be) to pay to the party suing for the same the sum of money sued for, or so much thereof as such Justices shall think the complainant justly entitled to, and also to pay the costs attending the information or complaint, summons, conviction, or adjudication; and if, forthwith, upon any such order, the moneys thereby ordered to be paid be not paid, the same may be levied, together with the costs of the distress and sale, by distress and sale of the goods and chattels of the party ordered to pay such moneys—the surplus, if any, to be returned to him upon demand; and any such Justices may issue their warrant accordingly, and may also order such party to be detained and kept in safe custody until return can conveniently be made to such warrant of distress, unless such party give sufficient security, to the satisfaction of such Justices, for his appearance before them on the day appointed for such return, such day or days not being more than eight days from the time of taking such security; but if it shall appear to such Justices, by the admission of such party or otherwise, that no sufficient distress can be had whereon to levy the moneys so adjudged to be paid, they may, if they think fit, refrain from issuing such warrant of distress; and in such case, or if such warrant shall have been issued, and upon the return thereof such insufficiency, as aforesaid, shall be made to appear to the Justices, or any two or more such Justices, as aforesaid, then such Justices shall, by warrant, cause the party, ordered to pay such moneys and costs, as aforesaid, to be committed to Gaol, there to remain without bail for any term not exceeding three months, unless such moneys and costs ordered to be paid, and such costs of distress and sale, as aforesaid, be sooner paid and satisfied.

XXX. And be it enacted, That if in any proceeding before any Justice or Justices under this Act, or upon any action, suit or other proceeding, whatsoever, against any person or persons, for any thing done either contrary to or in pursuance of this Act, a question should arise whether any person is a Government Emigration Agent, or an Officer of the Customs, *vis à voce* evidence may be given of such fact, and shall be deemed legal and sufficient evidence.

Viva voce evidence may be given of a party being a Government Agent or officer.

XXXI. And be it enacted, That any Passenger, suing as herein-before is mentioned, for any sum of money made recoverable by this Act as return of passage money, subsistence money, or compensation, shall not be deemed an incompetent witness in any proceeding for the recovery thereof, notwithstanding the same, if recovered, shall be applicable to his own use and benefit.

Passengers suing not incompetent witnesses.

XXXII. And be it enacted, that where any distress shall be made for any penalty, moneys or costs, to be levied by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in the information, summons, conviction, warrant of distress, or other proceedings relating thereto, nor shall the party distraining be deemed a trespasser *ab initio*, on account of any irregularity which shall be afterwards committed by the party so distraining, but the person aggrieved by such irregularity may recover full satisfaction for the special damage in an action upon the case.

Distress not to be unlawful for informality.

XXXIII. And be it enacted, That no plaintiff shall recover in any action against any person for any thing done in pursuance of this Act, if tender of sufficient amends shall have been made before such action brought, or if after action brought, a sufficient sum of money

Tender of amends.

money shall have been paid into Court, with costs, by or on behalf of the defendant.

Limitation of actions.

XXXIV. And be it enacted, That no action or suit shall be commenced against any person for any thing done in pursuance of or under the authority of this Act, until twenty-one days notice has been given thereof, in writing, to the party or person against whom such action or suit is intended to be brought, nor after three calendar months next after the act committed for which such action or suit shall be so brought; and every such action shall be brought, laid, and tried, where the cause of action shall have arisen, and not in any other place; and the defendant in such action or suit may plead the general issue, and give this Act and any special matter in evidence, at any trial which shall be had thereupon; and if the matter or thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such action or suit was brought before twenty-one days notice thereof given, as aforesaid, or if any action or suit shall not be commenced within the time herein-before limited, or shall be brought or laid in any other place than as aforesaid, then the Jury shall find a verdict for the defendant therein; and if a verdict shall be found for such defendant, or if the plaintiff in such action or suit shall become non-suited, or suffer a discontinuance of such action, or if upon any demurrer in such action, judgment shall be given for the defendant thereon, then and in any of the cases, aforesaid, such defendant shall and may recover treble costs, and shall have such remedy for recovering the same as any defendant may have for his costs in any other case by law.

Defendant may plead the general issue, &c.

Owners or Charterers and Masters of vessels to enter into bond, (without stamps) for the due performance of the regulations prescribed by this Act.

XXXV. And for the more effectually securing the observance of the aforesaid rules, and the payment of the penalties, be it enacted, That before any ship carrying Passengers, if the number of such Passengers shall exceed fifty, shall clear out for any such voyage, as aforesaid, from any port or place in the United Kingdom, or in the herein-before mentioned Islands, the Owner or Charterer, or in the event of the absence of such Owner or Charterer, one good and sufficient person on his behalf, to be approved by the Collector or chief Officer of Customs, at such port, and the Master of the said ship, shall enter into a joint and several bond to Her Majesty, Her Heirs and Successors, in the sum of one thousand pounds, the condition of which bond shall be, that the said ship is seaworthy, and that all and every the rules and regulations made and prescribed by this Act, for the carriage of Passengers, shall be well and truly performed before and during such intended voyage, and that all penalties, fines and forfeitures, which the Master of such ship may be sentenced or adjudged to pay, for or in respect of the breach or non-performance before or during such voyage, of any such rules and regulations, shall be well and truly paid: Provided always, that such bond shall be without stamps; and that no such bond shall be put in suit, and that no prosecution, suit, action, information or complaint, shall be brought under or by virtue of this Act, or upon or by reason of the breach of any of the provisions thereof, in any of Her Majesty's possessions abroad, after the expiration of twelve calendar months next succeeding the commencement of any such voyage, as aforesaid, nor in the United Kingdom, or any of the Islands before mentioned, after the expiration of twelve calendar months next after the return of the said ship, or of the said Master, to the United Kingdom, or the herein-before mentioned Islands.

Limitation of prosecution.

Exception of particular kinds of ships.

XXXVI. And be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to ships carrying Passengers on such voyage; as aforesaid, if the number of such Passengers shall not amount to or exceed thirty; nor shall any thing in this Act contained, extend to any of Her Majesty's ships of war, or to any ship in the service of the Commissioners for executing the Office of Lord High

Admiral of the United Kingdom, or to ships of war or transports, in the service of the *East India Company*.

XXXVII. And whereas it is expedient to provide in certain cases for the regulation of voyages from the Colonies; be it therefore enacted, That this Act shall, except as hereinafter is excepted, extend and apply to the carriage of Passengers by sea, from any of the British *West Indies*, in which term are included the British *West India Islands*, the *Bahamas*, and British *Guiana*, and from *Malta*, and from the British possessions in *Africa*, and from the *Mauritius*, to any other place whatsoever.

Extension of Act to West Indies, Western Africa, Malta, and the Mauritius.

XXXVIII. And be it enacted, That it shall be lawful for the Governor, or Officer administering the Government of any British Colony not enumerated in the enactment lastly herein-before contained, to declare by Proclamation to be issued for that purpose, that this Act, except as hereinafter is excepted, shall be extended and shall apply to the carriage of Passengers by Sea from such Colony to such places as may by him be named for the purpose in such Proclamation; and thereupon this Act shall be thenceforth so extended, and shall so apply accordingly.

Power to Governors of other Colonies to adopt the Act.

XXXIX. And be it enacted, That it shall be lawful for the Governor, or Officer administering the Government, of any of the British Colonies to which this Act, as respects the carriage of Passengers by Sea therefrom, has been hereby extended, or shall have been extended by Proclamation, as herein-before is mentioned, by any Proclamation or Proclamations to be by him from time to time issued for that purpose, to declare the rule of computation by which the length of the voyage of any ship carrying Passengers from such Colony to any other place, shall be estimated for the purposes of this Act. Provided nevertheless, That this Act shall not, except as respects the *West Indies*, and except as hereinafter is mentioned, extend or apply to any such voyage, if the length thereof, so computed, shall not be three weeks or upwards.

Governors empowered to declare computed length of voyage.

Proviso.

XL. And be it enacted, That it shall be lawful for the Governor, or Officer administering the Government, of any of the British Colonies to which this Act has, as respects the carriage of Passengers by Sea therefrom, been hereby extended, or shall have been so extended by Proclamation, as herein-before is mentioned, by any Proclamation or Proclamations to be by him from time to time issued for that purpose, to substitute for the articles of food and provisions specified in this Act, such other articles of food and provisions as shall be a full equivalent for the same.

The Governor, &c. may issue Proclamation substituting other articles of food, &c. if equivalent.

XLI. Provided always, and be it enacted, That every such Proclamation, as aforesaid, or as herein-after is mentioned, shall be transmitted by the Governor, or Officer by whom the same may have been issued, to Her Majesty, through one of Her Majesty's Principal Secretaries of State, for Her Majesty's confirmation or disallowance; and in case the same shall be disallowed by any order to be made by Her Majesty for that purpose, with the advice of Her Privy Council, then from and after the promulgation of any such Order in Council within any such Colony, any such Proclamation shall cease to be of any force or authority, but until so disallowed the same shall be duly observed and obeyed: Provided also, That on the production at any one of the Colonies aforesaid, of an attested copy of any such Proclamation, as aforesaid, or as hereinafter is mentioned, under the hand of the Governor, or the Officer administering the Government of the Colony wherein the same may have been issued, and under the public seal of such Colony, such attested copy shall, in the Colony wherein the same shall be so produced, be received as good and sufficient evidence of the issuing and of the contents of any such Proclamation.

Such Proclamation to be transmitted for Her Majesty's confirmation or disallowance.

Attested copy of such Proclamation to be received as evidence in the Colony in which it may be produced.

XLII. And be it enacted, That all the powers and authorities

Powers for determining the sea-worthiness of any ship vested in Governor, &c.

authorities which are herein-before vested in the Collector and Comptroller of the Customs, for determining the sea-worthiness of any ship carrying Passengers from any port in the United Kingdom, shall, in respect any ship carrying Passengers from any Port in any of the Colonies, aforesaid, be and the same are hereby vested in the respective Governors, or Officers administering the Government of the said Colonies, respectively.

No bond required for voyages from the Colonies.

XLIII. Provided always, and be it enacted, That, as respects voyages from the Colonies, it shall not be necessary for the Master, Owner, or Charterer of any ship carrying Passengers on any such voyage, to enter into any such bond, as herein-before required to be entered into by the Master and Owner, or Charterer, of any ship carrying Passengers, on any such voyage as herein-before is mentioned.

Exception of certain provisions of this Act, in the case of voyages from the Colonies.

XLIV. Provided also, and be it enacted, That the provisions of this Act shall not extend or apply to voyages from the Colonies, so far as relates to the following subjects; (namely.)

- The keeping copies of the Act on board :
- The use of the form of receipt herein-before required to be given for Passage money :
- The licensing of Passage Brokers :
- The return of Passage money and compensation, in case the party cannot be forwarded by the appointed ship, or by some other eligible vessel, and victualing, or the payment of subsistence money in case of detention.

Extension of the Act, with further exceptions, to voyages shorter than three weeks in the West Indies.

XLV. Provided always, and be it enacted, That, except as herein-before is excepted with respect to voyages from the Colonies, the provisions and regulations of this Act shall extend to voyages from the *West Indies* of less duration, so computed as aforesaid, than three weeks, but being of not less duration, so computed as aforesaid, than three days, save and except so far as relates to the following subjects; (namely.)

- The construction or thickness of the lower deck or platform :
- The berths :
- The height between decks :
- The Surgeon and Medicine chest :
- The maintenance of Passengers for forty-eight hours after arrival :

Provided also, that as respects such voyages from the *West Indies* of less computed duration than three weeks, the owner or charterer of a ship may, if he think fit, contract with the Passengers engaging passages therein, that they shall respectively provide themselves with necessary food (not including water) for the voyage; and in such case the regulations of this Act respecting the issue of provisions by the Master, shall not be applicable to such Passengers, on such voyage.

Power to Governors of other Colonies to adopt the same extension of the Act to voyages shorter than three weeks.

XLVI. Provided also, and be it enacted, That it shall be lawful for the Governor, or Officer administering the Government of any British Colony, (other than the *West Indies*.) to which this Act, as respects the carriage of Passengers by sea therefrom, has been hereby extended, or shall hereafter be extended by Proclamation, as herein-before is mentioned, by the same, or by any subsequent Proclamation to be by him issued for that purpose, to declare that the enactment herein-before contained respecting voyages from the *West Indies* of shorter duration than three weeks, shall extend and apply to voyages from the Colony in respect of which, such Proclamation shall be issued, such voyage being of less duration, so computed, as aforesaid, than three weeks, but not of less duration, so computed as aforesaid, than three days; and thereupon such enactment shall extend and apply to such voyage accordingly.

XLVII. And be it enacted, That nothing in this Act contained, extends, or shall be construed to extend, to prevent the enactment by the respective

Governors, Councils, and Assemblies, or other local Legislatures in the *British West Indies*, and *South America*, and in the *Bahama Islands*, and in *Bermuda*, or by Her Majesty, with the advice of her Privy Council, of any such Acts of General Assembly, or Ordinances, or orders in Council, as may be requisite for making and establishing such several rules and regulations as are required by this Act or any of them, or for carrying the same into full and complete effect: Provided nevertheless, that it shall not be lawful for any such Governor, Council, and Assembly, or for any such local Legislature, or for Her Majesty in Council by any such Acts of Assembly, Ordinances, or orders in Council, as aforesaid, to make or establish any enactment, provision, rule or order, which shall be in any wise repugnant or contradictory to this Act or any part thereof, but that every such enactment, regulation, provision, rule, or order shall be, and is hereby declared to be, absolutely null and void and of no effect.

This Act not to prevent the enactment by Colonial Assemblies, or by Her Majesty in Council, of laws necessary for establishing the rules and regulations required by said recited Act, and this Act.

XLVIII. Provided always, and be it enacted, That nothing herein-before contained shall be construed to apply to any of the territories or places under the Government of the *East India Company*, or to any of the Governors appointed by the said Company; nor shall any thing herein-before contained affect, or be construed to affect, the powers now vested in the Governor-General of *India*, in Council, to make laws and regulations whereby the provisions of this Act, or such of them as to the said Governor-General of *India*, in Council, shall seem expedient, shall or may be extended to the territories and places under the Government of the said Company, or for, or in respect of which, the said Governor-General, in Council, has now by law a power of Legislation; but it is hereby enacted, that it shall be lawful for the Governor-General of *India*, in Council, from time to time, by any Act or Acts to be passed for that purpose, to declare that this Act, with such exceptions as are herein-before mentioned, shall extend and apply to the carriage of Passengers upon any voyage, from any ports or places within the territories of the *East India Company*, to be specified or described in such Act or Acts, to any other places whatsoever, to be also specified or described in such Act or Acts, and also in like manner to authorise the substitution, as respects such voyages, of other equivalent articles of food and provisions for those herein-before enumerated, and to declare the rule of computation by which the length of any such voyage shall be estimated, and to confer the powers herein-before conferred upon Government Emigration Agent, and Collectors and Comptrollers of the Customs, with respect to ascertaining and deciding on the sea-worthiness of a ship, upon such Officers of the *East India Company*, as the said Governor-General, in Council, may think proper; and from and after the passing of such Act or Acts, and whilst the same shall remain in force, this Act shall, with such exceptions as are herein-before made as respects voyages from the Colonies, apply to and extend to the carriage of Passengers upon such voyages, as in the said Act or Acts shall be specified; which Acts shall nevertheless be subject to disallowance and repeal, and shall in the same manner be transmitted to *England*, and be laid before both Houses of Parliament, as in the case of any other laws or regulations, which the said Governor-General, in Council, is now by law empowered to make.

Power to the Governor General of India, in Council, to adopt this Act, with certain exceptions, in India.

XLIX. And be it enacted, That it shall be lawful for the Governor-General of *India*, in Council, from time to time by an Act or Acts to be passed for that purpose, to declare in what manner, and before what authorities, and by what form of proceedings, the penalties imposed, and the sums of money made recoverable by this Act, shall be sued for and recovered, within any places or territories under the Government of the *East India Company*, and to what uses such penalties shall be applied.

Mode of proceeding for recovery of penalties in India, to be regulated by the Governor in Council.

Act to extend to Foreign vessels.

L. And be it enacted, That the provisions, regulations, penalties, and forfeitures, set forth in this Act, shall extend, and be deemed to extend, to Foreign vessels carrying Passengers, upon any voyage from any port or place in the United Kingdom, or in the herein-before mentioned Islands, to or for any port or place out of Europe, and not being within the Mediterranean Sea, or upon any other voyage to which the provisions of this Act shall, for the time being, extend.

Act not to extend to cabin passengers.

LI. And be it enacted, That wherever the term "Passage" or "Passenger" is used in this Act, it shall be held not to include, or extend to the class of Passages or Passengers commonly known and understood by the name of Cabin Passages and Cabin Passengers.

LII. And be it enacted, That in the construction of this Act, unless there be something in the subject or context repugnant to such construction, every word importing the singular number, or the masculine gender only shall be understood to include, and shall be applied to several persons, matters or things, as well as one person, matter or thing, and females as well as males, respectively.

Interpretation of Act.

LIII. And be it enacted, That in all proceedings it shall be sufficient to cite this Act, by the title of "The Passengers Act."

Title of the Act.

LIV. And be it enacted, That this Act shall commence on the first day of October, one thousand eight hundred and forty-two, and not sooner.

Commencement of Act.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Referred to in the 17th section of the Passengers Act.

Ship's name.	Master's name.	Tons, per Register.	Aggregate number of superficial feet in the several compartments set apart for steerage and intermediate Passengers.	Total number of Statute Adults the ship can legally carry.	Where bound.

I hereby certify, that the provisions actually laden on board this ship, according to the \_\_\_\_\_ section of the Passengers Act, are sufficient for \_\_\_\_\_ Passengers, computed according to the Act.

(Signed) \_\_\_\_\_ } Master.

Date \_\_\_\_\_,

Nominal List of Passengers.\*

Ports of Embarkation.	Name of Passengers.	Adults.			Children under 14 years.			Profession, occupation or calling, of Passenger.	Port at which Passengers have contracted to be landed.
		M.	F.	Total.	M.	F.	Total.		
	Total number of souls equal to Statute Adults.								

\* We hereby certify the above is a correct List of all the Passengers who embarked at the Port of \_\_\_\_\_.

(Signed) \_\_\_\_\_ Master.  
(Countersigned) \_\_\_\_\_ Officer of Customs.

N. B.—Lines should be ruled in the same Form, for any additions to the List after the ship first clears out, and similar certificates be subjoined to such additions, according to the requirements of the Act.

## SCHEDULE (B.) referred to in the 19th Section of this Act.

## PASSENGER'S CONTRACT TICKET.

N. B. Any one receiving money from or in respect of any Passenger about leaving the United Kingdom for any place in North America, without using this Form, and correctly filling up the blanks therein, and signing it with his name in full, will be liable to a penalty not exceeding £10, for each such Passenger.

Ship \_\_\_\_\_, of \_\_\_\_\_ tons register burden, to sail from \_\_\_\_\_, for \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18—.

Names.	Ages.	Equal to Statute adults.	<p>I engage that the parties herein named shall be provided with a steerage passage to _____, in the ship _____, with not less than ten cubic feet for luggage for each Statute adult, for the sum of £—, including head money, if any, at the place of landing, and every other charge; and I hereby acknowledge to have received the sum of £—, in <math>\frac{\text{full}}{\text{part}}</math> payment.</p> <p>Water and provisions, according to the annexed scale, will be supplied by the ship, as required by Law, and also fires and suitable hearths for cooking.</p> <p>Utensils for eating and drinking will be provided by _____.* Bedding will be provided by _____.*</p> <p style="text-align: right;">Signature. _____ { N. B. If signed by a Broker or Agent, state on whose behalf.</p> <p>Date _____.</p> <p>[At end of this contract insert the victualling scale, which must in no case be less than required under the provisions of the Passengers Act.]</p>

\* Fill up these blanks by stating in each case, whether the articles are to be supplied by the ship or by the Passenger.

Deposit £\_\_\_\_\_.

Balance £\_\_\_\_\_, to be paid at \_\_\_\_\_.

Total £\_\_\_\_\_.

## SCHEDULE (C.) referred to in the 20th Section of this Act.

## FORM OF PASSENGER BROKER'S LICENCE.

A. B.\* of \_\_\_\_\_, in the \_\_\_\_\_, having shewn to the satisfaction of us, the undersigned Justices of the Peace, in \_\_\_\_\_ (Quarter or Petty.) Sessions assembled, that he hath duly given notice to Her Majesty's Colonial Land and Emigration Commissioners, of his intention to make application for a Licence to carry on the business of a Passage Broker, or Passage Dealer, in respect of passages to *North America*: We, the undersigned Justices, so assembled, as aforesaid, and having had no sufficient cause shewn to us why the said A. B. should not receive such Licence, do hereby Licence and authorise the said A. B. to carry on the business of a Passenger Broker, or Passage Dealer, as aforesaid, until the 31st day of December, in the year following the present year, unless this Licence shall be sooner determined by forfeiture for misconduct, on the part of the said A. B., as in the Passengers Act is provided.

Given under our respective hands and seals, this \_\_\_\_\_ day of \_\_\_\_\_, 18—, at \_\_\_\_\_.

\_\_\_\_\_, (L. S.)  
Justice of the Peace.  
\_\_\_\_\_, (L. S.)  
Justice of the Peace.

\* The names in full, with the additions and address of the party applying for the Licence, must be correctly inserted.

## SCHEDULE (D.) referred to in the 20th Section of this Act.

## FORM OF NOTICE to be given by Passage Broker to Her Majesty's Colonial Land and Emigration Commissioners.

Gentlemen,

I, A. B. of \_\_\_\_\_, in \_\_\_\_\_, do hereby give you notice, that it is my intention to apply, after the expiration of twenty-one clear days from the putting of this notice into the Post, to the Justices to be assembled in the \_\_\_\_\_ (Quarter or Petty.) Sessions, to be held for \_\_\_\_\_, for a Licence to carry on the business of a Passenger Broker, or Passage Dealer, in respect of passages to *North America*.

Signature, \_\_\_\_\_  
Date, \_\_\_\_\_

To Her Majesty's Colonial Land  
and Emigration Commissioners.

N. B.—The names in full, with the additions and address of the party, must be here correctly inserted.

N. B.—Name the place or District in which the party giving the notice resides.

SCHEDULE (E.)



## SCHEDULE (E.) referred to in the 21st Section of this Act.

FORM OF NOTICE to be given to Her Majesty's Colonial Land and Emigration Commissioners, of forfeiture of Passage Broker's Licence.

Gentlemen,

This is to give you notice, that the Licence granted on the \_\_\_\_\_ day of \_\_\_\_\_, 18—, to A. B.— [The names in full, with the additions and address of the party, to be here inserted.] of \_\_\_\_\_, in \_\_\_\_\_, to act as a Passage Broker or Passage Dealer, was, on the \_\_\_\_\_ day of \_\_\_\_\_, now last past, duly declared by us, the undersigned Justices of the Peace in Petty Sessions assembled, to be forfeited. [Here state the reason of forfeiture.]

Signatures. \_\_\_\_\_,  
\_\_\_\_\_

Date \_\_\_\_\_.

To Her Majesty's Colonial Land and  
Emigration Commissioners, }  
London.

*Charles Bagot.*

Timber duties.

The Governor-General transmits herewith, for the information of the House of Assembly, a copy of a Despatch, (No. 12, 1st October, 1841.) which he has received from the Secretary of State for the Colonies, communicating the answer which Her Majesty has been pleased to direct to be returned to the joint Address of the Provincial Legislature, passed during the last Session, on the subject of the duties levied on Timber in the United Kingdom; together with an extract containing the substance of a further Despatch (30th June, 1842.) from the Secretary of State, explaining the grounds on which the new arrangement of these duties was adopted.

Government House,  
Kingston, 30th September, 1842.

(Copy.)  
No. 12.

Downing Street,  
1st October, 1841.

Sir,

I have received Lord *Sydenham's* Despatch, No. 110, of the 26th August, enclosing joint Addresses to the Queen, the House of Lords, and the House of Commons, from the Legislative Council and Legislative Assembly of *Canada* on the subject of the Timber duties.

I have had the honor to lay before the Queen the Address to Her Majesty, and Her Majesty has commanded me to instruct you to inform the Council and Assembly, that it will be referred for the consideration and report of the Lords of the Committee of Her Privy Council for Trade. The result of their Lordship's deliberations on this important subject, when notified to me, will be communicated to you, for the information of the Provincial Legislature.

The Petition to the House of Lords will be presented by the Earl of *Ripon*; that to the House of Commons has already been presented by Mr. *Hope*.

I have, &c.

*Stanley.*

Extract of a Despatch from Lord *Stanley* to the Governor-General, dated *Downing Street*, 30th June, 1842.

No. 186.

"It is the belief of Her Majesty's Government, confirmed by the discussions in Parliament, and with the Trade, that the new arrangement of duties is one which will not inflict on the capital and Trade of the Merchants and Lumberers of *Canada* generally, the injuries which they appear to apprehend.

"The prices of Colonial Timber in this Country before the publication of the Tariff, not being such as to pay the expenses of the importer, or as to permit the trade to be carried on upon its late scale, Her Majesty's advisers judged that nothing was so desirable for the producing interest in *Canada*, as a

"revival of demand through the general improvement of Trade. Timber duties.

"With this view, these producers have, in common with other producers, being called upon to surrender a part of their protection, but they are favourably distinguished from other producers in the compensation they will receive from the simultaneous reduction of the duty on their wood to a nominal rate, being thereby virtually freed from any expenses and restrictions upon importation, and also admitted to an equal competition with the wood grower of this Country.

"With respect to the delay prayed for in making the alteration, I have to observe, that Her Majesty's Government have been exposed to continual and urgent solicitations, that they would give yet more speedy effect to the change than they have proposed; and that in the actual state of commerce, they are convinced that the result of any longer delay, would infallibly have been to paralyze the Trade and limit employment in this Country without any benefit to *Canada*, by the maintenance of prices, which would still, in all probability, have tended steadily downwards."

*Charles Bagot.*

The Governor-General informs the House of Assembly that he has, in compliance with the prayer of their Address, issued his warrant in favour of *William Burns Lindsay*, Esquire, the Clerk of the House of Assembly, for the sum of £6,000 currency, towards defraying the current expenses of the House for the present Session; the House having undertaken to make good the same. Contingencies.

Government House,  
Kingston, 30th September, 1842.

Ordered, That two hundred and fifty copies of the Despatch on the subject of the Timber Duties be printed in each of the English and French languages, for the use of the Members of this House. Timber duties.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Mr. Speaker,

The Legislative Council have passed the Bill, intitled, "An Act to restore, for purposes relative to the election of Members of the Legislative Assembly, the ancient boundaries and limits of the cities of *Quebec* and *Montreal*," without any amendment. Quebec and Montreal boundaries.

And also,

The Legislative Council have passed the Bill, intitled, "An Act to amend certain Acts therein mentioned, relative to the establishment of Mutual Insurance Companies, in *Canada East*," with several amendments, to which they desire the concurrence of the Assembly. Mutual Insurance Companies.

And also,

A 2

Legislative

Legislative Council,  
30th September, 1842.

*Ordered*, That the Master in Chancery do go down to the Legislative Assembly, and acquaint that House, that the Legislative Council do give leave to the Honourable Mr. *Alexander Fraser*, to go before the Select Committee of the Legislative Assembly, to which is referred the Petition of *George MacDonell*, and others, on the subject of the Military Road of the *Eastern and Ottawa* Districts, on Saturday next, at ten o'clock a. m. to give evidence on the subject of the said reference, if he think fit.

Attest,

*Charles deLéry*,  
Dy. Clk. Leg. Council.

And then he withdrew.

On motion of Mr. *Simpson*, seconded by the Honourable Mr. *Moffatt*,

*Ordered*, That the Message of His Excellency, the Governor-General, relative to the appointment of a "Military Engineer to inspect, report, or superintend, the construction of the *St. Lawrence* Canal, specially," be referred to the Special Committee to which were referred the documents laid before the House on the twentieth instant, by command of His Excellency, the Governor-General, relating to the *Beauharnois* Canal.

*Ordered*, That one hundred copies of the said Message, with the extracts on the subject of the appointment of an Engineer, be printed for the use of the Members of this House.

A Bill to repeal certain Ordinances therein mentioned, relative to the establishment of a system of Police in *Canada East*, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

A Bill to repeal certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relative to the administration of Justice, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

An engrossed Bill from the Legislative Council, intituled, "An Act to amend the Usury Laws," was, according to order, read a second time.

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

*Ordered*, That Mr. *Boulton*, Mr. *Cartwright*, Mr. *Quesnel*, Mr. *Roblin*, the Honourable Mr. *Hincks*, the Honourable Mr. *Viger*, and Mr. *Dunlop*, do compose the said Committee.

A Bill to regulate the Salmon Fisheries in the District of *Gaspé*, was, according to order, read a second time.

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

*Ordered*, That Mr. *Hamilton*, Mr. *Christie*, Mr. *Dunlop*, the Honourable Mr. *Neilson*, and Mr. *Taschereau*, do compose the said Committee.

A Bill to incorporate the Town of *Niagara*, and to establish a Police therein, was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, to-morrow.

An engrossed Bill from the Legislative Council, intituled, "An Act to authorise the Courts of Queen's Bench and Chancery to admit *William Vynne Bacon*

"to practise therein as Attorney and Solicitor, respectively," was, according to order, read a second time.

*Ordered*, That the said Bill be referred to a Committee of the whole House, on Monday next.

The order of the day, for the House in Committee on the Bill to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Simpson* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the report be received, to-morrow.

The order of the day for the House in Committee on the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and for other purposes relating to the same, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Derbshire* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the report be received, to-morrow.

*Ordered*, That the Honourable Mr. *Harrison* have leave to bring in a Bill to continue, for a limited time, certain Acts and Ordinances, and to extend the provisions of one of the Ordinances so extended.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

On motion of Mr. *Morris*, seconded by Mr. *Boswell*, *Ordered*, That the orders of the day that have not been disposed of, be postponed until to-morrow.

Then on motion of Mr. *Morris*, seconded by the Honourable Mr. *Hincks*,  
The House adjourned.

*Sabbati, 1<sup>o</sup> die Octobris.*

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

11<sup>o</sup> hora a. m.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. *Delisle*, the Petition of the *Montreal* Board of Trade.

By Captain *Steele*, the Petition of *John* and *James Wright*, of *Orillia*, county of *Simcoe*; the Petition of *Joseph Thompson*, and others, of the township of *Brock, Home* District, relating to Agriculture; and the Petition of *Joseph Thompson*, and others, of the township of *Brock, Home* District, relating to a road.

An engrossed Bill to repeal certain Ordinances therein mentioned, relative to the establishment of a system of Police, in *Canada East*, was read for the third time.

*Resolved*,

Petition of  
George  
McDonell,  
and others.

Military  
Engineer, Saint  
Lawrence Canal.

Police, Canada  
East.

Administration  
of Justice.

Usury Laws.

Salmon Fish-  
eries, Gaspé.

Niagara  
Incorporation.

Bacon's relief  
Bill.

Freedom of  
Elections.

Measurement  
of Timber.

Ordinance to  
be extended.

Orders of  
the day.

4 Petitions  
brought up.

Police, Canada  
East.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.

Administration  
of Justice.

An engrossed Bill to repeal certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relative to the administration of Justice, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read:

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

Owen McMahon,  
and others.

Of *Owen McMahon*, and others, of the town of *Picton*, praying an aid for the improvement of the Harbour of the said town.

R. Jones,  
and others.

Of *R. Jones*, and others, of the county of *Missisquoi*, praying for a protecting duty on American produce introduced into this Province.

Wm. Dixon,  
and others.

Of *William Dixon*, and others, Messengers of the Legislative Assembly, praying that they may receive an annual salary in lieu of a daily allowance.

Muni. Council,  
Gore District.

Of the Municipal Council of the *Gore* District, praying for certain amendments to the law regulating macadamized roads.

On motion of Mr. *Yule*, seconded by Mr. *Duncomb*,

Mutual  
Insurance.

*Ordered*, That the amendments made by the Legislative Council, to the Bill intituled, "An Act to amend certain Acts therein mentioned, relative to the establishment of Mutual Insurance Companies, in *Canada East*," be now taken into consideration.

The House proceeded accordingly, to take the said amendments into consideration.

And the said amendments were read, and are as followeth:

Press 1, line 21.—Leave out "county" and insert, "counties."

Same line.—After "*Chambly*" insert, "*Leinster, Ottawa, Vaudreuil, and Missisquoi*."

In preamble, line 8.—After "Petition" insert, "and to extend the provisions thereof, to the other counties hereinafter mentioned."

And the said amendments being again read, they were agreed to by the House.

*Ordered*, That Mr. *Yule* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

French Journals.

On motion of Mr. *Parent*, seconded by Mr. *Quesnel*, *Ordered*, That two hundred copies of the Journal, and Appendix of this House, be printed in the French language for the use of the Members thereof, in lieu of one hundred copies which were ordered to be printed during the last Session.

Report on British  
Fire and Life  
Assurance  
Com'y.

Mr. *Boulton* from the Special Committee, to which was referred the Petition of the *British America* Fire and Life Assurance Company, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:

"Your Committee after having maturely examined the contents of the Petition referred to them, have come to the unanimous opinion that the prayer thereof should be granted."

*Resolved*, That this House, doth concur with the Special Committee in the said Report.

*Ordered*, That Mr. *Boulton* have leave to bring in

a Bill, to extend the powers of the *British America* Fire and Life Assurance Company, to Marine Assurances.

He accordingly presented the said Bill to the House; and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *Parke*,

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of repealing certain Acts and Ordinances of the Legislature of *Lower Canada*, and to remove doubts as to the repeal of certain others.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Durand* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is expedient, to repeal certain Acts and Ordinances of the Legislature of *Lower Canada*, and to remove doubts as to the repeal of certain others.

*Ordered*, That the Honourable Mr. *Harrison* have leave to bring in a Bill, to repeal certain Acts and Ordinances of the Legislature of *Lower Canada*, and to remove doubts as to the repeal of certain others.

He accordingly presented the said Bill to the House; and the same was received and read for the first time, and ordered to be read a second time, on Tuesday next.

On motion of Mr. *Boulton*, seconded by Mr. *Christie*, *Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a Return of the names of all persons to whom any Pension has been granted during the years 1839, 1840, 1841, 1842, with the date of each grant, and the occasion of granting the same, and the amount thereof, and also the age of the person receiving such Pension at the time of such grant, and the period for which the same has been granted.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Simpson*, from the Committee of the whole House, on the Bill to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Mr. *Derbshire*, from the Committee of the whole House, on the Bill to regulate the Inspection and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and for other purposes relating to the same, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

The Honourable Mr. *Moffatt* moved, seconded by Mr. *Simpson*, That the following clause be added to the said Bill, and do follow the thirty-first clause thereof:

"Provided

"Provided always, and be it enacted, That nothing in this Act shall extend to the port of *Montreal*, or to any place within the same, or to any lumber arriving in the said port, or shipped for exportation by sea, from the same, any thing in any of the foregoing clauses to the contrary notwithstanding."

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

## YEAS.

*Armstrong, Burnet, Child, DeWitt, Forbes, Hamilton, Jones, Kimber, J. S. Macdonald, Moffatt, Morris, Powell, Simpson, Sherwood, Thompson, and Yule.* (16.)

## NAYS.

*Barthe, Berthelot, Black, Boutillier, Boulton, Cameron, Christie, Dunlop, Durant, Foster, Hale, Harrison, Hincks, Hopkins, Leslie, D. McDonald, Moore, Noel, Papineau, Roblin, Hermannus Smith, Steele, Taschereau, D. B. Viger, and L. M. Viger.* (25.)

So it passed in the negative.

Mr. *Cameron* moved, seconded by Mr. *Christie*, That the said Bill, as amended, be engrossed.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

## YEAS.

*Armstrong, Barthe, Berthelot, Boutillier, Cameron, Child, Christie, DeWitt, Durant, Foster, Harrison, Hincks, Hopkins, Kimber, Leslie, Sir Allan N. MacNab, D. McDonald, J. S. Macdonald, Moore, Morris, Noel, Papineau, Powell, Hermannus Smith, Sherwood, Steele, Taschereau, Thompson, D. B. Viger, and L. M. Viger.* (30.)

## NAYS.

*Black, Burnet, Boulton, Forbes, Jones, Neilson, Simpson, and Yule.* (7.)

So it was carried in the affirmative; and,  
*Ordered* accordingly.

The Honourable *Francis Hincks*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor-General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:

*Charles Bagot.*

The Governor-General submits to the House of Assembly, that in order to enable Her Majesty to meet the necessary and indispensable expenses of the Government of this Province, from the 1st January to the 31st March, 1843, not otherwise provided for, there be advanced a sum of twenty-five thousand pounds, Sterling, to be accounted for in detail at the opening of the ensuing Session of the Legislature.

Government House,  
*Kingston*, 1st October, 1842.

The Honourable Mr. *Hincks*, from the Select Committee to which were referred the Message of His Excellency, the Governor-General, accompanying the Estimates for the year 1842, together with the documents connected therewith, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

"That your Committee have taken into consideration the Message of His Excellency, the Governor-General, and the accompanying Estimates for sums required for the service of the year ending 31st December, 1842, and not otherwise provided for; and also the notification made on the part of the Executive Government, that the present Session is to be of short duration:

"Your Committee have come to the conclusion that it is impracticable to complete a full investigation of the whole financial affairs of the Province, and the particular items of the aforesaid Estimates, and have therefore agreed to the following Resolutions, with a view of enabling the Government to meet the neces-

sary and unavoidable expenditures up to the close of the first quarter of the ensuing year; which Resolutions your Committee beg to recommend for the adoption of your Honourable House.

"*Resolved*, That in order to enable Her Majesty to meet the necessary and indispensable expenses of the Government of this Province for the year 1842, not otherwise provided for, there be advanced a sum of seventy-five thousand pounds, Sterling, to be accounted for in detail at the opening of the ensuing Session of the Legislature.

"*Resolved*, That there be advanced to Her Majesty, for a like service, from the 1st of January to the 31st March, 1843, the sum of twenty-five thousand pounds, Sterling, to be accounted for, as aforesaid."

*Ordered*, That the said Report be referred to the Committee of Supply, on Monday next.

*Ordered*, That the Message of His Excellency, the Governor-General, with the accompanying Report of Dr. *Rolph*, Agent for Emigration, be referred to the said Committee.

The order of the day for the House in Committee, on the Bill to incorporate the town of *Niagara*, and to establish a Police therein, being read,

On motion of the Honourable Mr. *Viger*, seconded by Mr. *Boulton*,

*Ordered*, That the said order of the day be discharged.

The order of the day for the House in Committee, to take into consideration the expediency of amending an Act passed in the last Session of the Legislature, "For the disposal of Public Lands," being read, The House accordingly resolved itself into the said Committee.

Mr. *Boutillier* took the chair of the Committee; and after some time spent therein.

Mr. Speaker resumed the Chair,

And Mr. *Boutillier* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is expedient to amend the Act passed in the last Session of the Legislature, 4 & 5 *Victoria*, Chapter 100, for the disposal of Public Lands.

*Ordered*, That Mr. *Christie* have leave to bring in a Bill to explain an Act therein mentioned, relating to the disposal of Public Lands, and to prevent, in *Lower Canada*, the surreptitious sale of Lands possessed by right of occupancy and improvement, as personal goods, by the Sheriffs.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

The order of the day for the House in Committee, on the Bill to extend the time allowed by the Ordinance therein mentioned, for the registration of certain charges or incumbrances on real estate, being read, The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Dunlop* reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

The order of the day for the House in Committee on the Bill to provide for the detention and conveyance to Gaol, of debtors, in certain cases, within *Canada West*, being read,

The

£75,000 sterling.  
to be advanced.

And £25,000.

Emigrant Agent.

Niagara  
Incorporation.

Public Lands.

Registration Bill.

Debtors'  
detention.

£25,000 est. ed.

Report of Select  
Committee on  
Estimates.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair.

Petition of  
Mrs. Bouchette.

The order of the day, for the House in Committee, on the Report of the Special Committee to which was referred the Petition of Mrs. *Adelaide Bouchette*, of *Quebec*, widow of the late *Joseph Bouchette*, Surveyor-General, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Watts* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received, on Monday next.

Petition of  
Wm. Ross,  
and others.

The order of the day, for the House in Committee, on the Report of the Select Committee to which was referred the Petition of *William Ross*, and others, being read,

*Ordered*, That the said order of the day be postponed, until Monday next.

Petition of  
George S. Boulton,  
Esq.

The order of the day, for the House in Committee, on the Report of the Special Committee to which were referred the Petition of *George S. Boulton*, Esquire, of *Cobourg*, and the Petition of the President, Directors and Company, of the *Cobourg Harbour Company*, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Williams* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is expedient to authorise, by an Act of the Legislature of this Province, an extension of time for the re-payment of the loan of three thousand pounds to the *Cobourg Harbour Company*, to a period not exceeding five years.

*Ordered*, That Mr. *Boswell* have leave to bring in a Bill, to extend the time for the payment of the loan to the *Cobourg Harbour Company*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

Report on  
Printing.

The order of the day, for the House in Committee, on the First Report of the Standing Committee, appointed to superintend the Printing of this House, during the present Session, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Turcotte* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That this House doth concur with the Standing Committee, in the said Report.

Real Estate,  
Canada West.

The order of the day, for the House in Committee, on the Bill to afford relief, in certain cases, to sellers of Real Estate, in *Canada West*, being read,

*Ordered*, That the said order of the day be postponed, until Monday next.

VOL. 2

The order of the day, for the House in Committee, on the Bill to make provision for the management of the Temporalities of the United Church of *England* and *Ireland* in the Diocese of *Quebec*, in this Province, and for other purposes therein mentioned, being read, The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Hopkins* reported that the Committee had gone through the Bill, without making any amendment thereto; and the report was again read at the Clerk's table.

*Ordered*, That the said Bill be engrossed.

The order of the day for the House in Committee, on the Bill to incorporate a Company, under the style of "The *Quebec Gas Light and Water Company*," being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Boulton* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the report be received on Monday next.

The order of the day, for the House in Committee, on the Bill to extend the Charter of the Commercial Bank of the *Midland District*, and to increase its Capital Stock, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Barthe* took the chair of the Committee; and after some spent therein,

Mr. Speaker resumed the Chair,

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

*Ordered*, That the said Committee have leave to sit again, on Monday next, and that it be then the first order of the day.

The order of the day, for the House in Committee, on the Bill to extend the Charter of the Bank of *Upper Canada*, and to increase the Capital Stock thereof, being read,

*Ordered*, That the said order of the day be postponed, until Monday next, and that it be then the second order of the day.

On motion of the Honourable Mr. *Draper*, seconded by Mr. *Taschereau*,

*Ordered*, That the engrossed Bill from the Legislative Council, intitled, "An Act to confirm certain Rules, Orders and Regulations, made by the Chief Justice and Judges of Her Majesty's Court of Queen's Bench, for *Canada West*," be read a second time, on Monday next.

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

The House adjourned, until Monday next, at eleven o'clock, a. m.

*Lunæ, 3o die Octobris.*

Anno 6o Victoriae Reginae, 1842.

11 horâ a. m.

MR. Speaker laid before the House, a general Statement of the affairs of the Canadian Branches of the Bank of British North America, received

received in conformity to an order of the House, of the 17th ultimo.

[For the said Statements, see Appendix (R.) at the end of this Volume.]

Mr. Killaly  
returned for  
Leader.

Mr. Speaker informed the House, that the Clerk of this House had received from the Clerk of the Crown in Chancery, a certificate of the Election of a Member for the town of *London*, in the room of the Honourable *Hamilton H. Killaly*, who, since his Election, hath accepted the Office of President of the Board of Works, of this Province.

And the said certificate was read, and is as followeth:—

Office of the Clerk of the Crown in Chancery,  
Kingston, 1st October, 1842.

Province of *Canada*.

This is to certify that, in virtue of a Writ of Election, dated the 12th day of September, last past, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer of the town of *London*, (*James Givens*, Esquire,) for the Election of a Member for the said town of *London*, in the room of the Honourable *Hamilton H. Killaly*, whose seat had become vacant by his acceptance of the Office of President of the Board of Works, of the Province of *Canada*, the Honourable *Hamilton H. Killaly* has been returned as duly elected, accordingly, as appears by the Return of the said Writ, dated the twenty-eighth day of September, last past, which is lodged of record in my Office.

*Felix Fortier*,

Clerk of the Crown in Chancery.

To *W. B. Lindsay*, Esquire,

Clerk of the Legislative Assembly.

The following Petition was brought up, and laid on the table:—

By the Honourable Mr. *Draper*, the Petition of the District Council of the *Ottawa* District.

1 Petition  
brot. up.

An engrossed Bill to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned, was read for the third time.

The Honourable Mr. *Harrison* moved, seconded by the Honourable Mr. *Hincks*, That the Bill do pass, and the title be, "An Act to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned."

The Honourable Mr. *Draper*, moved in amendment, seconded by Sir *Allan N. MacNab*, That the said Bill be re-committed to a Committee of the whole House, for the purpose of being amended, by adding the following clauses:

"And whereas it is expedient to provide for the registration of the names of persons having the right by law to vote at the Election of Members of the Provincial Parliament, for the several cities, towns, and boroughs, in this Province, entitled to send Members to such Parliament, and also of those having the like right in the several counties and ridings in that part of this Province heretofore composing the Province of *Upper Canada*, and in some of the counties of that part of this Province heretofore composing the Province of *Lower Canada*, and being in like manner entitled to send Members to such Parliament: Be it therefore enacted, That for each ward of every city, town, or borough, in this Province, entitled to send a Member or Members to the Provincial Parliament, and for every township in that part of this Province heretofore forming the Province of *Upper Canada*, two Assessors shall hereafter be appointed or elected in the same manner as one such Assessor is now by law appointed for any such ward or township.

"And be it enacted, That before the first day of March in each and every year, the Assessors for each of such wards and townships, and for every township

in the counties of *Sherbrooke*, *Stanstead*, *Shefford*, and *Missisquoi*, in *Lower Canada*, shall respectively make up, in duplicate, an alphabetical list of all the persons residing therein, and qualified to vote at Elections of Members to serve in the Provincial Parliament of this Province, in respect of property lying within such wards and townships, respectively, naming the lot, concession, street or locality, in which the property, in respect of which such Elector is so qualified, shall be situate; which list shall be made at the time when the assessments of rates are made, and shall be intitled, 'Original list of persons residing in the ward (or township) of ———, in the city (town or borough, county or riding, as the case may be.) of ———, qualified to vote at the Election for a Member (or Members, as the case may be.) to represent the city (town or borough, county or riding, as the case may be.) of ———, in the Provincial Parliament, in respect of property lying within the said ward, (or township, as the case may be.) of ———, in the city, (town, borough, county or riding, as the case may be.) aforesaid; and such Assessors of each of such wards and townships, respectively, shall, on or before the first day of March in each year, (or if such day be a Sunday, or other holy-day on which no business is usually transacted, then on the next day which shall not be so,) make oath before some Justice of the Peace, (who is hereby authorised to administer such oath,) that to the best of their knowledge and belief, such list is faithful and correct, and that they have not wilfully entered therein the name of any person not qualified to vote in the manner therein mentioned, nor omitted therefrom the name of any person qualified to vote, and that they have used due diligence in making the said list; and such oath shall be written at the foot of such list, and shall be signed by the Assessors, and attested by the Justice of the Peace before whom it shall be taken; and copies of such list shall be posted up by the said Assessors, or one of them, in not less than three of the most conspicuous places in such ward or township, on or before the day, aforesaid in each and every year, and remain so exhibited for public inspection, until the thirty-first day of the said month of March, inclusive.

Freedom of  
Elections.

"And be it enacted, That one of the duplicates of such original list shall remain at the office or residence of each of the Assessors by whom they shall have been respectively made, and shall, during the month of March, be open to the public at all reasonable hours, and on all days, except Sundays and other holy-days on which no business is usually transacted; and during the month of March, the Assessors, and each of them by whom such original list was made, respectively, shall receive the claims of all persons who being omitted from such original list, may deem themselves entitled to be entered therein, and the objections of all persons to the insertion of any name or names in such original list, and shall keep a list of such claims and objections, which shall be open to all persons, as aforesaid, during the said month of March; and in case the said Assessors shall have reason to believe, either upon the information of the party interested, or otherwise, that they have erroneously inserted or omitted any name in making out such list, it shall and may be lawful for such Assessors, and they are hereby required to amend such list, by inserting or striking out such name in or from such original list, at any time on or before the thirty-first day of the said month of March in each year; and upon that day, (or if it be a Sunday or other holy-day on which no business is usually transacted, then upon the next day thereafter which shall not be so,) and whether they shall have made any such amendments or not, such Assessors shall, respectively, make up, in duplicate, a second alphabetical list of all such persons so qualified, as aforesaid; which said second list shall be intitled, 'Amended list of persons residing in the ward (or township) of ———, in the city (town or borough,



Freedom of  
Elections.

'borough, county or riding, as the case may be,) of \_\_\_\_\_, and qualified to vote at the Election for a Member (or Members, as the case may be,) to represent the said city (town or borough, county or riding, as the case may be,) of \_\_\_\_\_, in the Provincial Parliament, in respect of property lying within the said ward (or township, as the case may be,) of \_\_\_\_\_, in the city, (town, borough, county or riding, as the case may be,) aforesaid; which said amended list shall be attested in the same manner as the said original list; and copies of such amended list shall be posted up by the said Assessors, or one of them, in the same places in which copies of the original list were respectively posted in each ward or township, on the first day of April in each year, (or if that day be a Sunday or other holy-day on which no business is usually transacted, then upon the next day thereafter which shall not be so,) and shall remain so exhibited for further public inspection until the thirtieth day of the said month of April, inclusive.

"And be it enacted, That one of the duplicates of such amended list shall remain at the office or residence of each of the Assessors by whom they shall have been respectively made, and shall, during the month of April, be open to the public at all seasonable hours, and on all days, excepting Sundays and other holy-days on which no business is usually transacted; and during the month of April, the Assessors, and each of them by whom such amended list was made, respectively, shall receive the claims of all persons who, being omitted from such amended list, may deem themselves entitled to be entered thereon, and the objections of all persons to the insertion of any name or names in such amended list; and shall keep a list of such claims and objections, as well as of the claims and objections which had been made to the said original list, and not allowed by such Assessors in making up such amended list; which list of claims and objections shall be open to all persons, as aforesaid, during the whole month of April, and copies thereof, attested by the signature of the said Assessors, shall, on the first day of May, (or if that day be a Sunday, or other holy-day on which no business is usually transacted, then upon the next day thereafter which shall not be so,) be posted up by the said Assessors, or one of them, in the same places in which copies of the said amended list to which it relates shall have been posted.

"And be it enacted, That the claims and objections hereinbefore mentioned shall in all cases be made in writing, and shall be signed by some Elector of the ward or township to which they relate, and shall state the grounds on which the claim or objection is founded.

"And be it enacted, That on the first day of May, in each year, each Assessor shall transmit the amended list of voters, and the list of claims and objections aforesaid, as well those made to the said original list and not allowed, as those made to such amended list, as aforesaid, attested under his hand, to one of the officers hereafter named, that is to say: In *Canada West*, such list shall be transmitted to the Clerk of the Division Court, for the locality in which the ward or township to which they relate shall lie; and in the cities of *Quebec* and *Montreal*, and the town of *Three Rivers*, to the Prothonotary of the Court of King's Bench, sitting in the said cities, respectively; in those parts of the District of *Montreal*, out of the city of *Montreal*, to the Clerk of the Court of Requests for the District, at the nearest place at which sittings of such Court are held; in the town of *Sherbrooke*, to the Clerk of the Provincial Court of the District of *St. Francis*; and in those parts of the District of *St. Francis* other than the said town, to the Clerk of the Circuit of the said Provincial Court, within which the locality to which the list relates is situate.

"And be it enacted, That the Assessor who shall have received any such claims or objections, shall, within four days after the amended list shall have

been transmitted by him, as provided by the sixth section of this Act, give a written notice to the claimant or objector and also to the person whose right is objected to, that the claim or objection, as the case may be, has been transmitted for adjudication, and of the day and place appointed for the hearing and adjudging upon the same; and such notice shall be served either by personally delivering the same to the party, or by leaving the same at the place of abode of such person within the ward or township to which such list relates, or if such person shall have no place of abode in such ward or township, then by posting the same up in the same places in which the copies of the amended list were posted.

"And be it enacted, That in case of death or incapacity of any Assessor, prior to his having performed the duties by this Act required of him, such duties shall be performed or completed by the surviving Assessor.

"And be it enacted, That it shall be the duty of the Judge of the Division Court, or of one of the Judges of the Court of King's Bench, sitting in Inferior Term, or of the Commissioner of the Courts of Requests, or of the Provincial Judge of the said District of *St. Francis*, respectively, at the next sitting of the said Courts, and Term respectively, on or after the first day of June, in each year, to examine and revise the said amended lists, and to hear and decide upon all such claims and objections, as aforesaid.

"And be it enacted, That upon the days upon which such examination, as aforesaid, is to be had, the Judge or Commissioner, aforesaid, respectively, shall first examine the amended list of voters prepared by the Assessors, and shall compare the same with the list of objections, and opposite to each name on such amended list to which he shall find that no objection has been made, he shall write the word "Admit," and mark it with his Initials.

"And be it enacted, That when the Judge or Commissioner, respectively, shall have gone through all the names to which no objection shall have been made, he shall proceed in a summary manner to hear the parties or their Agents, for or against whom claims or objections have been made, as aforesaid, and the evidence advanced in support of or against each claim or objection, and shall insert, leave, strike out, or omit, in or from the said amended list, the name of any such party, according as he shall be of opinion that such party is or is not entitled to be an elector for the place: and the decision of such Judge or Commissioner, respectively, shall be final and conclusive, subject only to the decision of the Legislative Assembly, or any Committee thereof, appointed to try a contested election upon the right of any such voter or voters.

"And be it enacted, That so soon as the Judge or Commissioner shall have finally adjudged upon all such claims and objections, it shall be the duty of the Clerk of the Court to make out three alphabetical lists of such voters, as finally settled by such Judge or Commissioner, respectively, which list shall be intitled, "Register of persons residing in the ward (or township) of \_\_\_\_\_, in the city, (town or borough, county or riding, as the case may be) of \_\_\_\_\_, and qualified to vote at the Election of a Member (or Members as the case may be) to represent the city (town or borough, county or riding, as the case may be) of \_\_\_\_\_, in the Provincial Parliament, in respect of property lying within the said ward, (or township, as the case may be) of \_\_\_\_\_, in the city (town or borough, county or riding, as the case may be,) aforesaid;" one of the parts of which register shall be kept filed in the office of such Clerk; one of them shall be transmitted by him to the office of the Sheriff of the District in which the city, town, borough, county or riding, to which it relates, shall be situate, and one of them to the ward or town Clerk of the ward or township to which

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which it relates, and shall remain in their offices, respectively, for public inspection, gratis.

"And be it enacted, That in each and every city, town and borough, county and riding, to which the provisions of this Act extend, no more than one day's polling shall be allowed in the several wards or townships in such cities, towns, boroughs, counties and ridings, respectively, at any election of a Member or Members to serve in the Provincial Parliament for such city, town, borough, county or riding, instead of two days for such polling.

"And be it enacted, That if any election shall take place before the first day of January, in the year of our Lord one thousand eight hundred and forty-three, such election shall, in all cases, be held and conducted without regard to so much of this Act as relates to the list and registration of voters, and as if so much of this Act as relates thereto had not been passed.

"And be it enacted, That in all elections for any of the cities, towns, boroughs, counties and ridings, to which the provisions of this Act extend, which shall take place after the said first day of January, in the year of our Lord one thousand eight hundred and forty-three, every qualified person, whose name shall appear in the registers made out under the authority of this Act, for the several wards or townships in such city, town, borough, county and riding, next before the day of the teste of the writ of election, and none other, shall be entitled to vote at such election; and it shall not be competent to enquire, on that occasion, into any other facts except those of the party tendering the vote, being truly the individual mentioned in the said register, and of his not having previously voted at that election: Provided always, that the enquiry into these facts shall, on such occasion, be confined to the putting to the person so tendering his vote, (if the Deputy Returning Officer shall be required to do so, by or on the behalf of any Candidate, or by any Elector of such ward or township,) an oath (or if he be one of those allowed by law to affirm instead of swearing, in civil cases, then a solemn affirmation,) in the form of the Schedule B. to this Act annexed; and it shall not be competent at any such poll for such election, to put to any registered voter any other oath or affirmation whatsoever, except only the oath or affirmation against bribery, which, if required on the part of any Candidate, or by any Elector of such ward or township, shall be put by the Deputy Returning Officer, in the form of the Schedule C. to this Act annexed.

"And be it enacted, That it shall be the duty of each Clerk of a Court, at which any register of Electors shall have been made under the authority of this Act, to deliver, upon demand made personally at the office of such Clerk, by any Returning Officer, such certified copies of the corrected lists of voters for each and every ward and township within the jurisdiction of such Court, as such Returning Officer shall require.

"And be it enacted, That if any Judge, Provincial Judge, District Judge, Commissioner, Clerk of a Division Court or other Court, city or town Clerk, or person acting as such, Returning Officer, Deputy Returning Officer, or any person whatsoever, shall wilfully contravene or disobey the provisions of this Act, or any of them, with respect to any matter or thing which they are respectively required to do, he shall for such offence, be liable to be sued in any Court of competent civil jurisdiction, by any Registered Voter, Candidate, Member actually returned, or other party aggrieved, for the penal sum of one hundred pounds; and the Court or Jury before whom such action shall be tried, may award or find a verdict for the full sum of one hundred pounds, or for any less sum which the said Court or Jury shall think it just that the defendant should pay to such plaintiff;—and the defendant in such action shall, if judgment be given against him, pay the penal sum so awarded,

with full costs of suit, to the party who may sue for the same, without prejudice, however, to the right of any party aggrieved by the misconduct of any Returning Officer, or Deputy Returning Officer, to recover such damages for a false return as he may be entitled to at common law, or by virtue of any statute now in force: Provided always, that every action brought under the provisions of this section, shall be commenced within four calendar months next after the cause of action has arisen, and that notice in writing shall be given to the defendant at least one calendar month before the commencement of any such action, signed by the party bringing the same, or his agent, and setting forth the place of abode of the party signing such notice, and of the party bringing such action: Provided also, that any such defendant against whom any judgment shall have been recovered in any such action, shall be allowed to plead such judgment, as a bar to any other action which may be brought against him for the same matter or thing, and such other action being thereupon dismissed, such defendant shall recover his full costs thereof.

"And be it enacted, That by the word 'township' in this Act, shall be understood as well any township as any reputed township or union of townships, entitled to elect a township Officer; and the word 'ward' shall be understood to mean as well any ward of any city or town, as the whole of any town which shall not be then divided into wards; and in and for the borough of *Three Rivers*, and the town of *Sherbrooke*, respectively, Assessors shall be elected for the purposes of this Act, in the same manner, and under the same provisions, in and under which Assessors may be appointed for any township within the Municipal District, within which such borough or town is situate.

"And be it enacted, That no misnomer or inaccurate description of any person or place, in any writing made in the form of any Schedule to this Act annexed, or in any list, register or notice, made under the authority of this Act, shall in any way prevent or abridge the operation of this Act, provided such person or place shall be so designated in such writing, list or register as to be commonly understood as the person or place thereby intended.

"And be it enacted, That the words, "Governor of this Province," whenever they occur in this Act, shall be understood to include as well the Governor, as the Lieutenant Governor or other person administering the Government of this Province, for the time being.

"SCHEDULE A.—Part First.

"County, (riding, city, borough or town,) of ———, I, E. Y. object to the claim of A. B. to be admitted (or to continue on the roll) as a voter for the county, (riding, city, borough or town,) of ———, on the following grounds; (here may be stated shortly the ground, as property or occupancy not of sufficient value;—that the party is not, or has ceased to be proprietor, tenant or occupant; that he is personally disqualified, as being a minor, an Officer of the Customs, &c.,) and I crave to be heard on the said objection before the District Judge, (or as the case may be.)

(Signed.) E. F.

"Date

"SCHEDULE A.—Part Second.

"Objections to the insertion of the name of ———, on the list of voters lodged with me G. H. assessor: this ———, day of ———

(Signed.) G. H.

"SCHEDULE B.

"I, A. B. do swear (or solemnly affirm,) that I am the individual described in the register for ———, as a voter for ———, (here insert a description in the same words as contained in the register) and that I have not already voted at this Election, either at this polling place or any other.

"SCHEDULE

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" SCHEDULE C.

"I, A. B. do solemnly swear (or solemnly affirm) that I have not received, or had by myself or any person for my use or benefit, any sum or sums of money, office, place or employment, gift or reward, or any promise or expectation of any money, office, gift, place, employment or reward, in order to give my vote at this election."

SCHEDULE D. No. 1.—For Counties or Ridings.—Form of a Register or List of Voters. County (or Riding) of—

No.	Date of Registering.	Name.	Calling.	Proprietor or Tenant.	Description of Property, Land, House, &c.	Remarks.

SCHEDULE E. No. 2.—For Cities or Boroughs.—Form of a Register or List of Voters. City (Town or Borough) of—

No.	Date.	Name.	Calling.	Proprietor or Tenant.	Description of the Property.	Street, Lane, or other place of Residence.	Ward, or other Division.

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

Boulton, Draper, Dunscomb, Forbes, Hale, Jones, Sir Allan N. MacNab, McLean, Moffatt, Simpson, and Thompson. (11.)

NAYS.

Armstrong, Berthelot, Boswell, Boutillier, Burnet, Cameron, Child, Christie, Cook, DeWitt, Dunlop, Dunn, Durand, Foster, Gilchrist, Hamilton, Harrison, Hincks, Hopkins, Leslie, D. McDonald, Moore, Morris, Neilson, Papineau, Powell, Quesnel, Roblin, Taché, Taschereau, Turgeon, D. B. Viger, L. M. Viger, and Williams. (34.)

So it passed in the negative.

The question being then put on the main motion, viz: That the Bill do pass, and the title be, "An Act "to provide for the freedom of Elections throughout "this Province, and for other purposes therein men- "tioned," a division again ensued, and the names being called for, they were taken down, as followeth:

YEAS.

Armstrong, Berthelot, Boswell, Boutillier, Burnet, Boulton, Cameron, Child, Christie, Cook, Delisle, DeWitt, Dunlop, Dunn, Durand, Foster, Gilchrist, Hamilton, Harrison, Hincks, Hopkins, Leslie, D. McDonald, Moore, Morris, Neilson, Papineau, Parent, Powell, Quesnel, Roblin, Harmannus Smith, Taché, Taschereau, Turgeon, D. B. Viger, L. M. Viger, Williams, and Woods. (39.)

NAYS.

Cartwright, Dunscomb, Forbes, Hale, Jones, Sir Allan N. MacNab, Moffatt, and Simpson. (8.)

So it was carried in the affirmative, and,

Resolved, accordingly.

Ordered, That the Honourable Mr. Harrison do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to extend the time allowed by the Ordinance therein mentioned, for the registration of certain charges or incumbrances on Real Estate, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to extend the time allowed by the Ordinance therein mentioned, for the registration of certain charges or incumbrances on Real Estate, and to repeal certain parts thereof."

Ordered, That the Honourable Mr. Jones do carry the said Bill to the Legislative Council, and desire their concurrence.

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

Of John Heath, junior, and others, of the township of Townsend, setting forth the evils resulting in that township from the operation of the Act establishing Boards of Boundary Line Commissioners, and praying that the said Act may be allowed to expire. John Heath, and others.

Of James Lyons, and others, Inhabitants of the township of Hamilton, praying that certain steps be taken for the destruction of the "Canadian Thistle" in this Province. James Lyons, and others.

Of the Montreal Board of Trade, praying that such measures be adopted, that vessels, passing from the western to the eastern ports of the Province, be not compelled to report at the Custom House, at Coteau du Lac, except when unloading there. Montreal Board of Trade.

Of John and James Wright, of Orillia, county of Simcoe, praying for certain amendments to the Militia Law of Canada West. John and James Wright, of Orillia.

Of Joseph Thompson, and others, of the township of Brock, Home District, praying for a protecting duty on American produce introduced into this Province. J. Thompson, and others.

Of Joseph Thompson, and others, of the township of Brock, Home District, praying an aid for a road. Ditto.

Ordered, That the Petition of William Dixon, and others, Messengers of the Legislative Assembly, presented to the House on the twenty-ninth of September last, be referred to the Special Committee on the Contingent Accounts and Expenses of this House during the present Session. Petition referred; William Dixon, and others.

Ordered, That two hundred and fifty copies of the Return to an Address of this House, relating to the surrender of Nelson Hacket, and of the documents accompanying the same, be printed in each of the English and French languages, for the use of the Members of this House. Nelson Hacket.

On motion of Mr. Delisle, seconded by Mr. Christie,

Resolved, That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of amending the Act of the late Province of Lower Canada, 6 Will. 4, cap. 24, in so far as relates to that part of the said Act which compels boats, going from Upper to Lower Canada, to report at Coteau du Lac. Boats to report at Coteau du Lac.

Ordered, That the Petition of the Montreal Board of Trade, be referred to the said Committee.

On motion of Mr. Christie, seconded by Mr. Armstrong,

Resolved, That this House will, to-morrow, resolve itself into a Committee of the whole House, on the Message of His Excellency, the Governor-General, of the twenty-fourth of September last, relating to the seat of Government. Seat of Government.

Ordered, That the Despatch from the Secretary of State for the Colonial Department, accompanying the said Message, be referred to the said Committee.

Mr. Watts, from the Committee of the whole House, on the Report of the Special Committee to which was referred the Petition of Mrs. Adélaïde Bouchette, Report on Petition of Mrs. Adélaïde Bouchette.

Registration, Real Estate.

of *Quebec*, widow of the late *Joseph Bouchette*, Surveyor-General, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That this House doth concur with the Special Committee, in the said Report.

On motion of Mr. *Burnet*, seconded by Mr. *Black*.

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, with a copy of the Report of the Special Committee to which was referred the Petition of the widow *Adélaïde Bouchette*, praying for relief.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Quebec Gas-light and Water Company Bill.

Mr. *Boulton*, from the Committee of the whole House, on the Bill to incorporate a Company under the style and title of "The *Quebec Gas Light and Water Company*," reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

An engrossed Bill to incorporate a Company under the style and title of "The *Quebec Gas Light and Water Company*," was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Black* do carry the said Bill to the Legislative Council, and desire their concurrence.

Foreign Wheat.

A Bill to impose a duty upon Foreign Wheat imported into this Province, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Boulton* reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received, to-morrow.

Certain Acts and Ordinances Bill.

A Bill to continue for a limited time certain Acts and Ordinances, and to extend the provisions of one of the Ordinances so extended, was, according to order, read a second time.

*Resolved*, That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *DeWitt* reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the report be received, to-morrow.

British America Fire and Life Assurance.

A Bill to extend the powers of the *British America Fire and Life Assurance Company* to Marine Assurances, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

Public lands Bill.

A Bill to explain an Act therein mentioned, relating to the disposal of Public Lands, and to prevent, in *Lower Canada*, the surreptitious sale of Lands possessed by right of occupancy and improvement, as personal goods, by the Sheriffs, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

A Bill to extend the time for the payment of the loan to the *Cobourg Harbour Company*, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

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

*Ordered*, That Mr. Speaker do issue his warrant to the Clerk of the Crown in Chancery, to make out a new writ for the Election of one Member to serve in the present Parliament for the Second Riding of the County of *York*, in the room and place of *George Duggan*, Esquire, whose Election and Return have been declared void.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery: Mr. Speaker.

The Legislative Council have passed the following Bills, without any amendment:

"An Act to amend the Act therein mentioned, relative to the desertion of Seamen, and others in the sea service."

"An Act to make the Law for vacating the seats of Members of the Legislative Assembly accepting office, uniform throughout this Province."

And also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly:

"An Act for better proportioning the punishment to the offence in certain cases."

"An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads, in that part of the Province formerly called *Lower Canada*."

And also,

The Legislative Council have passed the Bill, intitled, "An Act to afford relief to the estate of the late *Thomas Clarke*," to which they desire the concurrence of the Assembly.

And then he withdrew.

An engrossed Bill from the Legislative Council, intitled, "An Act to afford relief to the estate of the late *Thomas Clarke*," was read for the first time.

The order of the day, for the House in Committee, on the Bill to extend the Charter of the Commercial Bank of the *Midland District*, and to increase its capital stock, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Hamilton* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the report be received, to-morrow.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, presented to Mr. Speaker a Message from His Excellency, the Governor-General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:

*Charles Bagot*.

The Governor-General recommends to the House of Assembly, that they should take into consideration the propriety of awarding to *Charles Richard Ogden*, Esquire, late Attorney-General for *Canada East*, and to *John Davidson*, Esquire, late Commissioner of Crown Lands, a superannuation allowance, on their ceasing to hold their respective offices.

His Excellency, considering the length of time that these gentlemen have been employed in the public service

service, and the circumstances attending their retirement from it, would suggest the expediency of granting to Mr. *Ogden* a sum not exceeding £625 per annum, and to Mr. *Davidson* a sum not exceeding £500 per annum, to be enjoyed during life, unless hereafter they shall hold under the Government any office of equivalent or greater value within the Province.

Government House,  
Kingston, 3rd October, 1842.

The Honourable *D. Daly* laid before the House, by command of His Excellency, the Governor-General, A return to two addresses of the House of Assembly to His Excellency, the Governor-General, bearing date, respectively, the 19th September, 1842, praying His Excellency to lay before the House, a detailed statement of the moneys received by the Crown Land Agent in *Gaspé*, in the years 1835, '36, '37, '38, '39, '40, '41, and '42, on the sales of Crown Lands and Timber Licences, and the amounts remitted during the same period, shewing what balance, if any, is now due unto the Crown Officers by the said Agent; and also, a detailed statement of the Licences granted, and Timber cut, on Crown Lands in the County of *Bonaventure*, from the year 1835 to 1842, both years inclusive, by *Robert Ferguson*, *Arthur Ritchie*, and Company, *Peter and John Adams*, *William Hamilton*, *Hugh and John Montgomery*, *Peter and Donald Stewart*, *Peter Sutherland*, *William Cuthbert*, and Company, *Ralph Pritchard*, *James McCracken*, *John McDougal*, *William Carter*, *William McPherson*, and all others employed in Lumbering in the County of *Bonaventure*; also, of the moneys collected during the same period by the Land Agent for the District of *Gaspé*.

[For the documents accompanying the said Return, see Appendix (T.) at the end of this Volume.]

Also,

Return to an Address from the House of Assembly to His Excellency, the Governor-General, bearing date the 21st September, 1842, and praying for copies of all correspondence relating to the case of *J. Brack*, of *Wendover*.

By Command—

*D. Daly*,  
Secretary.

Secretary's Office, East,  
Kingston, 1st October, 1842.

“*Quebec*, February, 1842.

“May it please your Excellency:

“I have the honor to transmit, herewith, a letter which has been addressed to me by Mr. *John Brack*, a respectable farmer, setting forth a case of much hardship. The statements it contains are, of my own knowledge, correct.

“The land in question was purchased by the *Brack* family some twenty years ago, as part of the Seigniorship of *Courval*. By their labour they converted it from a lot of wild land into a farm of considerable value, and lived upon it, in the belief that their title was good, and that they were *censitaires* to the Seigniorship of *Courval*, until the year 1835. In that year they heard that the Crown claimed the lot, as part of the township of *Wendover*, and had it advertised for sale. *Brack's* letter sets forth his proceedings upon that occasion. From then to the present, he has been constantly harrassed by the Seigneur for Seigniorial dues, and will eventually be ruined, unless the Crown maintain its asserted claim, until the Courts of Judicature have finally determined to whom the land belongs. Although *Brack* has paid £100, he is perfectly ready to treat with whoever may be declared the lawful owner of the soil on which he has spent the labour of his life.

“Some time since, the case was referred to the Attorney-General, with instructions, as then understood, to defend the claim of the Crown, and the result was to have been made known to *Brack*. From the enclosed letter, however, it appears to have been overlooked, and the Crown Land is now seized, and for sale, as part of *Courval*. As there are papers of record in the offices of the Secretary East, and of the Commissioners of Crown Land, relating, fully, the particulars of this case, I shall conclude with the hope that your Excellency will, upon enquiring, find it deserving of immediate attention, and that it will be referred to the Solicitor-General, in communication with the Commissioners of Crown Lands, for the adoption of such steps as shall preserve *Brack* harmless in this litigation between the Crown and the Seignior of *Courval*.

“I have the honour to be, very respectfully,

“Your Excellency's

“Most obedient humble servant,

“(Signed.) *R. N. Watts.*”

“N.B. There being no Post Office in *Wendover*, any communication ought to be addressed to the care of Major *Menzies*, *Drummondville*, Eastern Townships, Lower Canada.

“*Wendover*, 15th January, 1842.

“Sir,

“I am exceedingly sorry to inform you, and I am sure you will also be sorry to learn, that your kind and friendly exertions on my behalf, last year, have not been able to save me from ruin; and as I have now no hope of relief but through your interference, I trust you will forgive me for troubling you with a second application on this most distressing subject. I do not really know how this relief is to be obtained. You are already acquainted with the peculiar hardships of the case; but, as I trust you may think it necessary to bring it under the notice of those who have the power of affording assistance, I hope you will approve of my recapitulating, in as few words as possible, the principal points which were submitted by you, last year, to the Attorney-General, on my behalf, and upon which he decided on an appeal to the Court, at *Quebec*. It is now nearly twenty years since my brother purchased the land in dispute, at a Sheriff's sale, for which he paid one hundred pounds. It was then understood to belong to the Seigniorship of *Courval*, and I went on with my improvements—was doing well—and had no dispute with the Seigneur until 1835, when my land was put up for sale, by the Commissioners of Crown Lands, as part of the township of *Wendover*. I immediately petitioned Lord *Aylmer*, and had barely time to receive his answer, which was an order to suspend “the sale, until relief could “be afforded.” In expectation of that relief, I refused to pay any more dues to Mr. *Hart*, the Seigneur, who immediately commenced an action against me, in which he failed, from some informality, and had to pay the costs. Meantime, the first Rebellion broke out, and was speedily followed by the second, during which nearly all legal proceedings were suspended. I sent my eldest son into the volunteer ranks, and had to keep watch over my stock, which was actually enumerated and marked for seizure by the Rebel Commissariat.

“When order had, in some degree, been restored, Mr. *Hart* re-commenced his action against me for rent. I applied to the Commissioners of Crown Lands, stating my inability to contend with a man like Mr. *Hart*, and requesting their advice. Their answer was a suggestion to place myself under the protection of Lord *Durham's* Proclamation, regarding squatters, with which I immediately complied; and I am now actually on their books as a squatter on Crown Lands. This, however, did not stop the action; and situated as I was, sued by the Seigneur for

*J. Brack*, of  
*Wendover*.

Moneys received  
by Crown Land  
Agent, in *Gaspé*.

Timber cut on  
Crown Lands in  
*Bonaventure*.

Moneys collected  
by Land Agent  
in *Gaspé*.

*J. Brack*, of  
*Wendover*.



J. Brack, of  
Wendover.

for rent, and liable to be sold out by the Crown, I could only again call on the Crown either to assist me or withdraw its claims, and leave me to settle with Mr. *Hart*, as I best could. To this application, the Commissioners of Crown Lands replied, that my application, having been laid before Lord *Sydenham*, his Lordship had directed my papers to be put in the possession of the Attorney-General. I thought I was now to have some rest; but I was mistaken. The action proceeded—judgment was awarded against me—and execution to follow. I then took the resolution to wait on you, at *Montreal*. You know the result: the Attorney-General entered an appeal, at *Quebec*, against the decision of the Court at *Three Rivers*, and I fully expected that the matter would, at last, be determined in my favour. But the Attorney-General left the Province for *Europe*, and either left no instructions to make the Crown a party to the suit, or his instructions have been misunderstood; and the consequence has been, that the case has been determined as between Mr. *Hart* and myself; and, although reversed in some trifling particulars, the decision has been against me, and execution ordered and effected. My land, for which one hundred pounds was originally paid, has been seized, and will, I suppose, be sold for the debt and costs. I have been forced to dispose of my stock, to keep them out of the way of legal distress; and I expect to be forced out of the house which I have lately built, and have no where else to go to.

"Assuredly, very good sir, this is not the sort of relief which Lord *Alymer* intended for me, nor can it be supposed that Lord *Sydenham* anticipated such a result when he placed the case in Mr. *Ogden's* charge. Mr. *Ogden* himself, could never have supposed that I was able to contend with Mr. *Hart*, unless the Crown was made a party to the cause.—Such, however, is the melancholy termination of the case, for it will be perceived that the Crown has never once appeared in it, and so by its interference, it commenced my ruin; and by its non-appearance has completed it.

"With regard to Mr. *Hart*, I cannot blame him for endeavouring by fair means to obtain and maintain what he supposes to be his right; but I cannot acquit him of dishonourable, not to say dishonest, intentions, accumulating, what I think must be considered, fraudulent charges, against me, having no foundation in justice. It is only necessary thus to allude to them, and to state that the sum for which judgment has been given, amounts only to £36 10 4, which he has swelled to the enormous sum of £342 19 0, by means of the charges above alluded to.

"Such, then, is a rapid view of this, to me, lamentable case. I have said that I cannot conjecture how relief is to be obtained, but I trust that you will once more have the goodness to attempt it in any way which you may think best; I have been thinking that, perhaps Mr. *Day* might act in absence of the Attorney General, in instituting a Crown suit against Mr. *Hart*; and I have also thought that Mr. *Daly* might give directions that Lord *Sydenham's* instructions might be carried into effect, as they seem to have been entirely overlooked. You will judge how far either of these measures might be preferable, or otherwise, to a Memorial or Petition, to His Excellency, the present Governor-General, founded on the circumstances of the case, which would certainly convey the idea of neglect in some of the Public Departments. I may conclude by adding, that in whatever way you may judge proper to dispose of this statement, I am ready to pledge my existence that it is the truth, the whole truth, and nothing but the truth.

"I remain,

"Sir, respectfully,

"Your obliged and humble Servant,

"*John Brack*,

"No. 23, 3rd, *Wendover*."

"Copy.

"Crown Land Office,  
"Kingston, 26th February, 1842.

J. Brack, of  
Wendover.

"Sir,

"I have the honour to enclose a Petition from *James Brack*, who is settled on lot No. 23, 3rd *Wendover*, returned to this Department as Crown property, but which it appears is claimed by Mr. *Moses Hart*, as part of his Seigneurie, of *Courval*. The Petitioner was referred to the Attorney General, by order of Lord *Sydenham*, on the 20th February, 1841. I am now to request of you to inform me, at your early convenience, if any relief can be afforded to Mr. *Brack*, and if so, in what manner.

"I have, &c.

"(Signed,) *John Davidson*."

"The Hon<sup>ble</sup>.

The Solicitor General,  
&c. &c. &c."

"Copy.

"Kingston, 5th March, 1842.

"Sir,

"I have the honour to report upon the letter of *Brack*, accompanied by one from *R. N. Watts*, Esquire, that I have instructed Mr. *Dumoulin*, Q. C. of *Three Rivers*, in consultation with Mr. *Burn*, the Counsel of Mr. *Brack*, to take certain proceedings for the protection of the rights of the Crown in lot No. 23, in the third concession of the township of *Wendover*.

"With respect to Mr. *Brack's* individual interests, I see nothing in his ostensible position to justify a claim for compensation or protection from the Government, and I am not at present in possession of any information which would warrant my reporting in his favour.

"I have, &c.

"(Signed,) *C. D. Day*,  
Sol. Genl."

"*John Davidson*, Esquire,  
&c. &c. &c."

"Extract from a letter addressed by *P. B. Dumoulin*, Esqr. Q. C. to the Honourable *C. D. Day*, Solicitor General.

"Trois-Rivières, 10 Mars, 1842.

"Monsieur,

"J'ai l'honneur d'accuser la réception de votre communication par ordre de Son Excellence, le Gouverneur Général, du 1er du Courant, au sujet de la saisie de certaines terres dépendant de la Couronne dans une poursuite de *Hart vs. Brock*, alias *Brack*. J'ai vu Mr. *Burn*, avocat, à ce sujet et après avoir examiné cette procédure, je me trouve en état de vous transmettre les informations suivantes.

"*Hart* ayant poursuivi *Brack* hypothécairement pour droits Seigneuriaux prétendus dûs sur différents lots de terre allégués être dans les limites de la Seigneurie de *Courval*, mais bien dans le township de *Wendover*. Mr. *Burn* me dit que le Défendeur s'était toujours attendu que la Couronne interviendrait dans la cause pour faire valoir ses droits, mais rien n'en a été fait, de manière que le Défendeur a été condamné à délaissier les biens en justice, ce qu'il n'a pas fait, et en conséquence les dits biens ont été saisis ainsi que d'autres appartenant au dit Défendeur, savoir, ceux saisis sous le No. 2 de la Gazette. Il paraît bien clair que ceux saisis sous No. 1, et comme détenteur desquels il a été poursuivi hypothécairement pour redevances seigneuriales envers la seigneurie de *Courval*, font partie du township de *Wendover*, savoir; le No. 23, du 3 Rang. Que ces terres n'ont point été vendues par les Commissaires comme les autres adjacentes ou que *Brack* en était en possession et les avait améliorées considérablement. Différentes lettres à ce sujet de la part des Commissaires sont filées dans la procédure établissant ces faits.

"Je vais donc loger une opposition afin de distraire pour cette partie des terres saisies par Mr. *Hart*."

And



Seigniorial  
tenure.

And also,

Copy of a preliminary Report made to His Excellency, the Governor General, by the Commissioners of Seigniorial Tenure Inquiry.

“Copy of a preliminary Report made to His Excellency, the Governor-General, by the Commissioners of Seigniorial Tenure Inquiry; laid before the House of Assembly, by command of His Excellency.

(Signed)

“D. Daly,

“Secretary.

“Secretary’s Office, East,  
“3rd October, 1842.”

“To His Excellency, the Right Honourable Sir Charles Bagot, G. C. B. one of Her Majesty’s Most Honourable Privy Council, Captain-General, and Governor-in-Chief of Her Majesty’s Provinces of *Canada, New Brunswick, and Nova Scotia*, and of the Island of *Prince Edward*; and Governor-General of all Her Majesty’s Provinces on the Continent of *North America*, and the Island of *Prince Edward*, &c. &c. &c.

“May it please your Excellency:

“Having been honoured by your Excellency with the joint commission to enquire into the Feudal and Seigniorial Tenure of Lands in that part of the Province called *Lower Canada*, appointed by you in pursuance of an Address of the Honourable the House of Assembly, of the seventh September, one thousand eight hundred and forty-one, we have the honour of reporting, that we proceeded, on the seventh July last, to continue the labours of the former Board of Commissioners, and to discharge, as far as we might be enabled to do so, the important trusts reposed in us.

“Since that period our Board has been constantly in session, and we have unceasingly employed such powers and opportunities as lay within our reach, to obtain the information deemed by the Honourable House of Assembly necessary as a basis of legislation, and to accomplish the objects of the present investigation.

“We respectfully invite your Excellency’s attention to the variety of matters submitted for our inquiry, by our Commission, which is founded on the said Address.

“By that Commission we are commanded:

“1. To make the necessary examination, and search into all public records and notarial acts, from the time of the settlement of the country, and to establish for several distinct periods the true conditions on which grants of land in Seigniorie have been made by the Crown, and on which lands have been conceded *en arriere fief*, or *en censive et roture*, and to collect all other requisite information connected with the said subjects.

“2. To inquire into the Laws which have from time to time governed, and now govern the said Tenures.

“3. To inquire generally into the present working of the system, by proper investigations in every section of *Lower Canada*; in a number of Seigniories indifferently chosen, for the purpose of ascertaining, as far as possible, the present rents, dues, reservations, and charges, of any kind; the probable quantity of unconceded Seigniorial land in the Province, and their quality and value, and also the quantity of lands conceded but not improved; the value of Seigniorial Mills in the Province, and the annual average value of *tods et ventes* paid or accruing thereon; and of obtaining such further information as may tend to throw light on the subject.

“4. To consult the Seigniors and Censitaires, respectively, upon the most proper and equitable means of effecting by Law a commutation of the Feudal and Seigniorial Tenure (such commutation being founded upon a due regard to the rights and interests of all

parties,) and also upon the most proper means of effecting an arbitration in cases where it may be required. Seigniorial  
tenure.

“To shew how far the purposes of the Commission may be served or advanced by us, we beg leave to follow the order of classification above stated.

“As regards the first section, we have humbly to represent, that the powers conceded to us by the Commission, have enabled us to secure valuable evidence, derivable from the public records, existing in the Secretarial Department, and in the custody of Judicial Officers, in which last category are the original documents of Notaries, deceased and absent; but we have the honour of declaring that we have no authority to compel the attendance of persons, or to force the production of instruments in the hands of Notaries actually exercising their professional functions, a voluntary production of which by them would be an unauthorised breach of duty towards individuals.

“On this head, therefore, we have to say, that we are in possession of information requisite to form an opinion touching the conditions upon which grants of land in Seigniorie have been made by the Crown; but we regret to say that, from our limited powers, we cannot exhaust the subjects of the rates and conditions of concession *en censive*, of the relations of Seigneur and Censitaire, and of those arising out of subinfeudation.

“We consider that our arriving at something proximate to the real state of the matter, would not provide the means of revising any judgment to which we might now be led, by what may be deemed defective examination.

“Having had more clearly within our controul and consideration the topic secondly enumerated, we have the honour of stating, for Your Excellency’s information, that as an isolated portion of the matter referred to us, we might, with a due allowance of time for discussion, prepare ourselves to make a final report on the conclusion we may come to on that leading principle in our enquiry.

“On the third of the heads into which we have divided the subjects proposed for our investigation, we have to remark, that unless we are clothed with some sufficient compulsory power and authority to discover the truth, and arrive at accuracy of detail, we cannot indulge the least hope of being able to lay before Your Excellency that degree of purely statistical information, which it would seem to have been the wish of the Honourable the House of Assembly to be furnished with. Although a willingness has been expressed by the parties interested in the question to afford us that statistical information, which can be procured only through their means, or by their instrumentality, and although by inviting personal conference, and soliciting written statements, we have used our utmost endeavours to prevail on those parties to place us in possession of the objects of our researches, we have to regret that our efforts have been so far unavailing as to leave our knowledge on this extensive branch of the subject extremely imperfect, and in an unfit state to be transmitted to Your Excellency.

“It remains for us respectfully to observe to Your Excellency, with regard to the fourth division of the subject, that both by oral intercourse, and in written communications, a great number of schemes have been proposed, as well by Seigniors as by Censitaires, for effecting by law a commutation of the Feudal and Seigniorial Tenure; yet there is in these plans a variety so perplexing and difficult to reconcile or compromise, that apart from the other labours of our Commission, we have not had sufficient leisure to decide which may be the most eligible or most conformable to the views entertained by the Honourable the House of Assembly, of establishing a mode of commutation by equitable means, and founded upon a due regard to the rights and interests of all parties.

Seigniorial  
tenure.

"It becomes necessary also to represent to your Excellency, with respect to many of those schemes of commutation, prepared with great care and consideration, that they are dependant for their value and soundness upon accurate statistical information and details, the attainment of which, however, for the want of compulsory powers and authority, we must confess we deem a fruitless task.

"All which is respectfully submitted, by your Excellency's

"Most obedient humble servants,

(Signed.) "A. Buchanan.

" "J. A. Taschérat.

" "James Smith."

On motion of the Honourable Mr. Tixer, seconded by Mr. Dunlop.

Ordered, That the orders of the day that have not been disposed of, be postponed until to-morrow.

Orders post-  
poned.

Mr. Morris moved, seconded by the Honourable Mr. Hincks. That this House do adjourn until seven o'clock p. m. this day.

Mr. Hamilton moved in amendment, seconded by the Honourable Mr. Neilson, That all the words after "until" in the said motion be struck out, and the following substituted, "to-morrow at eleven o'clock a. m."

The question having been put upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to unanimously; and,

The House accordingly adjourned until to-morrow, at eleven o'clock a. m.

Martii, 4<sup>o</sup> die Octobris.

Anno 6<sup>s</sup> Victoriae Reginae, 1842.

11<sup>o</sup> hora a. m.

THE following Petition was brought up, and laid on the table:—

1 Petition  
brought up.

By Mr. Foster, the Petition of the Reverend Andrew Balfour, and others, Members of the Church of England, in the Diocese of Quebec.

Church Tempo-  
ralities.

An engrossed Bill to make provision for the management of the Temporalities of the United Church of England and Ireland, in the Diocese of Quebec, in this Province, and for other purposes therein mentioned, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Hale do carry the said Bill to the Legislative Council, and desire their concurrence.

Timber measure-  
ment Bill.

An engrossed Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and for other purposes relating to the same, was read for the third time.

Resolved, That the Bill do pass, and that the title be, "An Act to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, intended for shipment and exportation from this Province, and for other purposes relative to the same."

Ordered, That Mr. Cameron do carry the said Bill to the Legislative Council, and desire their concurrence.

Cobourg Har-  
bour loan.

An engrossed Bill to extend the time for the payment of the loan to the Cobourg Harbour Company, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Boswell do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to explain an Act therein mentioned, relating to the disposal of Public Lands, and to prevent, in Lower Canada, the surreptitious sale of Lands, possessed by right of occupancy and improvement, as personal goods, by the Sheriffs, was read for the third time.

Public lands  
Bill.

Resolved, That the Bill do pass, and that the title be, "An Act to explain an Act therein mentioned, relating to the disposal of Public Lands, and to prevent, in Lower Canada, the surreptitious sale of Lands, possessed by right of occupancy and improvement, as personal goods, by the Sheriff."

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. Morris, from the Special Committee on the contingent accounts and expenses of this House during the present Session, and other references, with power to report from time to time, presented to the House the second Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

Second report of  
Committee on  
Contingencies.

"Your Committee have taken into their consideration the Petitions of the servants of your Honourable House, and beg to recommend the following allowances:

"To the eight Messengers, and Robert Defries, in consideration of the short Session, the sum of five pounds, currency, each, in addition to their daily pay, to remunerate them for the expense incurred in travelling to and from the Seat of Government.

"To Hugh McLellan, Door-keeper, the sum of five pounds, Sterling, short paid him last year; and also, the sum of twenty-five pounds, Sterling, being his allowance for the current year, under the letter of Mr. Secretary Murdoch, of the 12th June, 1841.

"And to John Voller, the sum of ten pounds, Currency, due him for past services.

"Your Committee submit herewith blank Resolutions for the foregoing sums."

Ordered, That the said Report be referred to a Committee of the whole House, to-morrow.

On motion of Mr. Black, seconded by Mr. Sherwood,

Ordered, That the amendments made by the Legislative Council to the Bill intituled, "An Act for better proportioning the punishment to the offence, in certain cases," be now taken into consideration.

Bill proportion-  
ing punishment  
to offence.

The House proceeded accordingly to take the said amendments into consideration,

And the said amendments were read, and are as followeth:

Press 2, after the fourth Clause insert,

A.

"And whereas it is necessary to determine the punishment to be inflicted upon certain offenders, not provided for by the said before recited Act, intituled, 'An Act for consolidating and amending the Statutes in this Province relating to offences against the person:' Be it enacted, That where any person shall be charged with and convicted of any assault with intent to commit rape, or of any assault with intent to commit the abominable crime of buggery, either with mankind or with any animal, the Court in any such case may sentence the offender to be imprisoned at hard labour in the Provincial Penitentiary, for any term not exceeding three years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

In the Title—

Line 2, after the word "cases," insert, "and for other purposes therein mentioned."

And

And the said amendments being again read, they were agreed to by the House.

*Ordered*, That Mr. *Black* do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendments.

On motion of Mr. *Armstrong*, seconded by Mr. *L. M. Viger*,

Winter Roads.

*Ordered*, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly called *Lower Canada*," be now referred to a Committee of the whole House.

The said amendments were read, and are as followeth:

Press 1, line 23.—Leave out the word "repeal," and insert, "suspended until the thirteenth day of May, one thousand eight hundred and forty-five, within the District of *Montreal*, and all such parts of the Districts of *Three Rivers* as are not included within the limits of the Municipal District of *Portneuf* and *Lotbiniere*; and it shall be lawful during such suspension to harness a single horse to the middle of any unloaded winter vehicle, or to the middle of any loaded winter vehicle, provided that the said loaded winter vehicle be forty English inches wide between the inside of the runners at the bottom thereof, and the shafts are attached to the body of the said loaded vehicle at the height of ten English inches above the bottom of the runners thereof."

Preamble, line 1.—Leave out "repeal" and insert "suspend."

The House then resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Parke* reported that the Committee had come to several Resolutions; which Resolutions were again read at the Clerk's table, as followeth:

*Resolved*, as the opinion of this Committee, That it doth not concur in the said first amendment.

*Resolved*, as the opinion of this Committee, That it doth concur in the said second amendment.

*Ordered*, That the question of concurrence be now separately put upon the said Resolutions.

And the first of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and it was carried in the affirmative.

The second of the said Resolutions being again read, and the question of concurrence being put thereon, it was agreed to unanimously.

*Resolved*, That this House doth concur with the Committee in the said Resolutions.

*Resolved*, That a Select Committee, to be composed of Messieurs *Armstrong*, *Neilson*, *Quesnel*, *L. M. Viger*, *Kimber*, *Harrison*, and *Hincks*, be appointed to draw up reasons, to be offered to the Legislative Council at a conference, for disagreeing to a certain amendment made by their Honors to the Bill, intituled "An Act to amend two certain Ordinances therein-mentioned, relative to Winter Roads in that part of the Province formerly called *Lower Canada*."

On motion of Mr. *Cameron*, seconded by Mr. *J. S. Macdonald*,

Conference,  
Leg. Council,  
Winter Roads.

Clarke's relief  
Bill.

*Ordered*, That the engrossed Bill from the Legislative Council, intituled, "An Act to afford relief

"to the Estate of the late *Thomas Clarke*," be read a second time, to-morrow.

Mr. *Hale* moved, seconded by Mr. *Moore*, that an Gosford Road. humble Address be presented to His Excellency, the Governor-General, respectfully calling His Excellency's attention to the first clause of the Provincial Statute 4 & 5 *Victoria*, cap. 28, appropriating the sum of £10,000, sterling, towards the completion of the *Gosford Road*, through the block of land owned by the Government; and praying that he would cause enquiry to be made, whether the intention of the Legislature, and the express words of the Statute, have been followed in the operations had upon the said Road; and also praying that, in the event of his being satisfied that they have not been so followed, he would be pleased to cause all further operations to be suspended.

On motion of Mr. *Black*, seconded by Mr. *Forbes*,  
*Ordered*, That the further consideration of the said motion be postponed, until Thursday next.

*Ordered*, That two hundred copies of the Imperial Trade Act. Act of the 5th and 6th *Victoria*, cap. 49, intituled, "An Act to amend the laws for the regulation of the Trade of the British Possessions abroad," accompanying the Message of His Excellency, the Governor-General, of the thirteenth of September last, be printed, for the use of the Members of this House.

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

*Resolved*, That this House will, to-morrow, resolve Petition of  
Major Richardson. itself into a Committee of the whole House, on the Petition of Major *John Richardson*.

Mr. *Roblin* moved, seconded by Mr. *Gilchrist*, Currency Act. That this House will, to-morrow, resolve itself into a Committee of the whole House, to take into consideration the propriety of repealing so much of an Act passed during the last Session of the present Parliament, intituled, "An Act to regulate the Currency of this Province," as prevents British Silver from being a legal tender beyond the amount of five pounds.

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

*Ordered*, That the Petition of *William Morris*, and Petition of  
William Morris. others, Inhabitants of the Eastern Townships of *Canada East*, presented to the House on the twenty-second of September last, be referred to the Special Committee to which was referred the Petition of the North American Committee of the Colonial Society, and other references.

On motion of Mr. *Christie*, seconded by Mr. *Kimber*,

*Resolved*, That an humble Address be presented to Administration  
of Justice, Gaspe. His Excellency, the Governor-General, praying that His Excellency will be pleased to inform this House, whether an enquiry has been instituted, pursuant to an Address of this House of the last Session, relative to the administration of Justice in the inferior District of *Gaspé*, and that His Excellency, if such enquiry have taken place, will be pleased to lay before this House, with all convenient despatch, the result thereof, including the evidence and documents received on the subject.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Hamilton* moved, seconded by Captain *Steele*, That when this House doth adjourn, it will adjourn until to-morrow, at eleven o'clock, a. m.

The

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

On motion of the Honourable Mr. *Hincks*, seconded by the Honourable Mr. *Harrison*,

*Ordered*, That the item on the order of the day book, for the House to go into a Committee of Supply, be now read.

The order of the day, for the House in Committee of Supply, and on the Report of the Select Committee to which were referred the Message of His Excellency, the Governor-General, accompanying the Estimates for the year 1842, together with the documents connected therewith, and other references, being read.

On motion of the Honourable Mr. *Neilson*, seconded by Mr. *Christie*.

*Resolved*, That this House renews its Resolutions passed on the eighth of September, 1811, before entering into the Committee of Supply.

The House then resolved itself into the said Committee.

Captain *Steele* took the chair of the Committee; and after some time spent therein.

Mr. Speaker resumed the Chair,

And Captain *Steele* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same; and also, that he was directed by the Committee to move for leave to sit again.

*Ordered*, That the Report be received, to-morrow.

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

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor-General, Annual Report (for 1842.) of the Commissioners of the temporary Lunatic Asylum at *Toronto*, established in conformity with an Address of the House, dated 8th February, 1840.

[For the said Report, see Appendix (U.) at the end of this Volume.]

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment.

"An Act to change the place of the Registry Office for the County of *Middlesex*."

"An Act for better preventing the obstruction of Rivers and Rivulets, in *Canada East*."

"An Act for the qualification of Justices of the Peace."

"An Act to repeal certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relative to the administration of Justice."

And then he withdrew.

Mr. *Armstrong*, from the Select Committee appointed to draw up reasons to be offered to the Legislative Council, at a Conference for disagreeing to a certain amendment made by their Honors to the Bill, intituled, "An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly called *Lower Canada*," reported that the Committee had drawn up the said reasons; which reasons were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

"1st. Because the Ordinance 3 Vic. cap. 25, enacted that the sleighs to be used in *Lower Canada* should be of the width of two and a half English feet between the inside of the runners; and the persons who have conformed to the Ordinance have incurred great expense in procuring sleighs conformable thereto.

"2nd. Because the proposed change making the width forty inches, will entail new and heavy expenses on the owners of sleighs, without any adequate benefit to themselves or the public.

"3rd. Because the distinction between loaded and unloaded sleighs increases the difficulty, and is odious, inasmuch as those who require to use the loaded sleighs are mostly of the poorest classes of the people, living by the exercise of their industry, and who stand most in need of the relief intended by the Bill.

"4th. Because the amendments to the afore-mentioned Ordinance, contained in the Bill passed by this House, are a compromise among the Representatives from *Lower Canada*, on matters in which there is much popular opposition, and which, if deranged by the proposed amendments, would excite great discontent."

*Resolved*, That a Conference be desired with the Honourable the Legislative Council, for the purpose of communicating to them the reasons which induced this House not to concur in a certain amendment made by their Honors to the Bill, intituled, "An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly called *Lower Canada*."

*Ordered*, That Mr. *Armstrong* do go to the Legislative Council, and desire the said Conference.

The Honourable Mr. *Hincks* moved, seconded by the Honourable Mr. *Harrison*, That the item on the order of the day book, relating to the Message of His Excellency, the Governor-General, upon the subject of the Loan proposed to be raised for the benefit of this Province upon the guarantee of an Act of the Imperial Parliament, be now read.

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

The order of the day, for the House in Committee, to take into consideration the Message of His Excellency, the Governor-General, upon the subject of the Loan proposed to be raised for the benefit of this Province, upon the guarantee of an Act of the Imperial Parliament, being read,

The House, accordingly, resolved into the said Committee.

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

Mr. Speaker resumed the Chair,

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

*Resolved*, That it is expedient, in order to secure the application of the assistance of *Great Britain* in the most direct manner to the benefit of this Province, that the Loan of £1,500,000, sterling, be raised under the guarantee of the Imperial Parliament, should be applied directly to the execution of the Public Works enumerated in an Act passed in the last Session of the Parliament of this Province, intituled, "An Act to appropriate certain sums of money for Public Improvements, and for other purposes therein mentioned," and to no other purpose.

*Resolved*, That in order to provide means for the repayment of the said Loan of £1,500,000, sterling, it is expedient that a Sinking Fund should be established, and that such portion of the Consolidated Revenue Fund of this Province not exceeding five per centum on the amount of the said Loan, as the Governor of this Province, by and with the advice of the Executive Council, shall direct, shall annually be set apart for the purpose of forming such Sinking Fund, and shall be invested by the Receiver General, in such manner as the Governor, by and with the advice of the Executive Council, shall direct and appoint.

*Ordered*,

Committee of supply.

Lunatic Asylum.

Registry Office, Middlesex.

Rivers obstruction.

Justices qualification.

Administration of Justice.

Winter roads.

Winter roads.

Loan.

Loan Bill.

Ordered, That the Honourable Mr. *Hincks* have leave to bring in a Bill to authorise the raising, by way of Loan, in *England*, of the sum of one million five hundred thousand pounds, sterling, for the construction and completion of certain Public Works in *Canada*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, tomorrow.

Foreign Wheat.

Mr. *Boulton*, from the Committee of the whole House, on the Bill to impose a duty upon Foreign Wheat imported into this Province, reported, according to order, the amendment made by the Committee to the said Bill; which amendment was again read at the Clerk's table.

The Honourable Mr. *Harrison* moved, seconded by Mr. *Parke*, That the question of concurrence be now put upon the said amendment.

Mr. *Black* moved in amendment, seconded by Mr. *Hale*, That all the words after "That," in the said motion, be struck out, and the following substituted, "the said Bill be now re-committed to a Committee of the whole House, for the purpose of adding after the word 'next,' in the ninth line of the second page, the following words: 'Provided, Wheat and Wheat Flour imported into the United Kingdom from *Canada* be then admitted into the said United Kingdom free of duty: and if they be not then so admitted, then from and after the day on which, and so long as they shall continue to be so admitted.'"

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Berthelot, Black, Burnet, Boulton, Cartwright, Chesley, Christie, Delisle, Dunlop, Dunscomb, Forbes, Hale, Hamilton, Leslie, Sir Allan N. MacNab, McLean, Neilson, Simpson, and Yule.* (19.)

NAYS.

*Armstrong, Baswell, Boutillier, Cameron, Cook, Daly, Derbishire, DeWitt, Dunn, Durand, Foster, Gilchrist, Harrison, Hincks, Hopkins, Jones, J. S. Macdonald, Merritt, Moffatt, Moore, Morris, Papineau, Parke, Quesnel, Roblin, Harmanus Smith, Thompson, Turcotte, D. B. Viger, L. M. Viger, and Williams.* (31.)

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

And the said amendment being again read, and the question of concurrence being put thereon, it was agreed to by the House; and,

Resolved, That this House doth concur with the Committee in the said amendment.

Ordered, That the said Bill, as amended, be engrossed.

An engrossed Bill, to impose a duty upon Foreign Wheat imported into this Province, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.

Certain Ordinances Bill.

Mr. *DeWitt*, from the Committee of the whole House, on the Bill to continue, for a limited time, certain Acts and Ordinances, and to extend the provisions of one of the Ordinances so extended, reported, according to order, the amendment made by the Committee to the said Bill; which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

An engrossed Bill, to continue, for a limited time, certain Acts and Ordinances, and to extend the provisions of one of the Ordinances so extended, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to continue, for a limited time, certain Acts and Ordinances."

Ordered, That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. *Barthe*, from the Committee of the whole House, on the Bill to extend the Charter of the Commercial Bank of the *Midland* District, and to increase its capital stock, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table.

Mr. *Morris* moved, seconded by Mr. *Parke*, That the question of concurrence be now separately put upon the said amendments.

Mr. *Boulton* moved, in amendment, seconded by Mr. *Thompson*, That all the words in the said motion after "That," be struck out, and the following substituted, "the said Report and Bill be re-committed, with an instruction to consider the propriety of expunging the word 'ten' in the proviso to the seventh Clause, designating the number of Shares to be held by each Director, and the insertion of 'forty' in lieu thereof; and also, of expunging the twenty-ninth Clause, or of inserting after the word 'thereto,' in the said Clause, and immediately before the proviso, the following words: 'And that the deficit required shall be assessed ratably upon each Shareholder in proportion to the number of Shares held by each, in such manner that no one Shareholder be called upon to pay more than another in respect of each Share, and that no Stockholder be called upon for more than his proportion, although others may neglect to pay theirs.' And also, of expunging the whole of the twenty-second Clause, after the word 'enacted,' and inserting the following: "That no person shall transfer the Shares which he holds, or shall have held, during the time of his being a Director, as aforesaid, until six calendar months after he shall have gone out of the direction of the said Bank; and that a separate discount sheet shall be kept and laid before the Directors at each meeting of the Board, designating the several discounts asked for by each Director, or of paper whereon the name of any Director shall be, either as maker, drawer, acceptor, or endorser; and that such discounts shall be decided by an open vote, and that two votes shall be sufficient to negative such application for such discount; and that any Director dissenting, may cause his dissent to be entered on the minutes of the said Board, signifying such dissent; and that all the Directors who shall approve of any such discount to, or on the security of any Director, shall, and they are hereby held, made and declared, to be jointly and severally responsible and liable to the said Bank for any loss which may accrue to the said Bank by reason thereof, and which loss shall be ascertained after all the parties to the paper, so discounted, shall have been ineffectually prosecuted, and shall be recoverable against the said Directors, or any of them, in an action of debt or *assumpsit*, as upon an account stated, of which a certificate, under the hand of the Cashier, shall be *prima facie* evidence. Provided, that upon any trial of any action to be brought against any such Director or Directors, it shall be lawful for the defendant to diminish the amount, by shewing payments which the Cashier shall not have taken into account; and provided always, that no transfer of the Stock of any Director, after he shall have ceased to be a Director, shall be made, until the Cashier shall have certified to the Board, that all paper cashed or discounted for such Director, or his security, hath been fully paid and satisfied.' And also, that the following proviso be added to the twenty-sixth Clause: 'Provided always, and be it further enacted, That in the event



"of the said Bank stopping payment, it shall not be lawful for the Directors, or other persons having the management of its affairs, during three months next after such stoppage, and before resumption of payment, to pay any debt or demand against the said Bank, save the notes thereof which shall have been put in circulation by the said Bank, nor until all the notes presented for payment during that period shall have been first fully paid and satisfied."

(Pres. Ques.)

Mr. *Boswell* moved, seconded by the Honourable Mr. *Moffatt*, the previous question, viz:

Shall the question be now put on the motion of amendment?

The House divided thereon, and it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

And the said amendments being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House; and

*Resolved*, That this House doth concur with the Committee in the said amendments.

*Ordered*, That the said Bill, as amended, be engrossed.

An engrossed Bill to extend the Charter of the Commercial Bank of the *Midland* District, and to increase its Capital Stock, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Morris* do carry the said Bill to the Legislative Council, and desire their concurrence.

Upper Canada Bank Charter.

The order of the day, for the House in Committee on the Bill to extend the Charter of the Bank of *Upper Canada*, and to increase the Capital Stock thereof, being read.

*Ordered*, That that the said order of the day be postponed, until to-morrow, and that it be then the first order of the day.

On motion of the Honourable Mr. *Viger*, seconded by the Honourable Mr. *Neilson*.

Orders of the day.

*Ordered*, That the orders of the day that have not been disposed of, be postponed, until to-morrow.

Then on motion of the Honourable Mr. *Viger*, seconded by Mr. *Dunlop*,

The House adjourned.

*Mercurii, 5<sup>o</sup> die Octobris.*

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

4 Petitions brot. up.

THE following Petitions were severally brought up, and laid on the table:

By Mr. *Dunsmob*, the Petition of the Reverend *J. H. Allen*, and others, Members of the Church of England, in the Diocese of *Quebec*.

By Mr. *Boswell*, the Petition of *Ebenezer Perry*, and others, of the town of *Cobourg*.

By Mr. *Hamilton*, the Petition of *John Hardeley*, and others, of the District of *Gaspé*.

By Mr. *Christie*, the Petition of Messieurs *Le Boutillier*, Brothers, and others, of the Eastern part of *Bonaventure*.

British America Fire and Life Assurance.

An engrossed Bill to extend the powers of the *British America* Fire and Life Assurance Company, to Marine Assurances, was read for the third time.

The Honourable Mr. *Moffatt* moved, seconded by the Honourable Mr. *Dunn*, that the following clause, marked A, be added to the said Bill, by way of *Ryder*, and make part thereof.

A.

"Provided always, and be it enacted, That the Return which the said Company are bound to make yearly, to the Provincial Parliament under the "twenty-fifth section of the Act, by which they are

"incorporated, shall be furnished yearly in triplicate; and one copy thereof shall be laid before each Branch of the Provincial Legislature, within ten days after the opening of each Session thereof; and such Return shall include lists of the names of all and each of the Stock-holders who hold shares in the Stock of the Corporation, and a Statement of the assets and liabilities of the Corporation, mentioning more especially the sum or amount then paid up, and in the hands, and at the disposal of the Corporation, as well as the particulars required by the said 25th section of the said Act of incorporation; and shall extend to and include all business which the Corporation are authorised to transact by this Act, and shall be attested in the manner by the said 25th section provided."

The said clause being thrice read, and the question of concurrence being put thereon, it was agreed to by the House.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Boulton* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the order of the day, the following Petition was read:

Of the District Council of the District of *Ottawa*, praying that the northern Concessions of the townships of *Lochiel* and *Kenyon* be annexed to the County of *Prescott*, in the said District.

Ottawa District Council.

The Honourable Mr. *Neilson*, from the Special Committee to which was referred the Petition of *Robert F. Gourlay*, of *St. Catherines*, presented to the House the report of the said Committee; which was again read at the Clerk's table, and is as followeth:

"Your Committee, in the present state of the Session, have not thought it expedient to enter into any enquiry into the reasons that have prevented the Address of this House to His Excellency, the Governor-General, of the sixteenth of September, 1841, and the report therein referred to, from being fully acted upon, and are of opinion:

Report on Petition of Robt. Gourlay.

"That in consideration of the losses and misfortunes of *Robert F. Gourlay*, Esquire, as set forth in the investigation of his Petition of last year, he is entitled to an adequate provision in the form of an Annuity, during his natural life, and humbly recommend that the same be submitted to His Excellency, the Governor-General."

*Ordered*, That the said report be referred to a Committee of the whole House, to-morrow.

The Honourable Mr. *Neilson*, from the Special Committee to which were referred the Petition of the Reverend the Religious Ladies of the Ursuline Convent of *Quebec*; and the Petition of *John Bonner* and *William Petrie*, of *Quebec*, presented to the House the report of the said Committee; which was again read at the Clerk's table, and is as followeth:

"Your Committee, in relation to the Petition of the Ladies Ursulines, are of opinion, that the question which it involves is of too much importance to come to any conclusion thereon, without a further investigation than can be bestowed upon it during the present Session, and they recommend that its consideration be resumed at the ensuing Session, trusting, that in the mean time, no steps will be taken by the Executive Government, which may prejudice the claims of the Petitioners.

Report on Petitions of Ladies' Ursulines, and Bonner and Petrie.

"In relation to the Petition of Messieurs *Bonner* and *Petrie*, your Committee are of opinion, that the allegations of the said Petition, are of such a nature, as requires the most serious investigation, and the calling for evidence which cannot be produced in time for the present Session."

*Ordered*,



*Ordered*, That the said report be referred to a Committee of the whole House, to-morrow.

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment.

Freedom of Elections.

"An Act to provide for the Freedom of Elections throughout this Province, and for other purposes therein mentioned."

Quebec Gas-light Company.

"An Act to incorporate a Company, under the style and title of "The Quebec Gas Light and Water Company."

Real Estate.

"An Act to extend the time allowed by the Ordinance therein mentioned, for the registration of certain charges or incumbrances on Real Estate, and to repeal certain parts thereof."

Pot and Pearl Ashes.

"An Act to regulate the inspection of Pot and Pearl Ashes."

Cobourg Loan.

"An Act to extend the time for the payment of the Loan to the Cobourg Harbour Company."

Charitable Association.

"An Act to incorporate the charitable Association of the Roman Catholic Ladies of Quebec."

And also—

Legislative Council,  
Tuesday, 4th October, 1842.

Winter Roads.

*Ordered*, That the Master in Chancery, do go down to the Legislative Assembly and acquaint that House, that the Legislative Council agrees to the conference desired for the purpose of communicating the reasons, which induced the Assembly not to concur in a certain amendment made by this House to the Bill, intituled, "An Act to amend two certain Ordinances therein mentioned relative to Winter Roads in that part of the Province formerly called *Lower Canada*," and that the managers on the part of this House are to be the Honourable Messieurs *De Blaquièrre* and *Amable Dionne*, who are to meet the number, as managers on the part of the Legislative Assembly, required by Parliamentary usage, to-morrow, at four o'clock in the afternoon, in the Committee Room No. 1, of the Legislative Council.

Attest.

*Charles de Léry*,  
Deputy Clerk Legislative Council.

And then he withdrew.

*Resolved*, That four managers be appointed to meet the managers appointed by the Legislative Council, at the time and place appointed, for the holding the conference, desired upon a certain amendment made by their Honours to the Bill, intituled, "An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province, formerly called *Lower Canada*."

*Ordered*, That Mr. *Armstrong*, Mr. *Quesnel*, the Honourable Mr. *Neilson*, and Mr. *L. M. Viger*, be appointed managers on the part of this House.

Salmon Fisheries.

Mr. *Hamilton*, from the Special Committee to which was referred the Bill to regulate the Salmon Fisheries in the District of *Gaspé*, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and is as followeth:—  
"Your Committee having examined the several clauses of the Bill referred to them by your Honourable House, find that most of them are similar to the Act passed by the Legislature of *Lower Canada*, in the year one thousand eight hundred and thirty-six.

"A difference of opinion existing between the Members representing the District of *Gaspé*, as to the necessity of Legislative enactments regulating the Salmon Fisheries, your Committee have adopted a

series of questions, annexed to this Report, and recommend that copies of these questions be forwarded, by the Clerk of the House, to such persons as are engaged in the Salmon Fisheries, and interested in them, for the information of your Honourable House."

Salmon Fisheries.

1st. What is your name, profession, and place of residence?

2nd. Have you ever been engaged in the Salmon Fisheries?

3rd. Do you know how those Fisheries are carried on in the District of *Gaspé*?

4th. Can you state who are the principal persons engaged in the Salmon Fisheries, in the Bay of *Chaleurs* and *Ristigouche*?

5th. State whether the Fisheries in the Bay of *Chaleurs* and *Ristigouche* have decreased?

6th. Can you assign a reason for such decrease?

7th. Can you state what quantity of Salmon was formerly exported from the District of *Gaspé*, and what quantity is now exported?

8th. Do you consider that regulations properly enforced, would contribute to the increase of the Salmon Fisheries in the District of *Gaspé*?

9th. Will you state what regulations would be necessary?

10th. Have you seen a Bill introduced into the House during the Session of 1842, intituled, "An Act to regulate the Salmon Fisheries in the District of *Gaspé*?"

11th. Will you state your opinion on the several clauses of the said Bill, and assign the reasons on which you found such opinion?

12th. Should the clauses in the said Bill not be sufficient, will you state what other clauses you consider necessary for the protection and preservation of the Salmon Fisheries?

13th. What size of Net is used for killing Salmon in the Rivers in the District, and what size do you consider ought to be used?

14th. Is it common to catch Salmon when they are foul, that is in the spawning season?

15th. Where do the Salmon, resorting to the Rivers of the District, spawn?

16th. Are there any weirs or dams that impede or prevent the ascent of the Salmon?

17th. Are there any Saw-Mills on the Rivers, and are you of opinion that the saw-dust or slabs have any effect in diminishing the quantity of fish?

18th. Are the Merchants and Traders in the habit of purchasing foul fish, that is, fish killed during the spawning season, from the Indians, and what quantities are so purchased each season?

*Ordered*, That the said Report be taken into consideration, to-morrow.

*Ordered*, That Mr. *Roblin* have leave to bring in a Bill to authorise the Boards of Boundary Line Commissioners, within the several Districts of *Canada West*, to close up their proceedings now in progress.

Boundary Line Commissioners.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, to-morrow.

*Ordered*, That two hundred and fifty copies of the Preliminary Report made to His Excellency, the Governor-General, by the Commissioners of the Seignorial Tenure Inquiry, and laid before the House on the third instant, be printed in each of the English and French languages, for the use of the Members of this House.

Seignorial Tenure.

On motion of Sir *Allan N. McNab*, seconded by Mr. *Dunlop*,

*Ordered*, That the order of the day, for the House in Committee, on the Report of the Select Committee to which was referred the Petition of *William Ross*, and others, be discharged; and that

Petition of Wm. Ross, and others.

that the said Report be committed to the Committee of the whole House on the second Report of the Special Committee on the contingent accounts and expenses of this House during the present Session, and other references.

Mr. *Taschereau* moved, seconded by Mr. *Kimber*, That when this House doth adjourn, it will adjourn until to-morrow, at eleven o'clock a. m.

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

Supply.

Captain *Steele*, from the Committee of the whole House on Supply, and on the Report of the Select Committee to which was referred the Message of His Excellency, the Governor-General, accompanying the Estimates for the year 1842, together with the documents connected therewith, and other references, reported, according to order, the Resolutions of the said Committee; which Resolutions were again read at the Clerk's table, as followeth:

*Resolved*, as the opinion of this Committee. That in order to enable Her Majesty to meet the necessary and indispensable expenses of the Government of this Province for the year 1842, not otherwise provided for, there be granted to Her Majesty, out of the Consolidated Revenue Fund of this Province, not otherwise appropriated, a sum not exceeding seventy-five thousand pounds, Sterling, to be accounted for in detail at the opening of the ensuing Session of the Legislature.

*Resolved*, as the opinion of this Committee, That in order to enable Her Majesty to meet the necessary and indispensable expenses of the Government of this Province, from the 1st January to the 31st March, 1843, not otherwise provided for, there be granted to Her Majesty, out of the Consolidated Revenue Fund of this Province, not otherwise appropriated, a sum not exceeding twenty-five thousand pounds, Sterling, to be accounted for in detail.

*Resolved*, as the opinion of this Committee, That a sum not exceeding five hundred pounds, Sterling, be granted to Her Majesty, to remunerate Dr. *Thomas Rolph*, for his past services as late Emigrant Agent, in the United Kingdom, on behalf of the Government of *Canada*.

*Ordered*, That the question of concurrence be now separately put upon the said Resolutions.

And the first and second of the said Resolutions being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

The third and last of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Berthelot, Black, Boswell, Boutillier, Boulton, Burnet, Cameron, Chesley, Christie, Delisle, Derbishire, Dunlop, Dunn, Dunscomb, Forbes, Foster, Gilchrist, Hale, Harrison, Hincks, Jones, Kimber, Leslie, Sir Allan N. MacNab, D. McDonald, J.S. Macdonald, Moffatt, Morris, Noel, Papineau, Parent, Parke, Powell, Roblin, Harmannus Smith, Sherwood, Steele, Taché, Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger, Williams, and Yule.* (45.)

NAYS.

*Barthe, Child, Cook, DeWitt, Durand, and Hopkins.* (6.)

So it was carried in the affirmative; and, *Resolved*, That this House doth concur with the Committee in the said Resolutions.

Supply Bill.

*Ordered*, That the Honourable Mr. *Hincks* have leave to bring in a Bill to grant certain sums to Her Majesty, for defraying certain indispensable expenses of the Civil Government during the period therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, to-morrow.

*Ordered*, That the Honourable Mr. *Hincks* have leave to bring in a Bill to appropriate a certain sum to enable Her Majesty to remunerate Doctor *Thomas Rolph*, for his past services as Emigration Agent. Remuneration  
Emigrant Agent.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, to-morrow.

An engrossed Bill from the Legislative Council, intituled, "An Act to afford relief to the Estate of the late *Thomas Clarke*," was, according to order, read a second time. Clarke's Estate  
Bill.

*Ordered*, That the said Bill be now read for the third time.

The said Bill was accordingly read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Cameron* do carry back the said Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to the same, without any amendment.

A Bill to authorise the raising, by way of Loan, in *England*, of the sum of one million five hundred thousand pounds, sterling, for the construction and completion of certain Public Works in *Canada*, was, according to order, read a second time. Loan Bill.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Child* reported that the Committee had gone through the Bill, and had made an amendment thereto; which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

An engrossed Bill from the Legislative Council, intituled, "An Act to confirm certain Rules, Orders and Regulations, made by the Chief Justice and Judges of the Court of Queen's Bench for *Canada West*," was, according to order, read a second time. Rules Queen's  
Bench.

Mr. *Cartwright* moved, seconded by Sir *Allan N. MacNab*, That the said Bill be read a third time, to-morrow.

Mr. *Christie* moved, seconded by Mr. *Durand*, the previous question, viz.

Shall the question be now put?

The House divided thereon, and it passed in the negative.

The order of the day, for the House in Committee on the Bill to extend the Charter of the Bank of *Upper Canada*, and to increase the Capital Stock thereof, being read, Upper Canada  
Bank.

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair,

And Captain *Steele* reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

The order of the day, for the House in Committee on the second report of the Special Committee, on the contingent Contingent  
Accounts.

Contingent  
Accounts.

contingent accounts and expenses of this House during the present Session, and on the report of the Select Committee to which was referred the Petition of *William Ross*, and others, and other references, being read,

The House accordingly resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

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

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

Seat of Govern-  
ment.

The order of the day, for the House in Committee on the Message of His Excellency, the Governor-General, of the twenty-fourth of September last, relating to the Seat of Government: and on the Despatch from Her Majesty's Secretary of State for the Colonial Department, accompanying the said Message, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Hopkins* took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair,

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

*Resolved*, That it is the opinion of this Committee, that it is the undoubted prerogative of the Crown, and conformable to the positive enactment of the Statute of the Imperial Parliament of the United Kingdom, under which this House is constituted and assembled, that "The place or places, within any part of the Province of *Canada*, for holding each and every Session of the Legislative Council and Assembly," should be fixed under the authority of the Crown.

*Resolved*, That it is the opinion of this Committee, that the building in which the Legislative Assembly is now held, and which was erected several years ago, for a different purpose, does not afford sufficient accommodation to enable the Members to discharge their duty to their Constituents with due enquiry, and sufficient deliberation, and that the locality of *Kingston* is not central to the majority of the population, and is badly provided with accommodation for the residence of the Members, particularly during Winter, which is the Season in which they can attend to their Legislative duties, with the smallest sacrifice to their general interests.

*Ordered*, That the question of concurrence be now separately put upon the said Resolutions.

And the first of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and it was carried in the affirmative.

The second of the said Resolutions being again read,

Mr. *Boulton* moved, in amendment to the said Resolution, seconded by the Honourable Mr. *Dunn*, that all the words after "Resolved," in the same be struck out, and the following substituted: "That it is the opinion of this House that *Toronto* is preferable to *Kingston* as a place at which to convene the Legislature of this Province."

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth.

YEAS.

*Boulton, Dunn, Durand, Hincks, Hopkins, Sir Allan N. MacNab, Merritt, Moffatt, Powell, Simpson, Harmanus Smith, and Thompson.* (12.)

VOL. 2

NAYS.

*Armstrong, Barthe, Berthelot, Black, Boswell, Bou-  
tillier, Burnet, Cameron, Cartwright, Chesley, Child,  
Christie, Cook, Daly, Delisle, Derbishire, DeWitt, Duns-  
comb, Forbes, Foster, Gilchrist, Hale, Hamilton, Harri-  
son, Holmes, Johnston, Jones, Kimber, Leslie, McCulloch,  
D. McDonald, J. S. Macdonald, McLean, Morris, Neilson,  
Noel, Papineau, Parent, Parke, Quesnel, Roblin, Henry  
Smith, Sherwood, Steele, Taché, Taschereau, Turcotte,  
Turgeon, L. M. Viger, Williams, and Woods.* (51.)

Seat of Govern-  
ment.

So it passed in the negative.

Mr. *Cameron* then moved, in amendment to the said second Resolution, seconded by Mr. *Roblin*, That all the words after "Resolved" in the same, be struck out, and the following substituted: "That as *Kingston* does not afford the necessary accommodation and the requisite facilities for the Seat of Govern-  
ment, this House is respectfully of opinion that the  
"Seat of Government should be removed to *Quebec*."

The question having been put on the motion, of amendment, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Cameron, Johnston and Roblin.* (3.)

NAYS.

*Armstrong, Barthe, Berthelot, Black, Boswell, Boulton,  
Boutillier, Burnet, Cartwright, Chesley, Child, Christie,  
Cook, Daly, Delisle, Derbishire, DeWitt, Dunn, Dunscomb,  
Durand, Forbes, Foster, Gilchrist, Hale, Hamilton, Harri-  
son, Hincks, Holmes, Hopkins, Jones, Kimber, Leslie,  
Sir Allan N. MacNab, McCulloch, D. McDonald, J. S.  
Macdonald, McLean, Merritt, Moffatt, Moore, Morris, Neil-  
son, Noel, Papineau, Parent, Parke, Powell, Quesnel,  
Simpson, Henry Smith, Harmanus Smith, Sherwood, Steele,  
Taché, Taschereau, Thompson, Turcotte, Turgeon, D. B.  
Viger, L. M. Viger, Williams, and Woods.* (52.)

So it passed in the negative.

Mr. *Cameron* then moved, in amendment to the said second Resolution, seconded by Mr. *Roblin*, That all the words after "Resolved" in the same, be struck out, and the following substituted: "That this  
"House is of opinion that the Seat of Government  
"should be removed to *Montreal*."

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as in the last preceding division.

So it passed in the negative.

Mr. *Johnston* then moved, in amendment to the said second Resolution, seconded by Mr. *Derbishire*, That all the words after "Resolved," in the same, be struck out, and the following substituted: "That it is  
"the opinion of this House that *Bytown* is preferable  
"to *Quebec*, as regards the Seat of Government."

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Cameron, Derbishire, Forbes, Johnston, D. McDonald,  
and J. S. Macdonald.* (6.)

NAYS.

*Armstrong, Barthe, Berthelot, Black, Boswell, Boulton,  
Boutillier, Burnet, Cartwright, Chesley, Child, Christie,  
Cook, Daly, Delisle, DeWitt, Dunn, Dunscomb, Durand,  
Gilchrist, Hale, Harrison, Hincks, Holmes, Hopkins, Jones,  
Kimber, Leslie, Sir Allan N. MacNab, McCulloch, Mc-  
Lean, Merritt, Moffatt, Moore, Morris, Neilson, Noel,  
Papineau, Parent, Parke, Powell, Quesnel, Roblin, Simpson,  
Henry Smith, Harmanus Smith, Sherwood, Steele, Taché,  
Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger,  
L. M. Viger, Williams, and Woods.* (57.)

So it passed in the negative.

Sir *Allan N. MacNab* moved, seconded by Mr. *Cartwright*, That the House do now adjourn.

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

Sir *Allan N. MacNab* then moved, in amendment to the said second Resolution, seconded by Mr. *Cart-  
wright*,

P 2

Seat of Govern-  
ment.

*wright*. That all the words after "Resolved." in the same, be struck out, and the following substituted: "That it is the opinion of this House, that the building in which the Sessions of the Legislative Council and Assembly are now held, does not afford sufficient accommodation to enable the Members of the said Council and Assembly to discharge their duty to their constituents, and the Province at large, with due enquiry and deliberation; and this House, therefore, recommend, that measures should be adopted, during the recess of the Legislature, to remove this inconvenience."

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Boswell, Cameron, Cartwright, Cook, Derbshire, Gilchrist, Harrison, Hopkins, Johnston, Sir Allan N. MacNab, Merritt, Moffatt, Morris, Parke, Powell, Roblin, Henry Smith, Harmannus Smith, Sherwood, Steele, and Woods.* (21.)

NAYS.

*Armstrong, Barthe, Berthelot, Black, Boulton, Boutillier, Child, Christie, Daly, Delisle, DeWitt, Dunn, Dunscomb, Durand, Forbes, Foster, Hale, Hincks, Holmes, Jones, Kimber, Leslie, McCulloch, D. McDonald, McLean, Moore, Neilson, Noel, Papineau, Parent, Quesnel, Simpson, Taché, Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger, L. M. Viger, and Williams.* (40.)

So it passed in the negative.

The question being then put on the said second Resolution, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Armstrong, Barthe, Berthelot, Black, Boutillier, Child, Christie, Daly, Delisle, DeWitt, Dunn, Dunscomb, Durand, Forbes, Foster, Hale, Hincks, Holmes, Jones, Kimber, Leslie, McCulloch, D. McDonald, McLean, Moffatt, Moore, Neilson, Noel, Papineau, Parent, Quesnel, Simpson, Taché, Taschereau, Thompson, Turcotte, Turgeon, D. B. Viger, L. M. Viger, and Williams.* (40.)

NAYS.

*Boulton, Cameron, Cartwright, Cook, Derbshire, Gilchrist, Harrison, Hopkins, Johnston, Sir Allan N. MacNab, Merritt, Morris, Parke, Powell, Roblin, Henry Smith, Harmannus Smith, Sherwood, Steele, and Woods.* (20.)

So it was carried in the affirmative; and,

*Resolved*, That this House doth concur with the Committee in the said Resolutions.

*Ordered*, That the said Resolutions be communicated to His Excellency, the Governor-General, by such Members of this House as are of the Honourable the Executive Council of this Province.

The names of the Members present, were taken down as followeth:

Mr. Speaker,

*Messieurs Barthe, Berthelot, Boswell, Boulton, Delisle, DeWitt, Hale, Hincks, Hopkins, Neilson, Parent, Parke, Roblin, Simpson, Harmannus Smith, Steele, and D. B. Viger.*

And at half-past eleven o'clock, at night, Mr. Speaker adjourned the House for want of a *Quorum*.

Jovis, 6<sup>o</sup> die Octobris.Anno 6<sup>o</sup> Victoriae Reginae, 1842.Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:—

By Captain *Steele*, the Petition of *Jonathan Sissons*, and others, of the township of *Vespra*, county of *Simcoe*.

By Mr. *Roblin*, the Petition of *William Portt* and *George Portt*, of *Tyendenaga*, District of *Victoria*.

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery:

Mr. Speaker,

The Legislative Council have passed the following Bills, without any amendment:

"An Act to repeal certain Ordinances therein mentioned, relative to the establishment of a System of Police, in *Canada East*." Police, Canada East.

"An Act to make provision for the management of the Temporalities of the United Church of *England* and *Ireland*, in the Diocese of *Quebec*, in this Province, and for other purposes therein mentioned." Church Temporalities.

"An Act to grant further powers to the *Montreal* Fire Assurance Company, and to change the name of the said Corporation." Montreal Fire Assurance.

And then he withdrew.

An engrossed Bill to authorise the raising, by way of Loan, in *England*, of the sum of one million five hundred thousand pounds, sterling, for the construction and completion of certain Public Works in *Canada*, was read for the third time. Loan Bill.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Hincks* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to extend the Charter of the Bank of *Upper Canada*, and to increase the Capital Stock thereof, was read for the third time. Upper Canada Bank Bill.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Boswell* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the order of the day, the following Petition was read:— Petition read:

Of the Reverend *Andrew Balfour*, and others, Members of the Church of *England*, praying for the passing of an Act to regulate the Temporalities of the said Church, in the Diocese of *Quebec*. Rev. A. Balfour, and others.

On motion of the Honourable Mr. *Neilson*, seconded by Mr. *Leslie*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, at the opening of the ensuing Session, a statement of the number of Students or Scholars attending each and every Institution of Education in this Province, to which any grant out of the public money is made, with the classes to which they belong, the usual residence of the Students and Scholars, rates of tuition, and the branches of Education taught in such Institutions, respectively. Institutions of Education receiving grants.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

A Bill to appropriate a certain sum to enable Her Majesty to remunerate Doctor *Thomas Rolph*, for his past services as Emigration Agent, was, according to order, read a second time. Remuneration, Emigrant Agent.

*Ordered*, That the said Bill be engrossed.

The order of the day, for the House in Committee of the whole on Supply, and on the Report of the Select Committee to which was referred the Message of His Excellency, the Governor-General, accompanying the Estimates for the year 1842, together with the documents connected therewith, and other references, being read, Supply.

*Ordered*, That the said order of the day be postponed, until Monday next.

The order of the day, for the House in Committee to consider the expediency of amending the Act of the late Petition of Montreal Board of Trade.

late

Petition of Montreal Board of Trade.

late Province of Lower Canada, 6 Will. IV. Cap. 24, in so far as relates to that part of the said Act which compels boats going from Upper to Lower Canada, to report at Coteau du Lac; and on the Petition of the Montreal Board of Trade, being read,

The House accordingly resolved itself into the said Committee.

Mr. Cook took the chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair,

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

Ordered, That the said Committee have leave to sit again, on Thursday next.

The Honourable Francis Hincks, one of Her Majesty's Executive Council, delivered to Mr. Speaker two Messages from His Excellency, the Governor-General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:

Charles Bagot.

The Governor-General informs the House of Assembly, in reply to their address of the 4th instant, that he is in daily expectation of receiving the Report of the Commissioners appointed pursuant to their Address of last Session, to inquire relative to the administration of Justice in the Inferior District of Gaspé; and that the same, with the evidence and documents appended to it, will not fail to be laid before the House with all possible despatch, after it shall have been received.

Government House, Kingston, 5th October, 1842.

Administration of Justice, Gaspé.

Charles Bagot.

The Governor-General informs the House of Assembly, in reply to their Address of the 26th ult. that the question of the advantages to result from the opening of the unoccupied Lands in the rear of the town of Three Rivers, will not fail to receive his attentive consideration before the close of the term for which the St. Maurice Forêt Reserve is at present leased; and that in compliance with their request he has given instructions to the Law Officers of the Crown to suspend, for a time, any prosecutions that may have been instituted for arrears, which have long been suffered to accumulate upon the Jesuits Estates.

Government House, Kingston, 5th October, 1842.

Jesuits Estates.

The Honourable Francis Hincks laid before the House, by command of His Excellency, the Governor-General,

Return to an Address of the Legislative Assembly to His Excellency, the Governor-General, bearing date the 1st October, 1842, praying that His Excellency will be pleased to cause to be laid before this House, a Return of the names of all persons to whom any Pension has been granted during the years 1839, 1840, 1841 and 1842, with the date of each grant, and the occasion of granting the same, and the amount thereof; and also the age of the person receiving such Pension at the time of such grant, and the period for which the same has been granted.

By command.

F. Hincks, In. Genl.

Inspector-General's Office, Kingston, 6th October, 1842.

Return.

RETURN of the names of all persons to whom any Pension has been granted during the years 1839, 1840, 1841 and 1842, with the date of each grant, and the occasion for granting the same, &c.

Year.	Names of Persons.	Age of the persons at the time of the grant, as far as known.	Date of each grant.	Occasion for granting the Pension.	Annual amount, Sterling.	Period for which the Pension is granted.
1839	L. P. Sherwood.....		Secretary of State Despatch, 1839	Retiring Judge of the Court of Queen's Bench, Upper Canada.....	£ s. 600 0	For life.
	Widow and children of late Capt. Ussher.....		11th May, 1839, date of Act...	On the assassination of Capt. E. Ussher, by brigands from the United States; by Pro. Act 2 Vic. Cap. 66..	90 0	{ For life to the widow, and to the children until the youngest attains the age of 21.
1840	Lewis Bright and wife.....		10th Feb'y, 1840, date of Act...	Great age, and long and faithful services, to protect him and his aged wife from want .....	56 5	{ During their joint lives, by Act 3 Vic. Cap. 64.
"	Joseph Randal.....		Same date.....	Loss of left arm while serving as a Volunteer, &c....	18 0	{ During life, by Act 3 Vic. Cap. 65.
"	Widow and children of Capt. W. Kerry.....		Same date.....	W. Kerry, late Captain in Kent Militia, killed on service .....	18 0	{ During the life of the widow, & to the children until the youngest attains the age of 21 years, by Act 3 Vic. Cap. 66.
"	Rev. R. R. Burrage.....	About 50	1st Oct. 1840...	As late Master of the Grammar School at Quebec...	100 0	During life.
1841	Edward McMahan.....		1st May, 1841..	Retiring allowance as late Chief Clerk in the office of the Secretary West.....	210 0	do.
"	James Nation.....	About 50	28th Sept. 1841.	Do. as late first Clerk in the Inspector-General's office, Canada West.....	112 10	do.
"	Jasper Brewer.....	About 52	19th Aug. 1841.	As late Assistant Clerk to the Executive Council, Canada East.....	100 0	do.
"	F. Vassal de Monveil.....	About 75	13th March, 1841	As late Adjutant-General of Militia, Canada East..	337 10	do.

Year.	Names of Persons.	Age of the persons at the time of the grant, as far as known.	Date of each grant.	Occasion for granting the Pension.	Annual amount, Sterling.	Period for which the Pension is granted.
1841	Wm. Cloughly.....		1st May, 1841	As late Keeper of the Civil Secretary's Office, in Upper Canada..... £	25 0 0	During life.
"	Wm. Smith.....	74	Vote of Assembly 18th Sept. 1841.	As late Clerk of the Legislative Council, and Master in Chancery, Lower Canada.....	354 0 0	For one year. An annual vote. do. Dead.
"	Chs. C. deLery.....	68	do.	As late Asst. Clerk to do.	240 0 0	do.
"	Jacques Voyer.....	73	do.	As late Cl'k. of Committees &c. of do. ....	150 0 0	do.
"	Wm. Ginger.....	70	do.	As late Serj't-at-Arms to do.	60 0 0	do.
"	Louis Noreau.....	47	do.	As late Messenger to do.	18 0 0	do.
"	L. B. Pinguet.....	66	do.	As late Cl'k of Committees to House of Assembly, Lower Canada.....	60 0 0	do.
"	Samuel Waller.....	38	do.	As do. to do. ....	90 0 0	do.
"	Jasper Brewer.....	52	do.	As late Librarian to do.	120 0 0	do.
"	Frs. Rodrigue.....	53	do.	As late Messenger to do...	16 4 0	do.
"	La Gagné.....	25	do.	do. do...	16 4 0	do.
"	David Jardine.....		do.	As late Writing Clerk to House of Assembly, Upper Canada.....	120 0 0	do.
"	Wm. Coates.....		do.	The same.....	120 0 0	do.
"	E. Bell.....		do.	Messenger to do. ....	16 4 0	do.
"	J. G. Chewitt.....	About 56	29th Feb'y, 1841	As late Surveyor and Draughtsman in Surveyor General's Office, Upper Canada.....	195 0 0	For life.
"	R. H. Thornhill.....	About 38	1st April,	As late Clerk in the Crown Land Office, Upper Canada	112 10 0	do.
"	E. W. R. Antrobus.....		1st July,	As late Grand Voyer of the District of Quebec. Office abolished by Ordinance of Special Council.....	350 0 0	do.
"	P. L. Panet.....		" "	The same, for the District of Montreal.....	200 0 0	do.
1842	George Pyke.....		29th June, 1842	As late Judge of the Court of King's Bench, for the District of Montreal....	666 13 4	do.

Inspector General's Office,  
Kingston, 5th October, 1842.

Jos. Cary,  
Dy. Insp. Genl.

Petition of  
Major John  
Richardson.

The order of the day, for the House in Committee on the Petition of Major *John Richardson*, being read, The House accordingly resolved itself into the said Committee.

Mr. *Boulton* took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair,

And Mr. *Boulton* reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received, to-morrow.

On motion of the Honourable Mr. *Hincks*, seconded by Mr. *Parke*,

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of continuing, for a limited time, the Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, passed in the fourth year of Her Majesty's reign, and intituled, "An Ordinance to facilitate the despatch of business now before the Court of King's Bench, for the District of *Montreal*."

The House accordingly resolved itself into the said Committee.

King's Bench,  
District of  
Montreal.

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

Mr. Speaker resumed the Chair, And Mr. *Parent* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

Resolved, That it is expedient to continue, until the end of the Session of the Provincial Parliament next after the thirty-first day of December in the present year, a certain Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, passed in the fourth year of Her Majesty's reign, and intituled, "An Ordinance to facilitate the despatch of business now before the Court of King's Bench, for the District of *Montreal*."

Ordered, That the Honourable Mr. *Hincks* have leave to bring in a Bill to continue, for a limited time, the Ordinance to facilitate the despatch of business before the Court of King's Bench for the District of *Montreal*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time, to-morrow.

Montreal King's  
Bench Bill.



Supply.

A Bill to grant certain sums to Her Majesty for defraying certain indispensable expenses of the Civil Government, during the period therein mentioned, was, according to order, read a second time.

*Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Leslie* reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

*Ordered*, That the said Bill, as amended, be engrossed.

Petition Gore Bank.

The order of the day, for the House in Committee on the Report of the Special Committee, to which was referred the Petition of the President, Directors, and Company, of the *Gore* Bank, with an instruction to Report, whether it is expedient to repeal the double security clause contained in the several Bank Charters within this Province, being read,

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

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

*Ordered*, That the said Committee have leave to sit again, on Thursday next.

Bacon's relief.

The order of the day, for the House in Committee, on the engrossed Bill from the Legislative Council, intituled, "An Act to authorise the Courts of Queen's Bench and Chancery to admit *William Vynne Bacon* to practise therein, as an Attorney and Solicitor, "respectively," being read,

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Sherwood* reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House, and are as followeth:

Lines 24 and 25.—Leave out "Court of Queen's Bench, and also for the."

" 26.—Leave out "respectively."

" 27.—Leave out "their respective discretion," and insert "the discretion of the said Court."

" 29.—Leave out "Courts, respectively," and insert "Court."

Preamble, line 14.—After the word "comply" insert "in part."

Title, line 1.—Leave out "Courts of Queen's Bench" and insert "Court of."

" 4.—Leave out "respectively."

*Ordered*, That the said amendments be engrossed.

Petition, R. F. Gourlay.

The order of the day, for the House in Committee on the Report of the Special Committee to which was referred the Petition of *Robert F. Gourlay*, of *St. Catharines*, being read,

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Simpson* reported that the Committee had come to a Resolution; which Resolution was again

read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That this House doth concur in the Report of the Special Committee.

On motion of the Honourable Mr. *Neilson*, seconded by Mr. *Hamilton*,

*Ordered*, That a copy of the said Report be communicated to His Excellency, the Governor-General, by such Members of this House as are of the Honourable the Executive Council of this Province.

The order of the day, for the House in Committee on the Report of the Special Committee to which were referred the Petition of the Reverend the Religious Ladies of the Ursuline Convent of *Quebec*, and the Petition of *John Bonner* and *William Petrie*, of *Quebec*, being read,

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Dunlop* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

*Resolved*, That this House doth concur in the Report of the Special Committee.

On motion of the Honourable Mr. *Neilson*, seconded by Mr. *Hamilton*,

*Ordered*, That a copy of the said Report be communicated to His Excellency, the Governor-General, by such Members of this House as are of the Honourable the Executive Council of this Province.

The order of the day, for taking into consideration the Report of the Special Committee, to which was referred the Bill to regulate the Salmon Fisheries in the District of *Gaspé*, being read,

The House, accordingly, proceeded to take the said Report into consideration.

And the said Report was again read.

On motion of Mr. *Hamilton*, seconded by the Honourable Mr. *Neilson*,

*Resolved*, That this House doth concur with the Special Committee in the said Report.

The order of the day, for the House in Committee on the second Report of the Special Committee, on the Contingent Accounts and Expenses of this House, during the present Session; and on the Report of the Select Committee to which was referred the Petition of *William Ross*, and others, and other references, being read,

On motion of Mr. *Morris*, seconded by Mr. *Roblin*, *Ordered*, That it be an instruction to the said Committee, to take into consideration the expediency of granting to the Sergeant-at-Arms the sum of ———, for the current year, in addition to the amount he receives by law.

The House then resolved itself into the said Committee.

Mr. *Forbes* took the chair of the Committee;

Several Members having retired,

Mr. Speaker resumed the Chair,

And the names of the Members present were taken down, as follows:—

Mr. Speaker,

Mr. *Berthelot*, Mr. *Boswell*, Mr. *Christie*, Mr. *De Witt*, Mr. *Dunlop*, Mr. *Forbes*, Mr. *Hale*, Mr. *Hincks*, Mr. *Holmes*, Mr. *Hopkins*, Mr. *Johnston*, Mr. *Morris*, Mr. *Parke*, Mr. *Powell*, Mr. *Roblin*, and Mr. *Simpson*.

And at twenty minutes past nine o'clock, at night, Mr. Speaker adjourned the House for want of a Quorum.

Veneris,

Veneris 7<sup>o</sup> die Octobris.

Anno 6<sup>s</sup> Victoriae Reginae, 1842.

4 Petitions  
brot. up.

THE following Petitions were severally brought up, and laid on the table:—

By Mr. *Boswell*, the Petition of *William Owston*, of *Hamilton*. Keeper of *Gull Island* Light House.

By the Honourable Mr. *Hincks*, the Petition of *Thomas Errengy*, and others, of the town of *Prescott*.

By the Honourable Mr. *Dunn*, the Petition of the Mayor, Aldermen, and Commonalty, of the city of *Toronto*.

By Mr. *McLean*, the Petition of *John Montgomery*, and others, of the township of *Roxborough*.

Supply Bill.

An engrossed Bill, to grant certain sums to Her Majesty, for defraying certain indispensable expenses of the Civil Government, during the period therein mentioned, was read for the third time.

*Resolved*, That the Bill do pass, and the title be, "An Act to grant certain sums to Her Majesty, for defraying certain indispensable expenses of the Civil Government, during the periods therein mentioned."

*Ordered*, That the Honourable Mr. *Hincks* do carry the said Bill to the Legislative Council, and desire their concurrence.

Emigrant Agent,  
remuneration.

An engrossed Bill, to appropriate a certain sum to enable Her Majesty to remunerate Doctor *Thomas Rolph*, for his past services, as Emigration Agent, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Hincks* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bacon's relief.

An engrossed Bill, from the Legislative Council, intituled, "An Act to authorise the Courts of Queen's Bench and Chancery to admit *William Vynne Bacon*, to practise therein as an Attorney and Solicitor, respectively," as amended, was read for the third time.

*Resolved*, That the said Bill, as amended, do pass.

*Ordered*, That the Honourable Mr. *Viger* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same, with several amendments, to which they desire the concurrence of their Honours.

Petitions read;

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

Rev. G. H. Allen,  
and others.

Of the Reverend *G. H. Allen*, and others, Members of the Church of *England*, in the Diocese of *Quebec*, praying for the passing of an Act regulating the Temporalities of the Church of *England*, in said Diocese.

Ebenezer Perry,  
and others.

Of *Ebenezer Perry*, and others, of the town of *Cobourg*, praying that measures may be taken to ameliorate the present depressed condition of the commercial and agricultural interests.

John Hardeley,  
and others.

Of *John Hardeley*, and others, of the District of *Gaspé*, praying that those articles which are necessary for carrying on the Fisheries be allowed to enter the said District, free of duty.

Le Boutillier,  
Brothers, and  
others.

Of Messieurs *Le Boutillier*, Brothers, and others, of the eastern part of *Bonaventure*, praying that such articles as are necessary for carrying on the Fishing be allowed to be imported into the District of *Gaspé*, free of duty.

Mr. *Boswell*, from the Special Committee to which was referred the Petition of *John Gilchrist*, of *Peterborough*, presented to the House the Report of the

said Committee, which was again read at the Clerk's table, and is as follows:—

"Your Committee have examined the depositions of several respectable persons, all of which shew that the dam erected on the River *Trent*, referred to in the said Petition, has had the effect of raising the water in the stream where the Mills of the Petitioner are situated, and periodically to stop and injure the operation of the same, and has also caused other damage and injury to Petitioner.

Your Committee, therefore, respectfully recommend to your Honourable House, to authorise the Board of Works, with as little delay as possible, to ascertain the extent of damage and injury sustained by Petitioner, in consequence of said dam on Public Works, and to report the same to the proper authority, with a view to the proper steps being taken to afford compensation for such damage; also, to take measures to prevent the recurrence and continuation of the like injury and damage upon property of the Petitioner; and for the regulation of the waters of the *Rice Lake*, in such a manner as to abate, as much as possible, the sickness which it appears to cause."

On motion of Mr. *Hale*, seconded by Mr. *Taché*, *Ordered*, That the entry in the Journals of this House, of the tenth September, 1841, relating to the Speaker of the late House of Assembly of *Upper Canada*, be now read.

The said entry was read accordingly.

Mr. *Hale* moved, seconded by Mr. *Taché*, that that part of the Report of the Special Committee on the Contingent Accounts, and other Expenses of the last Session, in relation to the remuneration of the late Speaker of the House of Assembly of *Upper Canada*, be referred to the Special Committee on the Contingent Accounts and Expenses of this House, during the present Session.

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

*Ordered*, That one hundred copies of the Address of this House, of the twenty-sixth of September last, to His Excellency, the Governor-General, relating to the Crown Lands and Jesuits' Estates, in the District of *Three Rivers*; together with the Message of His Excellency of the sixth instant, in reply to the said Address, be printed in each of the English and French languages, for the use of the Members of this House.

The Honourable *John H. Dunn*, laid before the House, by command of His Excellency, the Governor-General,

Return to an Address of the House of Assembly, dated the 29th September, 1842, praying for a detailed statement of all losses sustained during the late war with the *United States of America*, and unpaid, with each District by itself.

[For the said Return see Appendix (N.) at the end of this Volume.]

*Ordered*, That five hundred copies of the said Return be printed for the use of the Members of this House.

*Ordered*, That two hundred and fifty copies of the votes on the message of His Excellency, the Governor-General, relative to the Address of this House during the last Session, on the subject of convening the Parliament at *Quebec* and *Toronto*, be printed in each of the English and French languages, for the use of the Members of this House.

Mr. *Boulton*, from the Committee of the whole House, on the Petition of Major *John Richardson*, reported; according to order, the Resolution of the said Committee; which Resolution was again read

Report on  
Petition of John  
Gilchrist.

Speaker, late  
House of Ass'y.  
Upper Canada.

Crown Land  
and Jesuits  
Estates, Three  
Rivers.

War Losses.

Sent of Govern-  
ment.

Report on  
Petition of  
Major John  
Richardson.

at

Report on  
Petition of  
Major John  
Richardson.

at the Clerk's table, and agreed to by the House, and is as follows :

*Resolved*, That it is expedient to encourage the publication of a work intituled, "The War of 1812," written and published by Major *John Richardson*.

*Sir Allan N. MacNab* moved, seconded by *Mr. Hamilton*, That an humble Address be presented to His Excellency, the Governor-General, communicating the said Resolution.

The Honourable *Mr. Viger* moved, seconded by the Honourable *Mr. Neilson*, That the consideration of the said motion be postponed until the next sitting of this House.

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

The question being then put on the main motion, the House divided thereon, and it was carried in the affirmative; and,

*Resolved* accordingly.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

Legislative Council,  
Friday, 7th October, 1842.

Winter Roads.

*Ordered*, That the Master in Chancery do go down to the Legislative Assembly and acquaint them, that the Legislative Council does not insist on a certain amendment made to the Bill, intituled, "An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly called "Lower Canada," to which the Assembly disagree.

Attest.

*Charles deLéry*,  
Dy. Clk. Leg. Council.

And then he withdrew.

On motion of *Mr. Hale*, seconded by the Honourable *Mr. Jones*,

Gosford Road.

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, respectfully calling His Excellency's attention to the first clause of the Provincial Statute, 4 & 5 *Victoria*, cap. 28, appropriating the sum of ten thousand pounds, sterling, towards the improvement and completion of the *Gosford Road* through the block of land owned by the Government,—and praying that he would cause enquiry to be made whether the intention of the Legislature and the express words of the Statute have been followed in the operations had upon the said road; and also, praying that in the event of his being satisfied that they have not been so followed, he would cause all further operations to be suspended.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

King's Bench,  
Montreal District.

A Bill to continue, for a limited time, the Ordinance to facilitate the despatch of business before the Court of King's Bench for the District of *Montreal*, was, according to order, read a second time.

*Ordered*, That the said Bill be engrossed.

An engrossed Bill to continue, for a limited time, the Ordinance to facilitate the despatch of business before the Court of King's Bench for the District of *Montreal*, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable *Mr. Hincks* do carry the said Bill to the Legislative Council, and desire their concurrence.

The order of the day, for the House in Committee on the Second Report of the Special Committee on the Contingent Accounts and Expenses of this House, during the present Session, and on the Report of the Select Committee to which was referred the Petition of *William Ross*, and others, and other references, being read,

Contingent  
Accounts.

The House accordingly resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

And *Mr. Forbes* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Ordered*, That the Report be received, to-morrow.

Then on motion of *Mr. Boswell*, seconded by *Mr. McLean*,

The House adjourned until to-morrow, at three o'clock, p. m.

*Sabbati, 8<sup>o</sup> die Octobris.*

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

THE following Petition was brought up, and laid on the table:—

1 Petition  
brot. up.

By *Sir Allan N. MacNab*, the Petition of *Hamilton Hunter*, and others, Reporters in attendance upon the House.

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

Petitions read

Of *Jonathan Sissons*, and others, of the township of *J. Sissons, and Vespra*, county of *Simcoe*, praying for amendments to the Militia Law of *Canada West*.  
others.

Of *William Portt*, and *George Portt*, of *Tyendenaga*, District of *Victoria*, praying for an indemnification for losses sustained by the burning of their property by political incendiaries.  
Wm. & George  
Portt.

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

*Mr. Speaker*,

The Legislative Council have agreed to the amendments made by the Assembly to the Bill, intituled, "An Act to authorise the Courts of Queen's Bench and Chancery to admit *William Vynne Bacon* to practise therein, as an Attorney and Solicitor, respectively," without any amendment.  
Bacon's relief  
Bill.

And also,

The Legislative Council have passed the following Bills, without any amendment:

"An Act to impose a duty upon Foreign Wheat imported into this Province."  
Foreign Wheat.

"An Act to appropriate a certain sum, to enable Her Majesty to remunerate *Dr. Thomas Rolph*, for his past services as Emigration Agent."  
Emigration  
Agent.

"An Act to authorise, by way of loan, in *England*, the sum of one million five hundred thousand pounds, Sterling, for the construction and completion of certain Public Works in *Canada*."  
Loan.

"An Act to grant certain sums to Her Majesty, for defraying certain indispensable expenses of the Civil Government, during the periods therein mentioned."  
Supply.

"An Act to extend the Charter of the Bank of *Upper Canada*, and to increase the capital stock thereof."  
Upper Canada  
Bank.

"An Act to extend the Charter of the Commercial Bank of the *Midland* District, and to increase its capital stock."  
Commercial  
Bank.

"An

British America  
Fire and Life  
Assurance.

"An Act to extend the powers of the British  
"America Fire and Life Assurance Company, to  
"Marine Assurances."

Admeasurement  
of Timber.

"An Act to regulate the inspection and measure-  
"ment of Timber, Masts, Spars, Deals, Staves, and  
"other articles of a like nature, intended for shipment  
"and exportation from this Province, and for other  
"purposes relative to the same."

And then he withdrew.

Report on  
Petition of N. A.  
Co'l. Soc'y.

Mr. *Merritt*, from the Special Committee to which  
was referred the Petition of the North American  
Committee of the Colonial Society, and other refer-  
ences, presented to the House the Report of the said  
Committee, which was again read at the Clerk's  
table.

[For the said Report, see Appendix (W) at the end  
of this Volume.]

Ordered, That the said Report be referred to a  
Committee of the whole House, on Monday  
next.

Report on  
Petition of Geo.  
Macdonell, and  
others.

Mr. *McLean*, from the Special Committee to which  
was referred the Petitions of *George Macdonell*, and  
others, Inhabitants of the *Eastern* and *Ottawa* Dis-  
tricts, and the Petition of *T. Ward*, and others, of  
the town of *Port Hope*, in the County of *Durham*, in  
the *Newcastle* District, with power to report from  
time to time, presented to the House the First Re-  
port of the said Committee, which was again read at  
the Clerk's table.

[For the said Report, see Appendix (X) at the end  
of this Volume.]

Mr. *McLean* also presented to the House the  
Second Report of the said Committee, which was  
again read at the Clerk's table.

[For the said Report, see Appendix (X) at the end  
of this Volume.]

Ordered, That the said Report be referred to a  
Committee of the whole House, this day.

On motion of the Honourable Mr. *Moffatt*, seconded  
by Sir *Allan N. McNab*,

Collectors at  
Warehousing  
Ports to make  
Returns.

Ordered, That the Collectors, at the several Ware-  
housing Ports in this Province, do return to this  
House, within the first ten days of the next Ses-  
sion thereof, a certified copy of the Regulations  
made by them, respectively, for the warehousing,  
delivery, and transmission, of Goods in Bond,  
at and from the said Warehousing Ports; and  
that the Clerk of the House do forthwith trans-  
mit a copy of this order to the said Collectors,  
respectively.

A Message from the Legislative Council, by *John  
Godfrey Spragge*, Esquire, Master in Chancery:

Mr. Speaker,

Court of King's  
Bench, District  
of Montreal.

The Legislative Council have passed the Bill,  
intituled, "An Act to continue, for a limited time,  
"the Ordinance to facilitate the despatch of business  
"before the Court of King's Bench, for the District  
"of *Montreal*," without any amendment.

And also,

Certain Ordi-  
nances.

The Legislative Council have passed the Bill,  
intituled, "An Act to continue, for a limited time,  
"certain Acts and Ordinances," with an amendment,  
to which they desire the concurrence of the Assembly.  
And then he withdrew.

On motion of the Honourable Mr. *Harrison*, se-  
conded by the Honourable Mr. *Killaly*,

Ordered, That the amendment made by the Legis-  
lative Council to the Bill, intituled, "An Act to  
"continue, for a limited time, certain Acts and  
"Ordinances," be now taken into consideration.

The House proceeded accordingly to take the said  
amendment into consideration.

And the said amendment was read, and is as  
followeth:

Preamble, line 3.—After "Ordinances" leave out all  
the words to "*Canada*" in the  
4th line, inclusive.

And the said amendment being again read, and  
the question of concurrence being put thereon, it was  
agreed to by the House.

Ordered, That the Honourable Mr. *Harrison* do  
carry back the said Bill to the Legislative  
Council, and acquaint their Honours that this  
House hath agreed to their amendment.

On motion of Mr. *Hale*, seconded by Mr. *Black*,

Resolved, That an humble Address be presented to  
His Excellency, the Governor-General, under  
the provisions of the forty-second section of the  
Imperial Act to re-unite the Provinces of *Upper*  
and *Lower Canada*, specifying that a certain  
Bill, passed by this House during the present  
Session, intituled "An Act to make provision  
"for the management of the Temporalities of  
"the United Church of *England* and *Ireland*, in  
"the Diocese of *Quebec*, in this Province, and  
"for other purposes therein mentioned," contains  
provisions, respecting some of the purposes in  
the said section specially described, connected  
with Endowments, Incumbents, Dues, Rights,  
and Discipline, of and pertaining to the said  
United Church of *England* and *Ireland*, and  
respectfully desiring that, in order to give effect  
to the said Bill, such Bill may be transmitted to  
*England*, without delay, for the purpose of  
being laid before Parliament, previously to the  
signification of Her Majesty's assent thereto.

Ordered, That the said Address be presented to  
His Excellency, the Governor-General, by such  
Members of this House as are of the Honourable  
the Executive Council of this Province.

Ordered, That the Petition of the Honourable  
*George Pemberton*, and others, Merchants of  
*Quebec*, praying for the remittance of one half  
of the Timber duties, they having entered into  
engagements to pay, in the full assurance that no  
alteration would take place in the system of the  
Timber Trade, be printed for the use of the  
Members of this House.

Ordered, That the Petition of the Honourable  
*George Pemberton*, and others, Merchants of  
*Quebec*, praying for the remittance of one half  
of the Timber duties, they having entered into  
engagements to pay, in the full assurance that no  
alteration would take place in the system of the  
Timber Trade, be printed for the use of the  
Members of this House.

Mr. *Simpson*, from the Special Committee appoint-  
ed to examine and ascertain the most feasible means  
of removing obstructions in the navigation of the  
*Ottawa* and *River St. Lawrence*, and at the same time  
to extend their enquiries to all other communications  
of transport within the Province, presented to the  
House the Report of the said Committee; which was  
again read at the Clerk's table, and is as followeth:

"Your Committee have had before them several  
witnesses, whose testimony is hereto appended, and  
after a careful consideration of the same, beg leave  
respectfully to Report,

"That they respectfully recommend that an Address  
be presented to His Excellency, praying that he will  
direct an Engineer to be sent to examine the *Cedar*  
Rapids, and if the obstructions to the navigation be  
found to exist, and if the improvement suggested by  
the erection of a Dam will raise the water in those  
rapids two feet, at an expense equivalent to the object  
to be gained, and thus prevent at all times the neces-  
sity of boats discharging any parts of their cargoes  
at *Coteau du Lac*, previous to descending the *Cedar*  
Rapids, that he will cause the said obstructions to be  
removed."

Evidence of *William Roebuck*, Esquire, (Superin-  
tendent of Pilots, and Salvage Agent to the *St.  
Lawrence* Inland Marine Assurance Company.)

7th October, 1842.

Ques. 1. Are you acquainted with the *Cedar* Rapids,  
and

Report on  
Transport.

and the obstructions which exist in the navigation of these rapids ?

I am well acquainted with the *Cedar Rapids*, and all obstructions in them. They consist of a very intricate channel, narrow and shoal; the most difficult place is that marked in the plan, "descents," 1-2-3; this is shoal, so that when a boat plunges or settles down, if loaded too deep, it strikes the bottom with great violence, the current going at a rate of from six to seven miles the hour, and the boat ten or eleven. There are other large rocks which impede the channel.

2. State to the Committee in what manner you think those obstacles could be removed, so as to enable boats descending the *St. Lawrence* to carry their full freight, and not to discharge any at *Coteau du Lac* ?

I would recommend that a Dam be run in from *Cedar Point* to *Hog Island*; this would shut out an immense quantity of water, and throw it into these very places; and it must not be imagined that the water thus shut from finding a progress down the north side of *Hog Island* would be spread over a large space; on the contrary, it would be met by a counteracting current from the south, and be piled up in the very channel now marked as the boat channel; neither must it be thought that the water passing down the narrowest channel from *Hog Island* to the main shore is all that would be thrown there. A large body of water enters the part where I have put the proposed Dam, meets not sufficient egress, and returns into the main channel again, but too low to assist the descents. The large boulders and detached stones might be removed with skill and courage, by anchoring two boats over them, and lifting them up by machinery, and float them into deep water.

3. At what expense do you think these improvements, suggested by you, could be effected ?

I would make a draft of this Dam, construct it, fill it with stones and gravel, all in a good and substantial manner, with sufficient base to resist the current and ice, bring it three feet above the present level of the water, take out the necessary boulders, and, in short, prevent the necessity of boats unloading at *Coteau du Lac*, for the sum of ten thousand pounds, and finish all during next summer, provided a contract was given out this fall, in time enough to obtain the required timber. In saying this, I do not do it unadvisedly, having been often employed in building Dams and Slides on the *Ottawa*, as well as in the *United States*, all of which have been done in very rapid water, and dangerous places.

*William Casey*, Esquire, Civil Engineer, examined.

Ans. to Q. 1. I paid some attention to them in September last.

Ans. to Q. 2. The large boulders should be weighed and carried out of the channel, as is commonly done about *Montreal*. The proposed Dyke or Dam will be in every way advantageous, but I could not give any opinion as to the additional depth which would be thereby secured.

Ans. to Q. 3. The cost of a Dyke of loose stone sufficient to withstand the current, ice, stacks of rafts, &c. would be, for a distance of fifteen hundred yards, with an average depth of water of three feet, about £6,000. If the face were protected by timber, the cost would be from £8,000 to £10,000, according to the style of the work.

Messieurs *Merritt* and *Simpson*, two Members of the House, appeared before the Committee, and confirmed the views taken by the preceding witnesses.

Ordered, That the said Report be referred to a Committee of the whole House, on Monday next.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor-General, signed by His Excellency.

Vol. 2

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

*Charles Bagot*.

The Governor-General will have pleasure in assisting to give effect to the opinion expressed by the House of Assembly, in their Address in favour of the expediency of encouraging the publication of a work, intitled, "The War of 1812," written and published by Major *John Richardson*. For this purpose, the Governor-General recommends to the House of Assembly, to appropriate a sum not exceeding £250, Provincial Currency, to the promotion of the object of the Address, in such manner as shall be thought fit by the Legislature.

Publication of  
the War of 1812.

The Governor-General also recommends the appropriation of the sum of £250, Provincial Currency, for the promotion of a work by Mr. *James Crémazie*, containing a translation and compilation of the Criminal Laws of *England*, as applied to the Province of *Canada*, by Statutes of the Provincial Legislature.

Translation and  
Compilation of  
Criminal Laws  
of England.

Government House,

*Kingston*, 8th October, 1842.

On motion of Sir *Allan N. MacNab*, seconded by the Honourable Mr. *Moffatt*,

Ordered, That the said Message be referred to the Committee of Supply, on Monday next.

Mr. *Roblin* moved, seconded by Mr. *Boswell*, That the order of the day for the second reading of the Bill to authorise the Boards of Boundary Line Commissioners within the several Districts of *Canada West*, to close up their proceedings now in progress, lost by the adjournment of the House, on Thursday last, be revived, and that the said Bill be read a second time, on Monday next.

Boundary line  
Commissioners.

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

Ordered, accordingly.

*John W. Dunscomb*, Esquire, rose in his place, and informed Mr. Speaker and the House, that it was his intention to vacate his seat as a Member of this House, for the county of *Beauharnois*, and that in consequence of the provisions of the Act of the late Province of *Lower Canada*, 1st Will. IV. cap. 42, he now vacated his seat accordingly.

Mr. Dunscomb,  
Vacates his Seat.

The order of the day, for receiving the Report of the Committee of the whole House, on the Second Report of the Special Committee on the Contingent Accounts and Expenses of this House, during the present Session; and on the Petition of *William Ross*, and others, and other references, being read,

Contingent  
Accounts.

Ordered, That the said order of the day be postponed, until Monday next.

The order of the day, for the House in Committee on the First and Second Reports of the Special Committee to which were referred the Petitions of *George Macdonell*, and others, Inhabitants of the *Eastern* and *Ottawa* Districts; and the Petition of *T. Ward*, and others, of the town of *Port Hope*, in the county of *Durham*, in the *Newcastle* District, being read,

Petitions of  
Geo. Macdonell,  
and T. Ward.

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

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

Mr. Speaker having put the question,

Shall the Committee have leave to sit again on Saturday next ?

The House divided thereon, and the names being called for, they were taken down, as followeth:



## YEAS.

*Armstrong, Berthelot, Boulton, Cameron, Child, Cook, Daly, Derlshire, De Witt, Draper, Dunn, Duncomb, Durand, Foster, Gilchrist, Harrison, Hincks, Hopkins, Killaly, Kimber, Leslie, J. S. Macdonald, Noel, Parent, Parke, Powell, Harmanus Smith, Steele, Taché, Turcotte, D. B. Viger, and L. M. Viger. (32.)*

## NAYS.

*Boswell, Boutillier, Chesley, Forbes, Hamilton, Sir Allan N. MacNab, McLean, Merritt, Moffatt, Neilson, Roblin, Simpson, Henry Smith, Sherwood, and Williams. (15.)*

So it was carried in the affirmative, and,  
*Ordered*, accordingly.

Mr. *Boulton* moved, seconded by Mr. *Chesley*, That two hundred and fifty copies of the First Report of the Special Committee to which were referred the Petitions of *George Macdonell*, and others, Inhabitants of the *Eastern and Ottawa* Districts; and the Petition of *T. Ward*, and others, of the town of *Port Hope*, in the county of *Durham*, in the *Newcastle* District, and of the evidence accompanying the same, be printed in each of the English and French languages, for the use of the Members of this House.

The question having been put on the said motion, a division ensued, and it was carried in the affirmative.

*Ordered*, accordingly.

Mr. *Williams* moved, seconded by the Honourable Mr. *Neilson*, That two hundred copies of the Second Report of the said Committee, and of the evidence accompanying the same, be printed in each of the English and French languages, for the use of the Members of this House.

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

*Ordered*, accordingly.

Then on motion of the Honourable Mr. *Viger*, seconded by Mr. *Hamilton*,

The House adjourned.

*Lunæ, 10<sup>o</sup> die Octobris.*

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

Gore Bank.

MR. Speaker laid before the House, a general Statement of the affairs of the *Gore Bank*, received in conformity to an order of the House of the seventeenth ultimo.

[For the said Statement, see Appendix (R.) at the end of this Volume.]

Statements from Municipal Districts.

Mr. Speaker also laid before the House, Statements received from the Wardens of the Municipal Districts of *Beauharnois* and *St. Johns*, pursuant to the 43rd Section of the Ordinance 4 *Victoria*, Cap. 4.

[For the said Statements, see Appendix (Y.) at the end of this Volume.]

1 Petition bro't. up.

The following Petition was brought up, and laid on the table:

By Mr. *Foster*, the Petition of *E. P. Gilman*, and others, of the township of *Brome*.

Petitions read:

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

W. Owston.

Of *William Owston*, of *Hamilton*, Keeper of *Gull Island Light House*, praying for an increase of salary.

Mayor &c. Toronto.

Of the Mayor, Aldermen and Commonalty, of the city of *Toronto*, praying for certain amendments to the Act incorporating the city of *Toronto Gas Light and Water Company*.

J. Montgomery, and others.

Of *John Montgomery*, and others, of the township of *Roxborough*, complaining that they have not been paid for work performed by them on the faith of Commissioners appointed by Law, and praying relief.

Of *Hamilton Hunter*, and others, Reporters in attendance upon the House, praying for better accommodation to enable them to take the debates. H. Hunter, and others.

On motion of Mr. *Merritt*, seconded by Mr. *Thompson*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, at the opening of the ensuing Session, the statement relative to the receipts and expenditure of the Casual and Territorial Revenue of the late Provinces of *Upper and Lower Canada*, prayed for by an Address of this House of the seventeenth August, 1841. Casual and Territorial Revenue.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Merritt*, seconded by Mr. *Robin*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, at the commencement of the ensuing Session, a Return of Marriage Licenses, and all fees received in any Department or Public Office, since the Union, to whom paid, and for what purpose appropriated. Marriage Licenses and Fees.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Merritt* moved, seconded by Mr. *Sherwood*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, in the manner hereinafter directed, a Report containing the following tabular statements, viz: Tabular Statement of Moneys collected and expended by Departments, &c. &c. &c.

1st. The total amount of revenue collected and expended within the Province, including all fees and perquisites of every description, received in any department of the public service, and the disbursements on account of the same.

2nd. The total amount of the receipts and expenditure in the Land Granting Department, including all fees received, and every other description of income derived from this source; together with the amount expended for salaries, including all agencies and contingencies, to whomsoever paid, and for what purpose.

3rd. The total amount of the receipts and expenditure of the Woods and Forests, or Casual Revenue, shewing the gross amount received from timber rents, fines, and every other description of income derived from this source; also, amount of salaries, contingencies, and every other expenditure connected therewith.

4th. The amount of duties collected from Imports, shewing the gross amount received, with the expenses of collecting the same; together with all other charges at each separate Port, to shew the nett amount received thereat.

5th. The amount of Internal Duties collected, shewing the several sources from which they are received, and the authority for collecting the same, with the expenses or charges thereon.

6th. The amount of expenditures on behalf of the various Departments of the Provincial Government, under distinct heads, viz: the Executive Council, the Secretaries Departments, the Receiver-General, the Inspector-General, &c. &c. Also, the charges for Pensions, with the name of the Pensioner, the service rendered, and the amount of Pension, with the authority for the payment of the same.

7th. Statement of the gross amount of receipts and expenditure on account of Emigration, shewing to whom paid, and for what purpose.

8th.



Tabular Statement of Moneys collected and expended by Departments, &c. &c. &c.

8th. Statement shewing gross amount of receipts for fees, &c. in the administration of Justice, the amount paid, to whom, and for what purposes, including contingencies, and every other expense connected therewith.

9th. A Return of the District Assessments, from the several Clerks of the Peace throughout the Province, and of the application thereof.

10th. A Return of the various funds appropriated for Education, shewing amount of land sold, the proceeds thereof, under what control, and how invested; including the various Colleges as well as Common Schools.

11th. The amount of the Clergy Fund, where invested, and at what rate of interest.

12th. The amount of Indian Funds, where invested, and at what rate of interest.

13th. The total amount of tolls collected on each Public Work, the expenses of collecting the same, and the nett amount paid in to the Receiver-General.

14th. A statistical view of the commerce of *Canada*, exhibiting the value of Imports from, and Exports to, *Great Britain*, and each foreign country.

15th. The tonnage of British, Canadian, and foreign, vessels, arriving from, and departing to, each foreign country, from the respective Provincial Custom Houses.

16th. Total amount received by the Provincial Post Office Department, the expenses charged upon the same for collection, and the nett amount remitted to *England*; also, any other information necessary to present the total amount of the resources of the Province, from each separate, and the mode of applying the same.

The whole to be in *Canada* Currency, and to be made up to the thirty-first of December in each and every year, and to be presented to the House printed, in pamphlet form, within ten days after the opening of every Session of the Provincial Legislature.

*Ordered*, That the consideration of the said motion be postponed, until to-morrow.

Mr. Speaker communicated to the House the following letter:

Chief Secretary's Office,  
10th October, 1842.

Sir,

I am commanded by the Governor-General to inform you, that it is His Excellency's intention, should the state of the public business allow it, to prorogue the Provincial Legislature on Wednesday next, the 12th instant, at one o'clock.

I have the honour to be,

Sir,

Your most obedient,  
Humble servant,

*Rawson W. Rawson*,  
Chief Secretary.

The Hon. the Speaker,  
Of the House of Assembly.

On motion of Mr. *Dunscomb*, seconded by Mr. *Merritt*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, a Return of all seizures of goods illegally imported into this Province within the last three years, shewing the names of the parties making the said seizures, and the time, place, and circumstances, under which they have been made.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Simpson* moved, seconded by Mr. *Child*, for leave to bring in a Bill to confer certain necessary

Intimation of Prorogation.

Seizures.

Seigniorial tenure.

powers on the Commissioners of Seigniorial Tenure Inquiry.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Armstrong, Boutillier, Cartwright, Chesley, Child, Cook, De Witt, Draper, Dunlop, Dunscomb, Durand, Forbes, Foster, Hamilton, Johnston, Jones, Sir Allan N. MacNab, McLean, Moffatt, Moore, Powell, Simpson, Harmannus Smith, Sherwood, Turcotte, and Williams.* (26.)

NAYS.

*Barthe, Berthelot, Black, Boswell, Cameron, Christie, Derbshire, Dunn, Gilchrist, Harrison, Hincks, Hopkins, Kimber, Leslie, D. McDonald, Merritt, Neilson, Noel, Papineau, Parent, Parke, Roblin, Steele, Taché, Taschereau, Turgeon, D. B. Viger, and L. M. Viger.* (28.)

So it passed in the negative.

On motion of Mr. *Black*, seconded by the Honourable Mr. *Neilson*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, within ten days after the opening of the next Session of the Provincial Parliament, detailed accounts of all moneys received and expended by the Trustees of the *Quebec Turnpike Roads*, under the authority of the Ordinance to provide for the improvement of the Roads in the neighbourhood of, and leading to the city of *Quebec*, and to raise a fund for that purpose; and also, detailed reports of all the doings and proceedings of the said Trustees, under the said authority.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Black*, seconded by the Honourable Mr. *Neilson*,

*Resolved*, That an humble Address be presented to His Excellency, the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, within ten days after the opening of the next Session of the Provincial Parliament, detailed accounts of all moneys received and expended by the Trustees of the *Montreal Turnpike Roads*, under the authority of the Ordinances to provide for the improvement of the Roads in the neighborhood of and leading to the city of *Montreal*, and to raise a fund for that purpose; and also, detailed reports of all the doings and proceedings of the said Trustees under the said authority.

*Ordered*, That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Black*, seconded by the Honourable Mr. *Neilson*,

*Ordered*, That the Clerk of this House be directed to require from the President, Vice-President, and Directors, of the *Canada Fire Assurance Company*, within ten days after the opening of the next Session of the Provincial Parliament, lists of the names of all and each of the Stockholders who may then hold Shares in the Stock of the said Corporation, and a statement or account of the assets and liabilities of the said Corporation, pursuant to the provisions of the Statute incorporating the said Company.

The Honourable Mr. *Draper* moved, seconded by Mr. *Boswell*, That the engrossed Bill from the Legislative Council, intituled; "An Act to confirm certain Rules, Orders and Regulations, made by the Chief Justice

Canada Fire Assurance Company.

Rules, Court of Queen's Bench.

"Justice

Rules, Court of  
Queen's Bench.

"Justice and Judges of Her Majesty's Court of Queen's Bench, for Canada West," be now read a third time.

Mr. *Dunlop* moved, seconded by Mr. *Johnston*, that the consideration of the said motion be postponed.

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

The question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:

YEAS.

*Armstrong, Barthe, Berthelot, Black, Boswell, Boutillier, Cameron, Carterright, Daly, Derbshire, Draper, Dunscomb, Durand, Forbes, Foster, Gilchrist, Harrison, Hincks, Jones, Kimber, Leslie, McLean, Moffatt, Moore, Morris, Parke, Parke, Powell, Roblin, Simpson, Harmannus Smith, Sherwood, Steele, Taché, Taschereau, Turcotte, Turgeon, D. B. Viger, and L. M. Viger.* (39.)

NAYS.

*Chesley, Child, Christie, Cook, DeWitt, Dunlop, Hamilton, Hopkins, Johnston, D. McDonald, Noel, Papineau, Thompson, and Williams.* (14.)

So it was carried in the affirmative.

The said Bill was accordingly read, for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Draper* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same, without any amendment.

Bastard Sugar,  
duty on.

The Honourable Mr. *Moffat* moved, seconded by Mr. *Carterright*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a copy of any correspondence, or communication made by Her Majesty's Government to the Provincial Executive, relative to the duty to be collected on Bastard Sugar, under the Provincial Act of last Session, 4 & 5 Vic. cap. 14.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:

YEAS.

*Black, Carterright, Chesley, DeWitt, Dunlop, Dunscomb, Forbes, Hamilton, Jones, Leslie, Sir Allan N. MacNab, J. S. McDonald, McLean, Merritt, Moffatt, Moore, Morris, Simpson, Harmannus Smith, Sherwood, and Thompson.* (21.)

NAYS.

*Armstrong, Barthe, Berthelot, Boswell, Boutillier, Cameron, Child, Christie, Cook, Daly, Gilchrist, Harrison, Hincks, Hopkins, Kimber, Neilson, Noel, Papineau, Parke, Powell, Roblin, Henry Smith, Taché, Turgeon, D. B. Viger, and L. M. Viger.* (26.)

So it passed in the negative.

On motion of the Honourable Mr. *Draper*, seconded by Mr. *J. S. Macdonald*,

Act for recovery  
of small Debts.

*Resolved*, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of amending the Act of last Session, intituled, "An Act to repeal the laws now in force in that part of this Province formerly Upper Canada, for the recovery of small debts, and to make other provision therefor;" as to the number of divisions; the payments of the Clerks by salaries, substituting fees instead thereof; the examination of the accounts of such Clerks; extending the power of defendants to set off debts; enabling plaintiffs, under certain restrictions, to give their own evidence of the items of their accounts; altering the schedule of fees; and making provision for suits against Bailiffs and Clerks of such Courts.

The House, accordingly, resolved itself into the said Committee.

Mr. *Armstrong* took the chair of the Committee; and after some time spent therein, Mr. *Speaker* resumed the Chair,

Act for recovery  
of small Debts.

And Mr. *Armstrong* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That it is expedient to amend the Act of last Session, intituled, "An Act to repeal the law now in force in that part of the Province formerly Upper Canada, for the recovery of small debts, and to make other provision therefor;" as to the number of divisions; the payment of the Clerks by salaries, substituting fees in lieu thereof; the examination of the accounts of such Clerks; extending the power of defendants to set off debts; enabling plaintiffs, under certain restrictions, to give their own evidence of the items of their account; altering the schedule of fees; and making provision for suits against Bailiffs and Clerks of such Courts.

*Ordered*, That the Honourable Mr. *Draper* have leave to bring in a Bill to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the laws now in force in that part of this Province formerly Upper Canada, for the recovery of small debts, and to make other provisions therefor."

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time, to-morrow.

The Honourable Mr. *Harrison* moved, seconded by the Honourable Mr. *Hincks*, for leave to bring in a Bill to remove doubts as to the application of the Act for providing for the freedom of Elections, to certain Elections held under Writs issued during the present Session.

Freedom of  
Elections.

Sir *Allan N. MacNab* moved, in amendment, seconded by Mr. *Cartwright*, That all the words after "moved" in the said motion be struck out, and the following substituted, "That the Clerk of this House be directed to enquire and report to this House by what authority the said Bill was printed."

The question having been put on the motion of amendment, a division ensued, and it passed in the negative.

The question being then put on the main motion, it was agreed to by the House, and

*Ordered*, accordingly.

The said Bill was then received, and read for the first time.

*Ordered*, That the said Bill be now read a second time.

The said Bill was accordingly read a second time.

*Ordered*, That the said Bill be engrossed.

An engrossed Bill to remove doubts as to the application of the Act for providing for the freedom of Elections, to certain Elections held under Writs issued during the present Session, was read for the third time.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. *Speaker* three Messages from His Excellency, the Governor-General, signed by His Excellency.

And the said Messages were read by Mr. *Speaker*, all the Members of the House being uncovered, and are as followeth:—

*Charles Bagot.*

The Governor-General, in compliance with the Address of the House of Assembly, will transmit, without delay, to the Secretary of State, a Bill which has been passed by the Legislature during the present Session, intituled, "An Act to make provision for the management of the Temporalities of the United Church

Church Tempo-  
ralities.

"Church

"Church of *England* and *Ireland*, in the Diocese of "*Quebec*, in this Province," in order that the same may be laid before Parliament, in compliance with the Act of Union, previous to the signification of Her Majesty's assent thereto.

Government House,

Kingston, 10th October, 1842.

Charles Bagot.

R. F. Gourlay.

The Governor-General informs the House of Assembly, that in consideration of the losses and misfortunes of *Robert F. Gourlay*, Esquire, as set forth in his Petition to the House, and recommended by them for remuneration, in their Address of the 6th instant, he has directed that the sum of £50 be granted annually to the said *Robert F. Gourlay*, during his natural life.

Government House,

Kingston, 10th October, 1842.

Charles Bagot.

Emigration.

The Governor-General transmits, for the information of the House of Assembly, a copy of a Despatch which he has received from the Secretary of State, relative to the scheme for promoting Emigration from the United Kingdom to this Province, proposed by his predecessor to the late Governor-General, in his Lordship's Despatch of the third May, 1841.

Government House,

Kingston, 10th October, 1842.

(Copy.)

No. 62.

Downing Street,  
3rd February, 1842.

Sir,

I have to acknowledge the receipt of Sir *Richard Jackson's* Despatch, No. 5, of the 27th September, containing the report which Lord *John Russell* had called for, as to the sum for which it would be proper that application should be made to Parliament for the service of Emigration in *Canada*, during the year commencing on the first of next April.

I have been led, by the importance of this subject, to inquire very minutely into the manner of carrying out the scheme which Lord *John Russell* contemplated in his Despatch to Lord *Sydenham* of the 3rd of last May, and the result of that inquiry has served to convince me, that there are difficulties which practically interfere with the execution of Lord *John Russell's* plan.

I will now explain to you the nature of those difficulties, and announce to you the conclusion of Her Majesty's Government upon the subject.

The plan suggested by Lord *John Russell* appears to have consisted in the removal of the Legislative enactment imposing a capitation tax on Emigrants, from the proceeds of which tax a fund was to be established, applicable to the wants of destitute Emigrants upon their arrival in the Province. The contemplated grant from the British Treasury was to have relieved certain Emigrants from the payment of the Provincial tax, but only in these cases in which the fitness of the Emigrants for Emigration had been previously attested by an authorised Agent in this country. The difficulties attending this system of attestation are found on examination to be almost insuperable, except by incurring a very considerable expense to the public, and causing trouble to the Emigrants. The persons who go to the North American Provinces are not dependent on Government, nor is there any reason why they should report themselves beforehand to any officer of the Government. They are simply British Subjects, removing from one part of Her Majesty's dominions to another, whose arrangements it is not possible to control by any regulations at the place of embarkation. As the Emigrants go on board on the earliest day they can

after they reach the port, it would be impracticable for any officer to make proper and sufficient enquiries into the character and circumstances of the people, and to wait for their replies; and yet if the Government professed to grant exemptions and indulgencies, persons who were entitled in other respects to the relief, would feel aggrieved if it were denied for want of opportunities of investigation. Neither could this be met by a system of requiring them to come provided with testimonials from their own neighborhood, for independently of the difficulty of effectually notifying such a demand before-hand to poor Emigrants throughout the United Kingdom, it is well known that documents of that kind require much investigation.

Emigration.

Again, the system of establishing local Agents throughout the country, for the purpose of enquiring into the characters of intending Emigrants, is found to be wholly impracticable, by reason of the expense; and under any circumstances the enquiry could not be rigid, when so small a benefit was to be incurred.

I have thus described the practical difficulty to which, in this country, the plan of Her Majesty's late Government, in respect to Emigration to *Canada*, is liable in its exemption, because it is necessary that the reasons which oblige Her Majesty's Government to relinquish that plan should be fully explained to the Provincial Legislature.

Instead of the original scheme, it is now proposed, subject to the consent of Parliament to the vote, that the sum of £5,000, which is the amount represented by Sir *Richard Jackson* to be sufficient for this service during the year 1842, should be paid over to the Provincial Treasury, to be expended under your authority, and under such checks and rules as the Legislature may have established. You will bear carefully in mind that this fund must be strictly and rigidly administered; that the Emigrant is not to be entitled to relief out of it, unless he shall come under the description of a destitute Emigrant; and lastly, that the amount granted by Parliament shall not be exceeded.

I have, &c.

(Signed)

Stanley.

To the Right Honourable,  
Sir *Charles Bagot*, G. C. B.  
&c. &c. &c.

On motion of the Honourable Mr. *Hincks*, seconded by the Honourable Mr. *Harrison*,

Ordered, That the item on the order of the day book, for the House in Committee on Supply, and on the Message of His Excellency, the Governor-General, relating to Major *John Richardson* and *James Crémazie*, Esquire, laid before the House on Saturday the eighth instant, be now read.

Supply,  
Maj. Richardson,  
and  
Mr. Crémazie.

The order of the day, for the House in Committee of Supply, and on the Message of His Excellency, the Governor-General, relating to Major *John Richardson*, and *James Crémazie*, Esquire, laid before the House on Saturday the eighth instant, being read,

The House, accordingly, resolved itself into the said Committee.

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

Mr. Speaker resumed the Chair,

And Mr. *Leslie* reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same; and also, that he was directed by the Committee to move for leave to sit again.

Ordered, That the Report be received, to-morrow.

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

Mr. *Forbes*, from the Committee of the whole House, on the Second Report of the Special Committee on the Contingent Accounts and Expenses of this House, during the present Session; and on the Report of the Special Committee to which was referred

Contingent  
accounts.

Contingent  
accounts.

the Petition of *William Ross*, and others, and other references, reported, according to order, the Resolutions of the said Committee; which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

Report on  
Petition of W.  
Ross, and others.

*Resolved*, That the Clerk of this House be directed to pay to *William Dixon*, *James Voller*, *John Healy*, *Michael McCarthy*, *Augustin Laperrière*, *John Kay*, *Robert Baily*, and *Edmund McCrae*, Messengers of this House, and *Robert Defries*, the Post Office Messenger, the sum of five pounds each, to compensate them for the expenses incurred in travelling to and from the Seat of Government.

*Resolved*, That there be granted to *James Voller*, Messenger, the sum of ten pounds, Currency, due him for past services.

*Resolved*, That the sum of sixty pounds, Currency, be granted to *Hugh McLellan*, Door Keeper of this House, in full of all claims and allowances, whatever, for the present year.

Boundary Line  
Commissioners.

A Bill to authorise the Boards of Boundary Line Commissioners within the several Districts of *Canada West*, to close up their proceedings now in progress, was, according to order, read a second time.

On motion of *Mr. Roblin*, seconded by *Mr. Cook*, *Ordered*, That the said Bill be now referred to a Committee of the whole House.

The House, accordingly, resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair.

North American  
Committee of  
Colonial Society.

The order of the day, for the House in Committee on the Report of the Special Committee, to which was referred the Petition of the North American Committee of the Colonial Society, and other references, being read,

The Honourable *Mr. Hincks* moved, seconded by the Honourable *Mr. Viger*, That the said order of the day be postponed.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Armstrong*, *Berthelot*, *Boswell*, *Boutillier*, *Cameron*, *Christie*, *Cook*, *Derbshire*, *Durand*, *Forbes*, *Gilchrist*, *Harrison*, *Hincks*, *Hopkins*, *Killaly*, *Kimber*, *Leslie*, *Moore*, *Morris*, *Neilson*, *Noel*, *Papineau*, *Parke*, *Powell*, *Roblin*, *Henry Smith*, *Taschereau*, *D. B. Viger*, *L. M. Viger*, and *Woods*. (30.)

NAYS.

*Cartwright*, *DeWitt*, *Dunlop*, *Foster*, *Johnston*, *Sir Allan N. MacNab*, *D. McDonald*, *J. S. Macdonald*, *McLean*, *Merritt*, *Moffatt*, *Simpson*, *Hermannus Smith*, *Sherwood*, *Thompson*, and *Williams*. (16.)

So it was carried in the affirmative; and,

*Ordered*, accordingly.

*Ordered*, That two hundred and fifty copies of the Report of the Special Committee, to which was referred the Petition of the North American Committee of the Colonial Society, and other references, be printed in each of the English and French languages, for the use of the Members of this House.

Ottawa and  
St. Lawrence  
navigation.

The order of the day, for the House in Committee on the Report of the Special Committee, appointed to examine and ascertain the most feasible means of removing obstructions in the navigation of the *Ottawa* and *River St. Lawrence*, and at the same time to extend their enquiries to all other communications of transport within the Province, being read,

The House, accordingly, resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

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

*Ordered*, That the said Committee have leave to sit again, on Saturday next.

Then on motion of the Honourable *Mr. Viger*, seconded by the Honourable *Mr. Neilson*,

The House adjourned.

*Martis*, 11<sup>o</sup> die Octobris.

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

**M**R. Speaker communicated to the House the Supply Bill. Speech he proposed to make upon presenting the Supply Bill to His Excellency, the Governor-General, to-morrow, in the Legislative Council Chamber.

The following Petition was brought up, and laid on the table: <sup>1 Petition brot. up.</sup>

By *Mr. Foster*, the Petition of *Mrs. Susan Elkins*, widow of the late *Moses Elkins*.

*Mr. Morris*, from the Standing Committee to superintend the printing of this House during the present Session, with power to report from time to time, presented to the House the second Report of the said Committee; which was again read at the Clerk's table, as followeth:

"That your Committee having, pursuant to notice, received tenders for printing the Journals and Appendices, in the English and French languages, beg leave to inform your Honourable House, that the tenders of *Robert Stanton*, and *E. Barker*, were the lowest, the former for the English version, and the latter for the French.

"Your Committee have required the parties to enter into security for the speedy and correct performance of the work; and pray the assent of your Honourable House to the same."

*Ordered*, That the said Report be now referred to a Committee of the whole House.

The House, accordingly, resolved itself into the said Committee.

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

*Mr. Speaker* resumed the Chair,

And *Mr. Price* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:

*Resolved*, That this House doth concur in the second Report of the said Standing Committee.

*Ordered*, That when this House doth adjourn, it will adjourn until to-morrow, at ten o'clock a. m.

The Honourable *S. B. Harrison* laid before the House, by command of His Excellency, the Governor-General,

Return to an Address of the House of Assembly to His Excellency, the Governor-General, bearing date the 28th September, 1842, and praying that His Excellency will be pleased to lay before the House copies of such correspondence as may have taken place since 1st June, 1841, relative to the erection of the counties of *Bonaventure* and *Gaspé* into Municipal Districts; and of all communications and papers of a public nature, since the same period, addressed on that subject to the Executive, from either of the said Municipal Districts. <sup>Municipal Districts of Gaspé and Bonaventure.</sup>

By command.

Secretary's Office, East,  
Kingston, 11th October, 1842.

*D. Daly*,  
Secretary.

Municipal  
Districts of  
Gaspé and  
Bonaventure.

1.

New Carlisle, 3rd Feb'y, 1842.

Sir,

I have the honour to acknowledge, by this day's mail, the receipt of your letter of the 5th ultimo, containing instructions for my guidance in the duties of Warden of the Municipal District of *Bonaventure*; and also of your letter of the 6th of the same month, conveying to me His Excellency's instructions that I should proceed to issue my warrants for holding the first Municipal Elections in my District, at as early a day as I may think it desirable to name, with a view to the public convenience, and that the precise day is not named in the sixth paragraph of the instructions, because His Excellency was of opinion that it would be better left to my discretion than determined at that distance.

I regret the circumstance of its being left to me to name the day for holding the Elections, as I am really at a loss how to construe the second Section of the 4th *Victoria*, Cap. 3, as it appears by that Section that the Elections ought to have taken place on the second Monday of January last, and on the same day of each succeeding year; this also seems the tenor of the seventh paragraph of your instructions.

I have, therefore, thought it more prudent to delay issuing the warrants, until His Excellency's further pleasure be known.

I have the honour to be,

Sir,

Your most obedient, &c.

(Signed) *Jno. R. Hamilton.*

The Honourable *Dom. Daly*,  
Pro. Secretary,  
&c. &c. &c.

2.

Cross Point, Ristigouche,  
18th March, 1842.

Sir,

I have the honour to transmit, for the information of His Excellency, the Governor-General, the enclosed copies of Resolutions adopted at public meetings of Freeholders of the county of *Bonaventure*, held the 13th and 15th instant, at *Carleton* and *New Richmond*.

In forwarding, at the request of those meetings, numerous and respectfully attended, as from personal observation I can vouch, the Resolutions unanimously entered into on the occasion, it is my duty to the county wherein I reside, as well as to that which I have the honour to represent, respectfully to state to His Excellency, that, independently of the objections to which, in a constitutional sense, the Ordinance creating Municipal Districts in *Lower Canada*, passed by the late Governor and Special Council thereof, on the eve of its restoration to a more constitutional Legislature, and in anticipation of its rights, is liable, the circumstances and state of this District in particular are, and probably for a century to come will be, wholly unsuited to the Municipal Institutions attempted to be forced upon it; that the Inhabitants are unprepared for, and, happily for themselves, averse universally to the establishment of such, the mere costs whereof would entail upon them taxes heavier than they can bear. Nor, if I may be allowed to submit my own opinion, do the contemplated Municipalities offer any advantages to counterbalance or to be compared to the inconveniencies to which their existence would subject the population of the District, who, however industrious and striving, are neither numerous nor wealthy enough to avail themselves of the benefits which such Institutions imply.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) *Robert Christie,*

The Honourable *D. Daly*,  
Secretary East. *M. P. P.*

At a Public Meeting of Inhabitants of *Carleton*, *Maria* and *Nouvelle*, in the County of *Bonaventure*, held in the Prysbytery, at *Carleton*, the 13th March, 1842, to take into consideration the state of the country.

*Hypolite Landry*, Esquire, in the chair.

Captain *Pierre Thibodeau*, Vice-President.

Mr. *Isidore Malo*, Secretary.

On motion of Mr. *Louis Normandeau*, seconded by Mr. *Peter Day*—

First. *Resolved*, as the opinion of this meeting, that the Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, creating Municipal Districts throughout the extent of that Province, and now in process of being carried into effect, was uncalled for by the people of the Province—tends to increase enormously the patronage and power of the Crown—to impose new and intolerable taxes upon the subject, and to corrupt the representation; and was, on the part of the Governor and Special Council—appointed by the Crown, and possessing no representative character or authority derived from the people—an abuse of the Legislative powers entrusted to them but for temporary purposes, subversive of the rights and liberties of the people: and that the inhabitants of this county, so far as constitutionally they can, ought to and will oppose it.

Second. On motion of Mr. *Désiré Saincaeur*, seconded by Mr. *Felix Dugas*.—That the crection of this county, as yet but thinly settled, and in which industry, struggling against the disadvantages incidental to a new country and a rigorous climate, scarcely can secure a subsistence, into a Municipality, is premature, and unsuited to the circumstances and state of the country, and is contrary to the interests and wishes of the entire mass of its inhabitants.

\* \* \* \* \*

3.

*Gaspé*, Municipal District,  
*Percé*, 21st March, 1842.

\* \* \* \* \*

I am sorry to observe, that the Proclamation erecting this county into a Municipal District, is rather unpopular, and it will take much time before the Inhabitants can be made to understand the practical good which must result from the effectual operation of the Municipal Ordinances, which they are anxious to get repealed. The fact is, that any system of rates alarms them; and I own, that on this fishing coast, the collecting of such, to the extent required, although only to a small amount, will be found costly, nay, to a great extent, impracticable, owing to the absence of a circulating medium, the want of which in the ordinary transactions is scarcely felt, for the whole trade and business that is carried on in this county is almost entirely managed by a continual system of barter. Under the circumstances, then, it is perhaps fortunate that the Elections cannot legally be had before the second Monday of January next, for it is probable that by that time there may be a favourable change of public opinion in the District, as to the advantages which the good working of these Laws is likely to bring about in this extensive, but remote and hitherto much neglected section of the Province.

\* \* \* \* \*

I have the honour to be, with great respect,

Sir,

Your obedient and humble Servant,

(Signed) *John Le Boutillier,*  
Warden.

4.

*Cross Point*, *Ristigouche*.  
26th March, 1842.

Sir,

I have the honour to forward you the enclosed petition to His Excellency, the Governor-General, from



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Bonaventure.

from the Inhabitants at *Gaspé Bay*, dated the 4th instant, with a copy of resolutions adopted at a public meeting thereat, held on the 26th February, and which have been despatched hither.

With respect to so much of those documents as relates to the Municipal Ordinance, and District Councils, I can but repeat what I have already submitted. They are wholly unsuited to the state of this District—unpopular and universally deprecated by the Inhabitants. It is my bounden duty to submit to His Excellency the views of my constituency on public measures affecting their welfare, and in this matter I have hitherto confined myself to its bearing upon them exclusively, without allusion to its inapplicability to *Lower Canada* generally, and the impolicy of forcing it upon the population contrary to their views. It may not, however, be out of the path of my duty, as one of the representatives of the people, respectfully to submit to His Excellency, that the total and immediate repeal of the Municipal Ordinance is a matter well worthy of his most serious consideration. It is pregnant with evil, and if persisted in, will produce, and in the opinion of the world justify, resistance; and combined with other matters by which the subject in *Canada* justly deems himself aggrieved, lead to a dissolution of the tie connecting this Country with *Great Britain*. *England* may indeed, for a time, enforce obedience, and the dependence of the Colony, but that connexion will last so long only as *England* will herself be at the expense of maintaining it. A law of such a nature as the Ordinance I allude to, enacted by such a Legislature, at such a time, and under such circumstances, is calculated to rouse the feelings of every man possessing a proper sense of constitutional rights, and it will be worthy of His Excellency's wisdom to quench it at once. I do not imagine that so small a matter as my opinion can have much weight with His Excellency, but it is sincere, and I hope will be received in the spirit in which it is submitted.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed.) *Robt. Christie,*  
M. P. P.

The Honourable  
*D. Daly,*  
Secretary, East.

PUBLIC MEETING.

A meeting of the Inhabitants of *Gaspé*, and its vicinity, called by public advertisement, was held at the Basin of *Gaspé*, on Monday, the 28th February last, to take into consideration the necessity and propriety of petitioning His Excellency, Sir *Charles Bagot*, G. C. B. Governor of the Province, and both Houses of the Parliament, against any alteration in the present scale of duties; the necessity of the contemplated introduction and establishment of the Local and Municipal Law; and for other purposes affecting the best interests of all classes of the community. The attendance was very numerous and respectable, and consisted of all classes of the Inhabitants, without any distinction of political opinion or national origin.

*Charles Davis*, Esquire, was called to the Chair.  
*Mr. T. Spencer* was appointed Secretary.

Moved by Captain *Wm. Baker*, seconded by Mr. *Richard Ascott*,

1st. Resolved, That the Inhabitants in general of this District are of the labouring class, principally fishermen, altogether depending on the fruits of their industry for the means of obtaining a maintenance for themselves and families; disappointed frequently in their pursuits by a rigorous climate, and from other causes over which they can have no control, and too

often have to pass a long dreary winter without the common necessities of life. Under such circumstances they represent, that a District thinly inhabited by a population of fishermen, the introduction of the Municipal Law, to be extended to this District, is inexpedient, uncalled for, entirely unsuited to our wants, and if carried into effect against the unanimous voice of the people, so far from operating favourably, it would materially discourage and distress its Inhabitants.

Moved by Mr. *Richard Annat*, seconded by Mr. *John Lefour*,

3rd. That we are willing to comply with any measure that the Legislature may enact to oversee the opening and repairing of the roads and bridges, and that a Legislative enactment authorising the Inhabitants to appoint their respective Officers to oversee the making and management of our roads and bridges, and to manage every other local measure connected with our numerous interests, would be highly satisfactory to the Inhabitants, and cheerfully complied with, without the necessity of having salaried Officers appointed for such purposes.

Moved by Mr. *Benjamin Coffin*, seconded by Mr. *Luke Gaul*,

4th. That we are convinced that the enactment of any additional tax, and the enforcement of the Local and Municipal Act within this District, would be the readiest method that the Government could adopt to ruin and distress its Inhabitants. The number of Officers that must of necessity be appointed to carry the Local and Municipal Law in force, the amount of their salaries, to be annually drawn from the pockets of the labouring and industrious people, would be a grievous and intolerable burthen, without any benefit arising to the Inhabitants therefrom. The sums of money that would be required for the aforesaid purposes, would, if judiciously expended under the superintendence of persons annually chosen by the Inhabitants of each township, or village, as heretofore, and serving without fee or reward, nearly accomplish whatever local improvement might be wanting.

5.

*Cross Point, Ristigouche.*  
9th April, 1842.

Sir,

I have the honour to transmit, for His Excellency's information, the enclosed copy of resolutions, adopted at a large meeting of Freeholders residing on this River, held the 31st ult. The public opinion in this quarter, with respect to the Municipal Ordinance, is now fully expressed, and my previous letters on this subject convey all that I have to submit on that score to His Excellency.

I have the honour to be,

Sir,

Your most obedient servant,

*Robt. Christie,*  
M. P. P.

The Honourable  
*D. Daly,*  
Secretary, East.

At a very numerous meeting of the Freeholders and Inhabitants of the townships of *Man*, *Ristigouche* and *Matapedia*, held, pursuant to notice, at the house of Mr. *Norman McLeod*, *Flat Lands*, on Thursday, the 31st March, 1842, to take into consideration the state of the District, &c.

*Peter Sutherland*, Esquire, in the chair.

*Thos. Busteed*, Esquire, Vice-President.

*Mr. Norman McLeod*, Secretary.

The Chairman having explained the object of the meeting, the following Resolutions being brought forward,

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forward, after having been moved and seconded, were unanimously adopted :

First.—*Resolved*, As the opinion of this meeting, that the Municipal Ordinance, about to be introduced into the District, is not calculated to benefit its Inhabitants, and ought not to be forced on them without the concurrence of a majority of the Freeholders ; and that if the said Ordinance go into operation, it will entail on its Inhabitants consequences most ruinous, and that the said Ordinance being wholly objectionable, ought to be repealed.

\* \* \* \*

6.

New Richmond, 9th June, 1842.

Sir,

As Chairman of a meeting at *New Carlisle*, of the Councillors for the District of *Bonaventure*, I beg to transmit you, in accordance with the sixth Resolution, certain Resolutions passed by the Councillors, for His Excellency, the Governor-General's, information.

I have the honour to be,

Sir,

Your obedient, humble servant,

*William Cuthbert.*

The Honourable *D. Daly*,  
Secretary East,  
*Kingston.*

Proceedings of the District Council of *Bonaventure*,  
7th June, 1842.

*William Cuthbert*, Esquire, in the Chair.

*Resolved*, as the opinion of the District Councillors attending this meeting,

1st. That the erection of the county of *Bonaventure* into a Municipal District, is contrary to the wishes and interests of its Inhabitants, whose state and circumstances are unsuited to the proposed Institutions.

2nd. That the Municipal Ordinance, and the Ordinance for the Election of Parish and Township Officers connected with it, passed by the late Governor and Special Council, in which the people of the Province were unrepresented, impose taxes, and create new and unnecessary Offices, burdensome upon the public, without any corresponding benefits arising therefrom.

3rd. That the powers professed to be given by those Ordinances, viz: local taxation for local improvements, by a Legislature which itself had not, nor Constitutionally could have, (consistently with the British Constitution,) those powers, is an additional grievance to those the people of *Lower Canada* sustain by the Union Act, forcibly disposing of our entire revenue in payment of the public debt of *Upper Canada*.

4th. That supposing the Ordinances to be Constitutional, the Executive Government has not itself, in some instances, observed them ; nor have the Elections of District Councillors that have taken place been held according to them ; and which Elections, therefore, if not illegal, are at best questionable.

5th. That viewing, in common with our constituency, the Municipal Ordinance in this light, it would not be consistent to proceed to business under it ; that at the desire of our constituents, and in justice to them and to ourselves, we have met but to record the views entertained of those Ordinances with their wishes.

Adjourn *sine die*.

6th. That a copy of the above Resolutions be forwarded to His Excellency, the Governor-General, by *William Cuthbert*, Esquire ; and that it be recommended to the Inhabitants to join without delay in the Petitions actually in progress to the Legislature for the repeal of those and other Ordinances of the late Governor and Special Council of *Lower Canada*.

*William Cuthbert*,  
Chairman.

Municipal Districts of Gaspé and Bonaventure.

7.

Municipal District of *Gaspé*,  
*Percé*, 20th June, 1842.

Sir,

\* \* \* \*

In reporting upon the labours of the first Session of the Council, I shall probably best discharge that duty by transmitting to you, as I now do, a copy of its Journal, for the information of His Excellency ; in doing which, I beg to observe, that the Council having met at a most busy period of the season, when the presence of the gentlemen that have been elected is required for the successful prosecution of the Fisheries, wherein they are all more or less deeply engaged, they manifested the greatest impatience for the early adjournment of the Session which has been had ; and that I apprehend the September Session will, for the same cause, be hurried through in the like manner.

I have the honour to be,

With great respect,

Sir,

Your obedient, humble servant,

*John Le Boutillier*,

Warden, D. C.

The Honourable *D. Daly*,  
Secretary East,  
*Kingston.*

8.

House of Assembly,  
*Kingston*, 26th September, 1842.

Sir,

I have the honour to transmit you the accompanying Petitions, viz :

\* \* \* \*

Also, a Petition of the Inhabitants of *Percé*, and neighborhood, complaining of the Municipal Ordinance, and other grievances ; and finally, a Petition from the Freeholders and Inhabitants of *Bonaventure*, against the said Ordinance ; all which I request you will lay before His Excellency, the Governor-General.

I have the honour to be,

Sir,

Your most obedient servant,

*Robert Christie*,

M. P. P.

The Honourable *D. Daly*,  
Secretary East.

(Copy.)

To His Excellency, Sir *Charles Bagot*, G. C. B.  
Governor-in-Chief in and over British *North America*, &c. &c. &c.

The humble Petition of the undersigned Inhabitants of *Percé*, and adjacent parts, in the county of *Gaspé*, Humbly sheweth :

That the Inhabitants of this part of the county of *Gaspé* are poor Fishermen, and generally with large families ; that the Fisheries in some years are not sufficient to clear their way, and owing to the shortness of the summer season, they have scarce five months to provide for the whole year—Potatoes and Barley being chiefly the produce of the agriculture, and in some years these articles do not come to perfection ; that the necessary supplies of Provisions, such as Flour, Pork, Potatoes, &c. are imported from *Europe*, the sister Provinces, and the *United States*, for which your Petitioners pay an exorbitant price.

Your Petitioners, therefore, most humbly pray your Excellency to take this into consideration, and repeal the new Municipal Laws, as refers to the District of *Gaspé*, as lately established, as it is morally impossible for the Inhabitants of this District, who are a population of poor Fishermen, to meet its burden.

The sister Provinces allow the necessary articles for the Fisheries to be imported free of duty ; but in this

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this Province the Fisheries have hitherto been taxed two and a half per cent duty, and now an additional tax of two and a half per cent is added thereto, and one shilling per ton on Salt, which hitherto has been imported free.

And your Petitioners, as in duty bound, will ever pray.

March 7th, 1842.

Signed by *Matthew Ryan*, and 386 others.

To His Excellency, the Right Honourable Sir *Charles Bagot*, Governor-General of *Canada*, &c. &c. &c.

The Petition of the undersigned, Freeholders and Inhabitants of the county of *Bonaventure*, District of *Gaspé*,

Respectfully represents:

That among the rights and liberties which your Petitioners have inherited from their ancestors, or been guaranteed to them as subjects of the British Crown, are those of not being compelled to pay any duty, tax or assessment whatever, without the consent of Representatives freely chosen by themselves, excepting duties for the regulation of trade, the proceeds of which duties are to be always paid and applied, by and with the advice and consent of their Representative Assemblies.

That among the Ordinances passed by the late Governor-General, in Special Council, the said Governor in Council, in violation of this right, and after the said Council had ceased to exist, ordained and enacted that the late Province of *Lower Canada* should be parcelled out into extensive Districts, and be provided with Municipal Councils, with power of taxation on the real or personal property, or both, of your Petitioners, while all the administrative powers of the said Councils were invested in persons appointed by the Provincial Executive.

Your Petitioners humbly represent, that the greater part of the Ordinances of the said Governor in Special Council, were passed at a time when it was known that a Representative Legislature was about to be assembled in the Province, under an Act of the Imperial Parliament; and the said Municipal and other Ordinances having been passed, as aforesaid, the said Governor and Special Council, by the said Ordinances, have violated those rights, and others, inherent in British subjects, and inseparable from their absolute right of property, in subjecting your Petitioners,—

1st. To duties, taxes and assessments, to be imposed by Corporations appointed by the authority of the Crown.

2nd. To a multiplicity of forms and requirements affecting the title to real estate and other property, already guaranteed by laws generally known and respected.

Wherefore, your Petitioners humbly pray, that, taking the premises into consideration, your Excellency would be pleased to assent to the repeal of the said Municipal Law, and each and every Ordinance which imposes any pecuniary burthen on the people, or encroach on their just rights and liberties; and that nothing in the said enactments, or that has been done under them, be hereafter brought into precedent.

And your Petitioners, as in duty bound, will ever pray.

Signed by *E. H. Enright*, J. P. and 412 others.

*Ordered*, That two hundred and fifty copies of the said Return be printed in each of the English and French languages, for the use of the Members of this House.

On motion of the Honourable Mr. *Neilson*, seconded by Mr. *Christie*,

*Ordered*, That the Clerk of this House be instructed to cause a general statement of the business of the House during the present Session, to be made and printed for the use of the Members,

Statement of  
business done  
during Session.

stating the number of the Petitions introduced, and the number of Committees appointed; the titles of all Bills introduced in the House, and of those sent to the Legislative Council; distinguishing those passed and rejected in either House, as not assented to or reserved for the signification of Her Majesty's pleasure, by His Excellency, the Governor-General; and those of which amendments in one House have not been concurred in by the other House.

The Honourable Mr. *Hincks* moved, seconded by the Honourable Mr. *Harrison*, That the Message of His Excellency, the Governor-General, laid before the House on the third instant, recommending to the House of Assembly to take into consideration the propriety of awarding to the Honourable *Charles Richard Ogden*, late Attorney General for *Canada East*, and to *John Davidson*, Esquire, late Commissioner of Crown Lands, a superannuation allowance on their ceasing to hold their respective Offices, be referred to the Committee of the whole House on Supply, this day.

The Honourable Mr. *Neilson* moved, seconded by Mr. *Dunlop*, That the further consideration of the said motion be postponed until the second Monday after the opening of the ensuing Session of Parliament.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

*Armstrong, Berthelot, Boswell, Boutillier, Chesley, Christie, Cook, De Witt, Dunlop, Durand, Forbes, Jones, Kimber, D. McDonald, McLeun, Merritt, Moffatt, Moore, Morris, Neilson, Papineau, Parent, Powell, Price, Roblin, Harmanus Smith, Steele, Taché, Tuscherreau, Thompson, Turgeon, D. B. Viger, L. M. Viger, Williams and Woods.* (35.)

NAYS.

*Black, Cameron, Derbishere, Draper, Dunn, Dunscomb, Foster, Gilchrist, Harrison, Hincks, Johnston, Sir Allan N. MacNab, Parke, Simpson, and Sherwood.* (15.)

So it was carried in the affirmative; and, *Ordered*, accordingly.

Mr. *Leslie*, from the Committee of the whole House on Supply, and on the Message of His Excellency, the Governor-General, relating to Major *John Richardson* and *James Crémazie*, Esquire, laid before the House on Saturday the eighth instant, reported, according to order, the Resolutions of the said Committee; which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

*Resolved*, That a sum of two hundred and fifty pounds, Currency, be granted to Her Majesty out of the Consolidated Revenue Fund of this Province, not otherwise appropriated, to enable Her Majesty to expend the like sum in the encouragement of a literary work, intituled, "The War of 1812," written and published by Major *John Richardson*.

*Resolved*, That the sum of two hundred and fifty pounds, Currency, be granted to Her Majesty out of the Consolidated Revenue Fund of this Province, not otherwise appropriated, to enable Her Majesty to expend the like sum in the encouragement of a work on "Criminal Law," written and published by Mr. *Jacques Crémazie*.

Then, on motion of Mr. *Black*, seconded by Mr. *Sherwood*,

The House adjourned.

*Mercurii, 12<sup>o</sup> die Octobris.*

Anno 6<sup>o</sup> Victoriae Reginae, 1842.

10 hora a. m.

PURSUANT to the order of the day, the following Petition was read:—

Of

E. P. Gilman,  
and others.

Of *E. P. Gilman*, and others, of the township of *Brome*, representing that the Registry and Division Courts' Acts are burdensom to the people, and praying relief.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery:

Mr. Speaker,

Doubts as to cer-  
tain Elections.

The Legislative Council have passed the Bill, intituled "An Act to remove doubts as to the application of the Act for providing for the freedom of Elections, to certain Elections held under writs issued during the present Session," with several amendments, to which they desire the concurrence of this House.

And then he withdrew.

Beauharnois  
Canal.

The Honourable Mr. Moffatt, from the Special Committee to which were referred the documents, laid before the House on the twentieth of September last, by command of His Excellency, the Governor-General, relating to the *Beauharnois* Canal, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

[For the said Report see Appendix (Z) at the end of this volume.]

Ordered, That two hundred and fifty copies of the said Report, and of the evidence and documents accompanying the same, be printed, in each of the English and French languages, for the use of the Members of this House.

Doubts as to cer-  
tain Elections.

The Honourable Mr. *Neilson* moved, seconded by Mr. *Kimber*, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to remove doubts as to the application of the Act for providing for the freedom of Elections, to certain Elections held under writs issued during the present Session," be now taken into consideration.

Sir *Allan N. MacNab* moved, in amendment, seconded by Mr. *Dunlop*, That all the words after "That," in the said motion, be struck out, and the following substituted, "this House do now resolve itself into a Committee of the whole House, on the amendments made by the Legislative Council, to the Bill, intituled, 'An Act to remove doubts as to the application of the Act for providing for the freedom of Elections, to certain Elections held under writs issued during the present Session.'"

The question having been put upon the main motion of amendment, a division ensued, and it passed in the negative.

Sir *Allan N. MacNab* then moved, in amendment to the main motion, seconded by Mr. *Simpson*, That all the words after "That," in the said motion, be struck out, and the following substituted, "this House do resolve itself into a Committee of the whole House, to-morrow, on the said amendments."

The question having been put on the motion of amendment, a division ensued, and it passed in the negative.

The question being then put on the main motion, it was agreed to by the House.

And the House accordingly proceeded to take the said amendments into consideration.

And the said amendments were read, and are as followeth:

Press 2, line 4, after "issued," insert the following Clauses, marked A. B. C. D. E. F. G. H. I. K. L. M. N. O. P. Q. R. S. T. U. and Schedule A. part first, Schedule A. part second, Schedule B. Schedule C. Schedule D. and Schedule E.

"Clause A.

"And be it enacted, That for each ward of every city, town or borough, in this Province, entitled to

send a Member or Members to the Provincial Parliament, and for every township in that part of this Province, heretofore forming the Province of *Upper Canada*, two Assessors shall hereafter be appointed or elected, in the same manner as one such Assessor is now by law appointed for any such ward or township.

"Clause B.

"And be it enacted, That before the first day of March, in each and every year, the Assessors for each of such wards and townships, and for every township in the counties of *Sherbrooke*, *Stanstead*, *Shefford* and *Missisquoi*, in *Lower Canada*, shall, respectively, make up in duplicate, an alphabetical list of all the persons residing therein, and qualified to vote at Elections of Members to serve in the Provincial Parliament of this Province, in respect of property lying within such wards and townships, respectively, naming the lot, concession, street or locality, in which the property, in respect of which such Elector is so qualified, shall be situate: which list shall be made at the time when the assessments of rates are made, and shall be intituled, 'Original list of persons residing in the ward, (or township,) of —, in the city, (town or borough, county or riding, as the case may be,) of —, qualified to vote at the Election for a Member, (or Members, as the case may be,) to represent the city, (town or borough, county or riding, as the case may be,) of —, in the Provincial Parliament, in respect of property lying within the said ward, (or township, as the case may be,) of —, in the city, (town, borough, county or riding, as the case may be,) aforesaid;' and such Assessors of each of such wards and townships, respectively, shall, on or before the first day of March, in each year, (or if such day be a Sunday, or other holy-day on which no business is usually transacted, then on the next day which shall not be so,) make oath before some Justice of the Peace, (who is hereby authorised to administer such oath,) that to the best of their knowledge and belief such list is faithful and correct, and that they have not wilfully entered therein, the name of any person not qualified to vote in the manner therein mentioned, nor omitted therefrom the name of any person qualified to vote, and that they have used due diligence in making the said list; and such oath shall be written at the foot of such list, and shall be signed by the Assessors, and attested by the Justice of the Peace before whom it shall be taken; and copies of such list shall be posted up by the said Assessors, or one of them, in not less than three of the most conspicuous places in such ward or township, on or before the day aforesaid, in each and every year, and remain so exhibited, for public inspection, until the thirty-first day of the said month of March, inclusive.

"Clause C.

"And be it enacted, That one of the duplicates of such original list shall remain at the office or residence of each of the Assessors by whom they shall have been respectively made, and shall, during the month of March, be open to the public at all reasonable hours, and on all days, except Sundays and other holy-days on which no business is usually transacted; and during the month of March, the Assessors, and each of them, by whom such original list was made, respectively, shall receive the claims of all persons, who, being omitted from such original list, may deem themselves entitled to be entered therein, and the objections of all persons to the insertion of any name or names in such original list, and shall keep a list of such claims and objections, which shall be open to all persons, as aforesaid, during the said month of March; and in case the said Assessors shall have reason to believe, either upon the information of the party interested, or otherwise, that they have erroneously inserted or omitted any name in making out such list, it shall and may be lawful for such Assessors, and they are hereby required to amend such list, by inserting

Elections.

serting or striking out such name in or from such original list, at any time on or before the thirty-first day of the said month of March in each year; and upon that day, (or if it be a Sunday or other holy-day on which no business is usually transacted, then upon the next day thereafter which shall not be so,) and whether they shall have made any such amendments or not, such Assessors shall, respectively, make up, in duplicate, a second alphabetical list of all such persons so qualified, as aforesaid; which said second list shall be intitled, 'Amended list of persons residing in the ward (or township) of —, in the city (town or borough, county or riding, as the case may be,) of —, and qualified to vote at the Election for a Member (or Members, as the case may be,) to represent the said city (town or borough, county or riding, as the case may be,) of —, in the Provincial Parliament, in respect of property lying within the said ward (or township, as the case may be,) of —, in the city, (town, borough, county or riding, as the case may be,) aforesaid; which said amended list shall be attested in the same manner as the said original list; and copies of such amended list shall be posted up by the said Assessors, or one of them, in the same places in which copies of the original list were respectively posted in each ward or township, on the first day of April in each year, (or if that day be a Sunday or other holy-day on which no business is usually transacted, then upon the next day thereafter which shall not be so,) and shall remain so exhibited for further public inspection until the thirtieth day of the said month of April, inclusive.

" Clause D.

" And be it enacted, That one of the duplicates of such amended list shall remain at the office or residence of each of the Assessors, by whom they shall have been respectively made, and shall, during the month of April, be open to the public at all reasonable hours, and on all days, excepting Sundays and other holy-days on which no business is usually transacted; and during the month of April, the Assessors, and each of them by whom such amended list was made, respectively, shall receive the claims of all persons who, being omitted from such amended list, may deem themselves entitled to be entered thereon, and the objections of all persons to the insertion of any name or names in such amended list; and shall keep a list of such claims and objections, as well as of the claims and objections which had been made to the said original list, and not allowed by such Assessors in making up such amended list; which list of claims and objections shall be open to all persons, as aforesaid, during the whole month of April, and copies thereof, attested by the signature of the said Assessors, shall, on the first day of May, (or if that day be a Sunday, or other holy-day on which no business is usually transacted, then upon the next day thereafter which shall not be so,) be posted up by the said Assessors, or one of them, in the same places in which copies of the said amended list, to which it relates, shall have been posted.

" Clause E.

" And be it enacted, That the claims and objections hereinbefore mentioned shall in all cases be made in writing, and shall be signed by some Elector of the ward or township to which they relate, and shall state the grounds on which the claim or objection is founded.

" Clause F.

" And be it enacted, That on the first day of May, in each year, each Assessor shall transmit the amended list of voters, and the list of claims and objections, aforesaid, as well those made to the said original list and not allowed, as those made to such amended list, as aforesaid, attested under his hand, to one of the officers hereafter named, that is to say: In *Canada West*, such list shall be transmitted to the Clerk of the Division Court, for the locality in which the ward or township to which they relate shall lie; and in the

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cities of *Quebec* and *Montreal*, and the town of *Three Rivers*, to the Prothonotary of the Court of King's Bench, sitting in the said cities, respectively; in those parts of the District of *Montreal*, out of the city of *Montreal*, to the Clerk of the Court of Requests for the District, at the nearest place at which sittings of such Court are held; in the town of *Sherbrooke*, to the Clerk of the Provincial Court of the District of *St. Francis*; and in those parts of the District of *St. Francis* other than the said town, to the Clerk of the Circuit of the said Provincial Court, within which the locality to which the list relates is situate.

" Clause G.

" And be it enacted, That the Assessor who shall have received any such claims or objections, shall, within four days after the amended list shall have been transmitted by him, as provided by the sixth section of this Act, give a written notice to the claimant or objector, and also to the person whose right is objected to, that the claim or objection, as the case may be, has been transmitted for adjudication, and of the day and place appointed for the hearing and adjudging upon the same; and such notice shall be served either by personally delivering the same to the party, or by leaving the same at the place of abode of such person within the ward or township to which such list relates, or if such person shall have no place of abode in such ward or township, then by posting the same up in the same places in which the copies of the amended list were posted.

" Clause H.

" And be it enacted, That in case of death or incapacity of any Assessor, prior to his having performed the duties by this Act required of him, such duties shall be performed or completed by the surviving Assessor.

" Clause I.

" And be it enacted, That it shall be the duty of the Judge of the Division Court, or of one of the Judges of the Court of King's Bench, sitting in Inferior Term, or of the Commissioner of the Courts of Requests, or of the Provincial Judge of the said District of *St. Francis*, respectively, at the next sitting of the said Courts, and Term, respectively, on or after the first day of June, in each year, to examine and revise the said amended lists, and to hear and decide upon all such claims and objections, as aforesaid.

" Clause K.

" And be it enacted, That upon the days upon which such examination, as aforesaid, is to be had, the Judge or Commissioner, aforesaid, respectively, shall first examine the amended list of voters prepared by the Assessors, and shall compare the same with the list of objections, and opposite to each name on such amended list to which he shall find that no objection has been made, he shall write the word "Admit," and mark it with his Initials.

" Clause L.

" And be it enacted, That when the Judge or Commissioner, respectively, shall have gone through all the names to which no objection shall have been made, he shall proceed in a summary manner to hear the parties or their Agents, for or against whom claims or objections have been made, as aforesaid, and the evidence advanced in support of or against each claim or objection, and shall insert, leave, strike out or omit, in or from the said amended list, the name of any such party, according as he shall be of opinion that such party is or is not entitled to be an elector for the place; and the decision of such Judge or Commissioner, respectively, shall be final and conclusive, subject only to the decision of the Legislative Assembly, or any Committee thereof, appointed to try a contested election upon the right of any such voter or voters.

" Clause M.

" And be it enacted, That so soon as the Judge or Commissioner, shall have finally adjudged upon all such

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such claims and objections, it shall be the duty of the Clerk of the Court to make out three alphabetical lists of such voters, as finally settled by such Judge or Commissioner, respectively, which list shall be intituled, "Register of persons residing in the ward (or township) of —, in the city, (town or borough, county or riding, as the case may be) of —, and qualified to vote at the Election of a Member (or Members, as the case may be) to represent the city (town or borough, county or riding, as the case may be) of —, in the Provincial Parliament, in respect of property lying within the said ward, (or township, as the case may be) of —, in the city (town or borough, county or riding, as the case may be,) aforesaid;" one of the parts of which register shall be kept filed in the office of such Clerk; one of them shall be transmitted by him to the office of the Sheriff of the District in which the city, town, borough, county or riding, to which it relates, shall be situate, and one of them to the ward or town Clerk of the ward or township to which it relates, and shall remain in their offices, respectively, for public inspection, gratis.

## "Clause N.

"And be it enacted, That in each and every city, town and borough, county and riding, to which the provisions of this Act extend, no more than one day's polling shall be allowed in the several wards or townships in such cities, towns, boroughs, counties and ridings, respectively, at any Election of a Member or Members to serve in the Provincial Parliament for such city, town, borough, county or riding, instead of two days, for such polling.

## "Clause O.

"And be it enacted, That if any Election shall take place before the first day of January, in the year of our Lord one thousand eight hundred and forty-three, such Election shall, in all cases, be held and conducted without regard to so much of this Act as relates to the list and registration of voters, and as if so much of this Act as relates thereto had not been passed.

## "Clause P.

"And be it enacted, That in all Elections for any of the cities, towns, boroughs, counties and ridings, to which the provisions of this Act extend, which shall take place after the said first day of January, in the year of our Lord one thousand eight hundred and forty-three, every qualified person, whose name shall appear in the registers made out under the authority of this Act, for the several wards or townships in such city, town, borough, county and riding, next before the day of the teste of the writ of Election, and none other, shall be entitled to vote at such Election; and it shall not be competent to enquire, on that occasion, into any other facts except those of the party tendering the vote being truly the individual mentioned in the said register, and of his not having previously voted at that Election: Provided always, that the enquiry into these facts shall, on such occasion, be confined to the putting to the person so tendering his vote, (if the Deputy Returning Officer shall be required to do so, by or on the behalf of any candidate, or by any elector of such ward or township,) an oath, (or if he be one of those allowed by law to affirm instead of swearing in civil cases, then a solemn affirmation,) in the form of the Schedule B. to this Act annexed; and it shall not be competent at any such poll for such Election, to put to any registered voter any other oath or affirmation whatsoever, except only the oath or affirmation against bribery, which, if required on the part of any candidate, or by any elector of such ward or township, shall be put by the Deputy Returning Officer, in the form of the Schedule C. to this Act annexed.

## "Clause Q.

"And be it enacted, That it shall be the duty of each Clerk of a Court, at which any register of Elec-

tors shall have been made under the authority of this Act, to deliver, upon demand made personally at the office of such Clerk, by any Returning Officer, such certified copies of the corrected lists of voters for each and every ward and township within the jurisdiction of such Court, as such Returning Officer shall require.

## "Clause R.

"And be it enacted, That if any Judge, Provincial Judge, District Judge, Commissioner, Clerk of a Division Court or other Court, city or town Clerk, or person acting as such, Returning Officer, Deputy Returning Officer, or any person whatsoever, shall wilfully contravene or disobey the provisions of this Act, or any of them, with respect to any matter or thing which they are respectively required to do, he shall for such offence, be liable to be sued in any Court of competent civil jurisdiction, by any Registered Voter, Candidate, Member actually returned, or other party aggrieved, for the penal sum of one hundred pounds; and the Court or Jury before whom such action shall be tried, may award or find a verdict for the full sum of one hundred pounds, or for any less sum which the said Court or Jury shall think it just that the defendant should pay to such plaintiff; —and the defendant in such action shall, if judgment be given against him, pay the penal sum so awarded, with full costs of suit, to the party who may sue for the same, without prejudice, however, to the right of any party aggrieved by the misconduct of any Returning Officer, or Deputy Returning Officer, to recover such damages for a false return as he may be entitled to at common law, or by virtue of any statute now in force: Provided always, that every action brought under the provisions of this section, shall be commenced within four calendar months next after the cause of action has arisen, and that notice in writing shall be given to the defendant at least one calendar month before the commencement of any such action, signed by the party bringing the same, or his agent, and setting forth the place of abode of the party signing such notice, and of the party bringing such action: Provided also, that any such defendant against whom any judgment shall have been recovered in any such action, shall be allowed to plead such judgment, as a bar to any other action which may be brought against him for the same matter or thing, and such other action being thereupon dismissed, such defendant shall recover his full costs thereof.

## "Clause S.

"And be it enacted, That by the word 'township' in this Act, shall be understood as well any township as any reputed township or union of townships, entitled to elect a township Officer; and the word 'ward' shall be understood to mean as well any ward of any city or town, as the whole of any town which shall not be then divided into wards; and in and for the borough of *Three Rivers*, and the town of *Sherbrooke*, respectively, Assessors shall be elected for the purposes of this Act, in the same manner, and under the same provisions, in and under which Assessors may be appointed for any township within the Municipal District, within which such borough or town is situate.

## "Clause T.

"And be it enacted, That no misnomer or inaccurate description of any person or place, in any writing made in the form of any Schedule to this Act annexed, or in any list, register or notice, made under the authority of this Act, shall in any way prevent or abridge the operation of this Act, provided such person or place shall be so designated in such writing, list or register as to be commonly understood as the person or place thereby intended.

## "Clause U.

"And be it enacted, That the words, "Governor of this Province," whenever they occur in this Act, shall



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be understood to include as well the Governor, as the Lieutenant Governor, or other person administering the Government of this Province, for the time being.

**SCHEDULE A.—Part First.**

—County, (riding, city, borough or town,) of —, I, E. Y. object to the claim of A. B. to be admitted (or to be continued on the roll) as a voter for the county (riding, city, borough or town,) of —, on the following grounds; (here may be stated shortly the ground, as property or occupancy not of sufficient value;— that the party is not, or has ceased to be proprietor, tenant or occupant; that he is personally disqualified, as being a miner, an Officer of the Customs, &c.) and I crave to be heard on the said objection before the District Judge, (or as the case may be.)

(Signed,) E. F.

—Date.

**SCHEDULE A.—Part Second.**

“Objections to the insertion of the name of —, on the list of voters lodged with me G. H. assessor; this —, day of —.

(Signed,) G. H.

**SCHEDULE B.**

—I, A. B. do swear (or solemnly affirm,) that I am the individual described in the register for —, as a voter for —, (here insert a description in the same words as contained in the register,) and that I have not already voted at this Election, either at this polling place, or any other.

**SCHEDULE C.**

“I, A. B. do solemnly swear (or solemnly affirm) that I have not received, or had by myself or any person for my use or benefit, any sum or sums of money, office, place or employment, gift or reward, or any promise or expectation of any money, office, gift, place, employment or reward, in order to give my vote at this election.”

**SCHEDULE D. No. 1.—For Counties or Ridings.—Form of a Register or List of Voters. County (or Riding) of —**

No.	Date of Registering	Name.	Calling.	Proprietor or Tenant.	Description of Property, Land, House, &c.	Remarks.

**SCHEDULE E. No. 2.—For Cities or Boroughs.—Form of a Register or List of Voters. City (Town or Borough) of —.**

No.	Date.	Name.	Calling.	Proprietor or Tenant.	Description of the Property.	Street, Lane, or other place of Residence.	Ward, or other Division.

Preamble, line 23,— after “Session” insert “And whereas it is expedient and indispensable to provide for the registration of the names of persons having the right by law to vote at the Election of Members of the Provincial Parliament, for the several cities, towns, and boroughs, in this Province, entitled to send Members to such Parliament, and also of those having the right in the several counties and ridings in that part of this Province heretofore composing the Province of Upper Canada, and in some of the counties in that

part of this Province heretofore composing the Province of Lower Canada, and being in like manner entitled to send Members to such Parliament.”

Title, line 4,— after “Session” insert “And to provide for the enregistration of persons entitled to vote at certain Elections of Members of the Legislative Assembly of this Province.”

The Honourable Mr. Neilson moved, seconded by Mr. Price, That the said amendments be rejected.

A Message from His Excellency, the Governor-General, by Frederick Starr Jarvis, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Excellency, the Governor-General, to acquaint this Honourable House, that it is the pleasure of His Excellency, that the Members thereof do forthwith attend him in the Legislative Council Chamber.

Members to attend His Excellency, the Governor-General.

Accordingly Mr. Speaker and the House went up to attend His Excellency; when His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Public and Private Bills:

An Act to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned. Freedom of Elections.

An Act to make the Law for vacating the seats of Members of the Legislative Assembly accepting Office, uniform throughout this Province. Members' seats vacated.

An Act for the qualification of Justices of the Peace. Justices' qualification.

An Act to amend the Act therein mentioned, relative to the desertion of Seamen, and others in the sea service. Desertion of Seamen.

An Act for better proportioning the punishment to the offence, in certain cases. Proportioning punishment.

An Act to regulate the inspection of Pot and Pearl Ashes. Pot and Pearl Ashes.

An Act to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, intended for shipment and exportation from this Province, and for other purposes relative to the same. Measurement and inspection of Timber, &c.

An Act to authorise the raising, by way of Loan, in England, the sum of one million five hundred thousand pounds, Sterling, for the construction and completion of certain Public Works in Canada. Loan of £1,500,000.

An Act to appropriate a certain sum to enable Her Majesty to remunerate Doctor Thomas Rolph, for his past services as Emigration Agent. Remuneration to Emigration Agent.

An Act to continue, for a limited time, the Ordinance to facilitate the despatch of business before the Court of King's Bench for the District of Montreal. King's Bench, Montreal.

An Act to continue, for a limited time, certain Acts and Ordinances therein mentioned. Acts and Ordinances.

An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads, in that part of the Province formerly called Lower Canada. Winter Roads.

An Act to repeal certain Ordinances of the Governor and Special Council of the late Province of Lower Canada, relative to the administration of Justice. Certain Ordinances repealed.

An Act to repeal certain Ordinances therein mentioned, relative to the establishment of a system of Police in Canada East. Police, Canada East.

An Act to extend the time allowed by the Ordinance therein mentioned, for the registration of certain charges or incumbrances on Real Estates, and to repeal certain parts thereof. Registration, Real Estate.



Quebec and Montreal boundaries.	An Act to restore, for purposes relative to the Election of Members of the Legislative Assembly, the ancient boundaries and limits of the cities of <i>Quebec</i> and <i>Montreal</i> .
Obstruction of rivers, &c.	An Act for better preventing the obstruction of Rivers and Rivulets in <i>Canada East</i> .
Mutual Insurance, Canada East.	An Act to amend certain Acts therein mentioned, relative to the establishment of Mutual Insurance Companies in <i>Canada East</i> .
Rules, Court of Queen's Bench.	An Act to confirm certain Rules, Orders, and Regulations made by the Chief Justice and Judges of Her Majesty's Court of Queen's Bench for <i>Canada West</i> .
Loan, Cobourg Harbour.	An Act to extend the time for the payment of the loan to the <i>Cobourg</i> Harbour Company.
Middlesex Registry.	An Act to change the place of the Registry Office for the county of <i>Middlesex</i> .
Montreal Fire Assurance.	An Act to grant further powers to the <i>Montreal</i> Fire Assurance Company, and to change the name of the said Corporation.
Quebec Gas-light and Water Company.	An Act to incorporate a Company under the style and title of the <i>Quebec</i> Gas Light and Water Company.
Quebec Charitable Association.	An Act to incorporate the Charitable Association of the Roman Catholic Ladies of <i>Quebec</i> .
British America Assurance.	An Act to extend the powers of the <i>British America</i> Fire and Life Assurance Company to Marine Assurances.
Midland District Bank Charter.	An Act to extend the Charter of the Commercial Bank of the <i>Midland</i> District, and to increase its Capital Stock.
Upper Canada Bank Charter.	An Act to extend the Charter of the Bank of <i>Upper Canada</i> , and to increase the Capital Stock thereof.
Clarke's estate.	An Act to afford relief to the Estate of the late <i>Thomas Clarke</i> .
Bacon's relief.	An Act to authorise the Court of Chancery to admit <i>William Vynne Bacon</i> , to practise therein as an Attorney and Solicitor.

The Titles of the following Bills were then read :

Duty on imported Wheat.	An Act to impose a duty upon Foreign Wheat imported into the Province.
Church Temporalities.	An Act to make provision for the management of the Temporalities in the United Church of <i>England</i> and <i>Ireland</i> , in the Diocese of <i>Quebec</i> , in this Province, and for other purposes therein mentioned.

To each of which it was His Excellency, the Governor-General's, pleasure to say, that he reserved the said Bill for the signification of Her Majesty's pleasure thereon.

The Honourable Speaker of the Legislative Assembly then said :

May it please your Excellency :

We, Her Majesty's loyal and faithful Subjects, the Commons of *Canada*, have taken into our serious consideration the Message of your Excellency accompanying the Estimates for the public service of the current year.

The anticipated shortness of the Session have rendered it impracticable to investigate, in a full and complete manner, the whole financial affairs of the Province, and to examine, with sufficient care, the several items of which the said Estimates are com-

posed; but in order to enable Her Majesty to meet the necessary and unavoidable expenses of the Government up to the close of the first quarter of the ensuing year, Her Majesty's faithful Commons, the Legislative Assembly of *Canada*, have voted a Supply, under the full reliance that it will be applied to the exigencies of the Province, as set forth in the said Estimates, with all due regard to economy, and to the state of its finances and resources.

We therefore pray that your Excellency will be pleased, in Her Majesty's name, to give the Royal Assent to this Bill.

An Act to grant certain sums to Her Majesty, for defraying certain indispensable expenses of the Civil Government, during the periods therein mentioned. Supply Bill.

To which Bill His Excellency was pleased to signify the Royal Assent, in the following words :

"In Her Majesty's name, I thank Her loyal Subjects, accept their benevolence, and assent to this Bill."

And then His Excellency was pleased to make the following Speech to both Houses :

Honourable Gentlemen of the Legislative Council; and Gentlemen of the Legislative Assembly :

Speech of His Excellency.

Although I anticipated, when I called you together, that your consideration might have been given at the present Session, to such public business of importance as seemed to require your early attention, yet I am induced, by reasons of public convenience, and with a view to an early resumption of our joint labours, to put a close to the present Session.

I have to thank you for the zeal and assiduity with which you have considered and perfected the various measures in which the short period of the Session has been occupied. These, I trust, will be an earnest to the country of the principles by which I am guided, and of the advantages which may be expected from the cordial and united efforts of the several branches of the Provincial Legislature.

Gentlemen of the Legislative Assembly :

I thank you, in the name of Her Majesty, for the liberality with which you have voted the Supplies requisite for the public service; and for your ready co-operation in carrying out the views of Her Majesty's Government.

Honourable Gentlemen, and Gentlemen :

In relieving you for the present from further attendance in your Legislative capacity, I would express my confident hope, that when you return to your homes, you will use your just influence in promoting in your several Districts that unanimity and good feeling which it has been my endeavour to establish, and in diffusing those hopes of permanent peace and prosperity, which I trust you will unite with me in believing, that we may now, under Providence, be permitted to indulge.

After which the Honourable Speaker of the Legislative Council said :

Honourable Gentlemen of the Legislative Council; and Gentlemen of the Legislative Assembly :

It is the will and pleasure of His Excellency, the Governor-General, that this Provincial Parliament be prorogued until Friday, the eighteenth day of November next; and this Provincial Parliament is accordingly prorogued until Friday, the eighteenth day of November next, to be then and here holden.

# I N D E X

## TO THE

# S E C O N D V O L U M E.

6 Victoria.—1842.

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Vercheres.....	Henri Desrivieres, Esquire.....	Vacated his seat, 1.
Nicolet.....	A. Norbet Morin, Esquire.....	Vacated his seat, 1.
Lake of Two Mountains.....	Colin Robertson, Esquire.....	Deceased, 1.
Bellechasse.....	A. Guillaume Ruel, Esquire.....	Registrar of Rimouski, 2.
Rouville.....	A. Melchior DeSalaberry, Esquire.....	Office of Profit, 2.
St. Maurice.....	J. Edouard Turcotte, Esquire.....	Vacated his seat, 2.
Oxford.....	Francis Hincks, Esquire.....	Vacated his seat, 2.
Leinster.....	J. Moyses Raymond, Esquire.....	Registrar of Leinster, 2.
Ottawa.....	Honourable C. Dewey Day.....	Puisne Judge, King's Bench, 2.

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FOR WHAT PLACE.	IN THE ROOM OF	ON WHAT ACCOUNT.
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Fourth Riding, County of York.....	Louis H. Lafontaine, Esquire.....	Attorney-General (East.) 14.
Hastings.....	Robert Baldwin, Esquire.....	Attorney-General (West.) 14.
Portneuf.....	Thos. C. Alywin, Esquire.....	Solicitor-General (East.) 36.
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**F**AILURE OF JUSTICE:—Vide *Elections*, (Canada East.)

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Reported.	Agreed to.	For what purpose.	Sums granted.
			Sterling.
108	108	Expenses of Government, not otherwise provided for, for the year 1842.....£	75000 0 0
<i>Ib.</i>	<i>Ib.</i>	Do. from 1st January to 31st March, 1843, not otherwise provided for.....	25000 0 0
<i>Ib.</i>	<i>Ib.</i>	Dr. Thomas Rolph, late services as Emigrant Agent .....	500 0 0
			Currency.
126	126	Major John Richardson, encouragement of a literary work, intituled, "The War of 1812,"..	250 0 0
<i>Ib.</i>	<i>Ib.</i>	Jacques Crémazie, Esquire, encouragement of a work on "Criminal Law," .....	250 0 0

**SURVEY**:—Vide *Atkin's Survey; Roads and Bridges; Wilmot's Survey.*

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