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EIGHTH REPORT  
OF THE  
**BUREAU OF ARCHIVES**

FOR THE  
**PROVINCE OF ONTARIO**

BY  
ALEXANDER FRASER, LL.D., F.S.A. Scot. (Edin.), etc.  
Provincial Archivist

1911

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PRINTED BY ORDER OF  
THE LEGISLATIVE ASSEMBLY OF ONTARIO

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TORONTO:  
Printed and Published by L. K. CAMERON, Printer to the King's Most Excellent Majesty  
1912

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# BUREAU OF ARCHIVES

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1912

Printed by  
**WILLIAM BRIGGS,**  
29-37 Richmond Street West,  
TORONTO

09500-59.

*To His Honour* COL. SIR JOHN MORISON GIBSON, K.C.M.G., LL.D. etc., etc.  
*Lieutenant-Governor of the Province of Ontario.*

MAY IT PLEASE YOUR HONOUR:

I have the pleasure to present herewith for the consideration of Your Honour the Report of the Bureau of Archives of Ontario for 1911.

Respectfully submitted,

ARTHUR J. MATHESON,

*Provincial Treasurer.*

TORONTO, 1912.

LIEUT. COL. THE HONOURABLE ARTHUR JAMES MATHESON, K. C., M.P.P.,  
etc., *Treasurer of Ontario.*

SIR,—I have the honour to submit to you the following Report in connection  
with the Bureau of Archives for the Province of Ontario.

I have the honour to be, Sir,

Your obedient servant,

ALEXANDER FRASER,

*Provincial Archivist.*

Toronto, 31st December, 1911.

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EX REBUS ANTIQVIS ERVDITIS ORIATUR

Report  
of the  
Ontario Bureau of Archives

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PREFATORY

No volumes of Ontario Archives have been more in demand than those containing the Journals of the Legislature and Legislative Council of Upper Canada, since the appearance of the first volume in 1909. It cannot be otherwise than gratifying that an interest sincere and widespread is thus manifested in the sources of our Provincial history.

The Ontario Bureau of Archives invites the co-operation of the growing class of students of local history throughout the Province, and will gratefully receive and carefully preserve papers and documents—especially of an official character—placed in its collection.

The contents of the volume now given to the public, calls for no special comment from the Provincial Archivist, than that no trace has been yet found of the missing numbers for the years 1794, 1795, 1796, 1797, 1809, 1813, and 1815, and that the search shall not be abandoned.

As in preceding volumes the aim has been to furnish a literal reproduction of the original MSS.; no liberty has been taken with the form in which the Clerk of the House recorded the proceedings.

Continuing with the Journals for 1812, the MSS. for the next Report is already in the printers' hands.

ALEXANDER FRASER,

*Provincial Archivist.*

# The Journals

OF THE

## LEGISLATIVE ASSEMBLY

OF

### Upper Canada

FOR THE YEARS

1805, 1806, 1807, 1808, 1810, 1811

VOLUME TWO

Ontario Archives, 1911

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**JOURNAL**  
OF THE  
**HOUSE OF ASSEMBLY**  
OF  
**UPPER CANADA**

**From the first day of February to the  
second day of March,**

**1805.**

**Both days inclusive.**

**In the forty-fifth year of the Reign of  
KING GEORGE THE THIRD..**

**It being the first session of the Fourth Provincial  
Parliament of this Province.**

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JOURNAL  
OF THE  
HOUSE OF ASSEMBLY  
OF  
UPPER CANADA

1805.

PETER HUNTER, Lieutenant Governor.

PROCLAMATION.

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

To all our loving Subjects, GREETING.

Whereas by our Proclamation, bearing date the ninth day of March last, we thought fit by and with the advice of our Executive Council to Prorogue our Provincial Parliament until the sixteenth day of this present month of April, at which time in our Town of York you were held and constrained to appear. But we taking into our Royal consideration the ease and convenience of our loving subjects, have thought fit, by and with the advice of our Executive Council, to relieve you and each of you of your attendance at the time aforesaid, hereby con-voking, and by these presents enjoining you and each of you, that on the twenty-fourth day of May next ensuing you meet us in our Provincial Parliament in our Town of York, there to take into consideration the state and welfare of our Province of Upper 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 Peter Hunter, Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our Forces in our Provinces of Upper and Lower Canada, at York this Tenth day of April, in the year of Our Lord, One thousand, eight Hundred and four, and in the Forty-fourth year of our Reign.

WM. JARVIS, Secretary.

P.H.

PETER HUNTER, Lieutenant Governor.

PROCLAMATION.

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

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

Whereas we have thought fit, by and with the advice of our Executive Council of our said Province of Upper Canada, to dissolve this present Provincial Parliament of our said Province, which now stands prorogued to the Twenty-fourth day of May, instant. We do for that end publish this our Royal Proclamation, and do hereby dissolve the said Provincial Parliament accordingly. And the Legislative Councillors, and the Knights, Citizens and Burgesses of the House of Assembly are discharged from their meeting and attendance on Thursday, the said Twenty-fourth day of May, instant. And we being desirous and resolved that as soon as may be to meet our people of our said Province, and to hear their advice in Provincial Parliament, do hereby make known our Royal will and pleasure to call a New Provincial Parliament, and do hereby further declare that with the advice of our said Executive Council we have this day given orders for the issuing out writs in due form for calling a new Provincial parliament in our said province, which writs are to bear teste on Tuesday, the Fifteenth day of this present month of May, and to be returned on Monday, the second day of July next.

In Testimony Whereof we have caused these our letters to be made patent, and the Great Seal of our Province to be hereunto affixed. Witness our well beloved and trusty Peter Hunter, Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our Forces in our Provinces of Upper and Lower Canada, at York, in the Province of Upper Canada, this Fourteenth day of May, in the year of Our Lord, One thousand, eight hundred and four, and in the forty-fourth year of our reign.

P.H.

WM. JARVIS, Secretary.

By a further Proclamation of His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, etc., etc., etc., dated at York the Twenty-seventh day of June, one thousand eight hundred and four, the meeting of the Legislative Council and House of Assembly stands prorogued to the Tenth day of August next.

By a further Proclamation of His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Province of Upper and Lower Canada, etc., etc., etc., dated at York the Third day of August, one thousand eight hundred and four, the meeting of the Legislative Council and House of Assembly stands prorogued to the Seventeenth day of September next.

By a further proclamation of His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the provinces of Upper and Lower Canada, etc., etc., etc., dated at York, the Thirteenth day of September, one thousand eight hundred and four, the meeting of the Legislative Council and House of Assembly stands prorogued to the Twenty-fifth day of October next.

By a further proclamation of His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the provinces of Upper and Lower Canada, etc., etc., etc., dated at York the Eighteenth day of October, one thousand eight hundred and four, the meeting of the Legislative Council and House of Assembly stands prorogued to the Third day of December next.

By a further Proclamation of His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the provinces of Upper and Lower Canada, etc., etc., dated at York the First day of December, one thousand eight hundred and four, the meeting of the Legislative Council and House of Assembly stands prorogued to the Tenth day of January, one thousand eight hundred and five.

PETER HUNTER, Lieutenant Governor.

### PROCLAMATION.

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

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

Whereas by our Proclamation, bearing date the First day of December last, we thought fit, by and with the advice of our Executive Council, to prorogue our said Provincial Parliament until the Tenth day of January, one thousand eight hundred and Five, at which time in Our Town of York you were held and constrained to appear. But we, taking into our Royal consideration the ease and convenience of our loving subjects, have thought fit, by and with the advice and consent 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 the First Day of February, next, which will be in the Year of Our Lord One Thousand Eight Hundred and Five, you meet us in Our Provincial Parliament in Our Town of York for the actual dispatch of Public Business, there to take into consideration the state and welfare of Our said Province of Upper Canada, and therein to do as may seem necessary. 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 Peter Hunter, Esquire, Our Lieutenant Governor of Our said Province, and Lieutenant General Commanding Our Forces in Our Provinces of Upper and Lower Canada, this twenty-eighth day of December in the Year of Our Lord One Thousand Eight Hundred and Four, and in the Forty-fifth Year of Our Reign.

P.H.

WM. JARVIS, Secretary.

### UPPER CANADA.

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

To Our Trusty and Well beloved William Jarvis and Donald McLean, Esquires, GREETING.

Whereas by a certain Act of Parliament, passed in the thirty first year of Our Reign, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and

to make further provision for the Government of the said Province;” it is among other things provided that no Member either of the Legislative Council or Assembly in either of the Provinces of Upper or Lower Canada shall be permitted to sit or vote therein until he shall have taken and subscribed the Oath therein set forth, either before the Governor or Lieutenant Governor of such Province, or person administering the Government therein, or before some person or persons authorized by the said Governor, Lieutenant Governor or other person as aforesaid. Now therefore, know Ye that we have constituted and authorized, and by these presents do constitute and authorize you the said William Jarvis and Donald McLean, Esquires to administer the Oath in the above mentioned Act of Parliament set forth unto the Members of the House of Assembly of Our said province of Upper Canada, conformably to the form therein mentioned and provided.

Witness His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, this thirteenth day of January in the Year of Our Lord One Thousand Eight Hundred and Five, and the Forty Fifth Year of His Majesty's Reign.

P.H.

(Signed) WM. JARVIS, Secretary.

OFFICE OF ENROLMENTS, UPPER CANADA.

1st February, 1805.

Return of the names of the Members chosen to serve in the House of Assembly in the Provincial Parliament for this Province, called to meet this day by virtue of Writs of Election issued by Order of His Excellency Peter Hunter, Esquire, Lieutenant Governor, bearing teste the Fifteenth Day of May last, as appears by the said Writs duly returned into this Office by the Returning Officers of the several Counties and Ridings respectively, as commanded.

Counties and Ridings.	Representatives Chosen.	Returning Officers.
Glengarry and Prescott.....	Alex. McDonell & W. B. Wilkinson, Esquires .....	G. Munro, Esq. J. Anderson, Esq.
Stormont and Russell.....	Robert J. D. Gray, Esq. ....	G. Munro, Esq.
Dundas .....	John Crysler, Esq. ....	Wm. Fraser, Esq.
Grenville .....	Samuel Sherwood, Esq. ....	Wm. Fraser, Esq.
Leeds .....	Peter Howard, Esq. ....	Wm. Coffin, Esq.
Frontenac .....	Allan McLean, Esq. ....	Alex. Fisher, Esq.
Lennox and Addington.....	Thomas Dorland, Esq. ....	Arch. McDonell, Esq.
Prince Edward.....	Ebenezer Washburn, Esq. ....	John Peters, Esq.
Hastings and Northumberland.....	David McG. Rogers, Esq. ....	Wm. Allan, Esq.
Durham, Simcoe and E. Riding York	Angus McDonell, Esq. ....	Abraham Nellis, Esq.
W. York, 1st Lincoln and Haldimand	Solomon Hill & Robert Nellis, Esqs	Thomas Merrit, Esq.
2nd, 3rd and 4th Lincoln .....	Isaac Swazey & Ralph Clench, Esqs	Wm. Spurgin, Esq.
Norfolk, Oxford and Middlesex .....	Benajah Mallory, Esq. ....	Abraham Tredell, Esq.
Kent .....	John McGregor, Esq. ....	Samuel Hands, Esq.
Essex .....	Matthew Elliot & David Cowan, Esqs	

Donald McLean, Esq.,  
Clerk Commons Ho. Assy.

(Signed) W. Jarvis, Secretary  
and Keeper of Rolls.

## HOUSE OF ASSEMBLY, UPPER CANADA.

York, Friday, 1st February, 1805.

At the First Session of the Fourth Parliament of Upper Canada, begun and held in the Town of York, on Friday, the First day of February, in the Forty fifth Year of the Reign of Our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the Year of Our Lord One Thousand Eight Hundred and Five.

His Excellency, the Lieutenant Governor, having by his proclamation hereunto annexed, dated at York the Fourteenth day of May, 1804, dissolved the last Provincial Parliament, and by his Writs of Summons issued under the Great Seal of the Province, bearing Teste at York on Tuesday, the Fifteenth day of May, 1804, calling a new Provincial Parliament, and appointed the same to meet and to sit on the second day of July next ensuing, and having prorogued the same from time to time until this day,—William Jarvis and Donald MacLean Esquires. Commissioners appointed by Dedimus Potestatem for administering the Oath to the Members of the House of Assembly of the said Province of Upper Canada, came about eleven o'clock in the forenoon into the House of Assembly of the said Province, where William Jarvis, Esq., Keeper of the Rolls, delivered to Donald MacLean, Esq., Clerk of the Assembly, the Roll containing the list of the names of such Members as has been returned to serve in the Provincial Parliament, a copy whereof is hereunto annexed. The Commissioners did administer the Oath appointed to the Members who appeared, which being done, and the Members having subscribed the Roll containing the Oath, they repaired to their seats in the Assembly accordingly.

After which a message was delivered by Mr. George Lawe, Gentleman Usher of the Black Rod.

Gentlemen,—

His Excellency the Lieutenant Governor commands the Members of this Honorable House to attend His Excellency immediately, in the Legislative Council Chamber.

Accordingly the Members went up to attend His Excellency, where being,

The Honorable Speaker of the Legislative Council said.

Gentlemen of the House of Assembly,

I have it in command from His Excellency the Lieutenant Governor to signify to you that it is his will and pleasure that you do return to the House to which you belong, and there to elect one of your number to be your Speaker, whom you shall present for the approbation of His Excellency at the Bar of this House to-morrow at one o'clock.

And the Members being returned,

Prayers were read.

Ralf Clench Esquire, Knight, one of the Representatives for the second, third, and fourth Ridings of the County of Lincoln, stood up and addressed himself to the Clerk, who standing up pointed to him and then sat down, proposed to the House for their Speaker, Alexander McDonell, Esquire, in which motion he was seconded by Robert Nellis, Esquire, Knight, one of the Representatives for the West Riding of the Counties of Lincoln and Haldimand.

The Clerk having declared Alexander McDonell, Esquire, unanimously elected, he was led to the Chair by Ralf Clench and Robert Nellis, Esquires.



After the Speaker was led to the Chair he addressed the House as follows.  
Gentlemen of the House of Assembly,—

I fell much gratitude for the Honor you have conferred on me by placing me in this Chair, and I shall strenuously endeavour to merit the continuance of your good opinion.

And thereupon he sat down in the Chair.

Then the Mace, which before lay under the Table, was laid upon the Table.

David McGregor Rogers, Esquire, addressing himself to Mr. Speaker Elect, moved that this House do adjourn until to-morrow at one o'clock.

The House adjourned accordingly until one o'clock to-morrow.

*Saturday, 2nd February, 1805.*

Prayers were read.

The House being met, and Mr. Speaker Elect having taken the Chair,

A message was delivered by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker,

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker elect, with the Members, went up to the Legislative Council and Chamber,

Where being, The Honorable Speaker of the Legislative Council asked if they had chosen their Speaker.

Alexander McDonell, Esquire, was presented as their Speaker Elect.

Then the Honorable Speaker of the Legislative Council said,

The Lieutenant Governor commands me to say that he is perfectly satisfied with the choice of the Assembly, and doth allow and confirm you, Mr. McDonell to be its Speaker.

Then Mr. Speaker addressed himself,

May it Please Your Excellency,—

The Honor which the House of Assembly have conferred upon me in choosing me their Speaker is as great as the important duties of the Office are above my abilities.

My zeal, however ardent, not sufficiently compensating for my incapacity. I most respectfully implore the excuse and commands of Your Excellency.

I most humbly claim in the name of the Assembly the freedom of speech and generally all the like privileges and liberties as are enjoyed by the Commons of Great Britain, our Mother Country.

Then the Honorable Speaker of the Legislative Council said,

The Lieutenant Governor commands me to assure the Assembly that it may depend on the unlimited enjoyment of all its past privileges.

And then Mr. Speaker further claimed that the proceedings of the Representatives may receive the most favorable construction, and that whatever the Speaker shall say which might be taken in evil part may be imputed to his ignorance and not unto the Assembly, that he may resort again to their House for declaration of their true intent, and that his error may be pardoned.

Then the Honorable Speaker of the Legislative Council said,—

Mr. Speaker,

The Lieutenant Governor directs me to assure the Assembly that he will always be perfectly disposed to put the most favorable construction on every proceeding and word, both of the House and its Speaker.

Then Mr. Speaker said that as often as necessity for His Majesty's Service and the good of the Commonwealth shall require, the House of Assembly may have access to the person of His Majesty's Representative in this Province.

Then the Honorable Speaker of the Legislative Council said,—

Mr. Speaker,

The Lieutenant Governor commands me to say that the Assembly may always depend on having access to his Person at seasonable hours.

The House being returned,

Mr. Speaker reported that the House had been in the Legislative Council Chamber, where His Excellency had been pleased to approve the choice the House had made of him to be their Speaker, and that he had in their name, and on their behalf, by humble petition to His Excellency, laid claim to all their rights and privileges, that they may enjoy freedom of speech in their debates and have access to His Excellency's person as occasion may require, and that all their proceedings may receive from His Excellency the most favorable construction; which he said His Excellency had confirmed to them by granting their privileges in as simple a manner as ever they were granted and allowed.

Then Mr. Speaker did again return his humble thanks to the House for the very great Honor they had now done him, and did assure them of a continuance of his fidelity in their service, humbly requesting their protection and assistance to him in the discharge of his great trust, and of their indulgence to him in the pardon of his failings and imperfections in it.

Mr. Speaker further reported that when the House attended His Excellency 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 follows. Videlicet.

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly:—

Since the last session of the Legislature of this Province, in pursuance of the authority vested in me by an Act passed therein, respecting the repairing and laying out of Public Highways and building of bridges, I have by proclamation appointed Commissioners, and have taken such other measures as have appeared to me to be the best suited for carrying into effect the provisions of that Act.

I have also, by the authority of the Legislature, appointed Commissioners for the purpose of entering into a Provisional Agreement with those of Lower Canada, respecting the duties and drawbacks on goods and merchandise passing from the one Province to the other. These Commissioners, I have no doubt, have executed the trust committed to their charge by that appointment with fidelity and care. I have ordered the provisional Agreement entered into to be laid before you for the obtaining of the sanction and confirmation of this Legislature.

I embrace this opportunity of congratulating you on the success which hath attended the first efforts of the cultivation of hemp in this Province. The reward with which the Trustees of the Society instituted at London for the encouragement of Arts, Manufactures and Commerce have been pleased to honor the labours of the industrious farmer will, I trust, still further stimulate his exertions and in every laudable pursuit incite this infant Colony to the practice of that industry and diligence which will promote the interests of the individual.

Gentlemen of the House of Assembly,—

I have directed the Public Accounts to be laid before you, and am persuaded that you will examine them with that attention which the nature of the subject requires.

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly,

I forbear on this occasion to point out in particular the subjects which may now call for your investigation and care. The knowledge which you respectively possess of the situation and interest of the Inhabitants of this widely extended Province will enable you to discover where the aid of the Legislature may still be necessary. And it shall be my endeavour at all times to co-operate with you in the enacting of such laws as may best promote the true object of all Legislation—the Public Good.

Mr. Clench moved, seconded by Mr. Nellis, that Mr. Sherwood, Mr. McLean and Mr. Wilkinson be a Committee to draft an Address to His Excellency the Lieutenant Governor in answer to His Excellency's Speech.

It was ordered accordingly.

Mr. Rogers then moved, seconded by Mr. Swazey, for leave to bring up two Petitions from the Inhabitants of the District of Newcastle.

Leave was accordingly granted.

Mr. Rogers then moved, seconded by Mr. Swazey, for leave to bring in a Bill to alter certain parts of an Act, passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of Justice in the District of Newcastle" on Monday next.

Accordingly leave was given.

Mr. Sherwood moved, seconded by Capt. Cowan, that the Speaker do give notice at the Lieutenant Governor's Office as soon as possible that the seats of the Members of the House of Assembly for the Counties of Stormont and Russell, and of Durham, Simcoe, and the East Riding of York are vacated.

It was ordered accordingly.

Mr. Wilkinson then moved, seconded by Mr. Sherwood, for leave to bring up the Petition of the Inhabitants of Lancaster, on Monday next.

Leave was accordingly granted.

Then Mr. Sherwood moved, seconded by Mr. Clench, for leave to bring in a Bill on Monday next, to regulate the trial of controverted elections or returns of Members to serve in Parliament.

Accordingly leave was granted.

On motion of Mr. Clench, seconded by Mr. Sherwood, the House adjourned until Monday next.

*Monday, 4th February, 1805.*

Prayers were read.

Mr. Speaker informed that in obedience to the commands of this House he had sent notice to His Excellency the Lieutenant Governor that the seats of the Members of the House of Assembly for the Counties of Stormont and Russell, of Durham, Simcoe and the East Riding of York are vacated.

Mr. Wilkinson moved, seconded by Mr. Clench, for leave to bring up the Petition of the Inhabitants of the Town of Cornwall on Wednesday next.

Leave was accordingly granted.

Mr. Clench, seconded by Mr. Swazey, moved for leave to bring up the Petition

of the Grand Jury and other Inhabitants of the District of Niagara on Wednesday next; and also for leave to bring up another Petition from a number of the Inhabitants of the said District of Niagara on the same day.

Accordingly leave was given.

Mr. McLean, one of the Committee named to draft an Address of thanks to His Excellency the Lieutenant Governor for his Speech to both Houses of Parliament on opening the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it shall be pleased to receive the same.

The Report was ordered to be received.

Which Report he read in his place, and then delivered in the same at the Table, where it was again read by the Clerk.

On motion of Mr. Sherwood, seconded by Mr. Swazey, the House resolved itself into Committee to go into the consideration of the draft of the Address in answer to His Excellency's Speech to both Houses of Parliament at the opening of the present Session.

Mr. Speaker left the Chair.

Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had gone through the draft of the Address to His Excellency the Lieutenant Governor, without any amendment, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was accepted, and the Address is as follows:

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. &c.

May it please Your Excellency,—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, return you our thanks for Your Excellency's Speech, and for your condescension in informing us of the measures that you have been pleased to take to carry into effect the law passed in the last Session of Parliament relative to the Public Highways.

It is with pleasure we learn that the Commissioners on the part of our Sister Colony, Lower Canada, have agreed with those whom Your Excellency has been pleased to appoint for this Province, and we hope that their proceedings have been such as will merit the approbation of every branch of the Legislature.

We feel highly gratified for the benevolent attention which Your Excellency manifests to that important part of the Community, the industrious farmer, and we trust with confidence that under your auspices, and from the patronage of our Parent Country, the cultivation of Hemp, and every other useful branch of Agriculture, will rapidly increase, and will highly conduce to the prosperity of this Province.

When the Public Accounts are laid before us, they shall be attentively investigated, and we sincerely pledge ourselves to promote every measure which by the Legislature may be deemed necessary for the Public Welfare.

Commons House of Assembly,

4th February, 1805.

Mr. Rogers then moved, seconded by Mr. Swazey, that the draft of the

Address to His Excellency as reported by the Committee be engrossed, and that messengers be appointed to wait upon His Excellency to know when he will be pleased to receive this House with its Address.

Ordered accordingly.

Then Mr. Sherwood, seconded by Mr. Mallory, moved, That Messrs. Swazey and Rogers do wait upon his Excellency the Lieutenant Governor to know when he will please to receive the House with its Address.

Which was ordered accordingly.

The Clerk of this House informed Mr. Speaker that the Clerk of the Peace for the different Districts in this Province (except the District of London) did send him returns of all the rateable property in their respective Districts, in compliance with the eighth section of the Act for the more uniform collection of Assessments throughout this Province.

Mr. Speaker then ordered the different returns made by the Clerks of the Peace to be laid on the Table, and afterwards to be entered in a book to be of Record in this House.

Mr. Rogers moved, seconded by Mr. Clench, that the Order of the Day for the first reading of the Bill for the District of Newcastle be discharged, and that leave be given him to bring in the said Bill on Tuesday next.

Leave was accordingly given.

On motion of Mr. Sherwood, seconded by Captain Cowan, the House adjourned.

*Tuesday, 5th February, 1805.*

Prayers were read.

Mr. Swazey reported that in obedience to the Order of this House the Messengers had waited upon His Excellency the Lieutenant Governor to know when he would be pleased to receive this House with its Address; and that His Excellency was pleased to appoint this day at two o'clock in the afternoon.

Read, two Petitions from the District of Newcastle, which are as follows:

To the Honorable the Legislative Council and House of Assembly of the Province of Upper Canada in Parliament assembled.

The Petition of the Inhabitants of the District of Newcastle,

Humbly Showeth,

That the place appointed by Law for building a Gaol and Court House in the District of Newcastle appears to Your Petitioners to be inconvenient.

Your Petitioners therefore pray that so much of an Act entitled "An Act to provide for the Administration of Justice within the District of Newcastle" as directs that a Gaol and Court House should be built in the Town of Newcastle may be repealed, and that it may be lawful for Your Petitioners to cause a Gaol and Court House to be built in some part near the centre of the said District.

And as in duty bound they will ever pray.

Signed by Robert Baldwin, Lieut. of the County of Durham, John Spenser, Leonard Soper, Joseph Keeler, Elias Jones, Elias Smith, Senior, Benjamin Marsh, Asa Burnham, Joel Merriman, John Peters, Sheriff, Timothy Porter, Coroner, D. McG. Rogers, Clerk of the Peace, and one hundred and twenty-three others.

To the Representatives of the Province of Upper Canada in Provincial Parliament Assembled,

The Petition of sundry Inhabitants of the District of Newcastle,

Humbly showeth,

That Your Petitioners feel themselves much alarmed at the destruction that

is made with the deer in this district by driving and hunting them with dogs at all seasons of the year, which in a short time will inevitably destroy and drive them all out of the country, whereas were they only to be taken at a certain season, it would not prevent their decrease, and they would be of great service to the inhabitants who want the meat in this new settlement, and could take them without dogs.

That in order to preserve the deer Your Petitioners conceive that were they only to be taken between the twentieth of August and the first of January they would not be wantonly destroyed, and every inhabitant might share an equal benefit from them.

Your Petitioners therefore humbly submit the business to your consideration, and pray that such provision may be made in that behalf as to you in your wisdom shall seem meet.

And your Petitioners as in duty bound shall ever pray.

31st December, 1804.

Signed by { Henry Frint,  
John Frint,  
Samuel Turney,  
Joel Merriman, &  
ninety-eight others.

Read for the first time, an Act to alter certain parts of an Act passed in the forty-second year of His Majesty's Reign, entitled "An Act to provide for the Administering of Justice in the District of Newcastle."

On motion of Mr. Clench, seconded by Mr. McLean, the said Bill was ordered to be read a second time on Monday next.

On motion of Mr. Swayze, seconded by Mr. Washburn, the house adjourned till twelve o'clock at noon.

The House being met agreeable to adjournment,

By command of His Excellency, the Lieutenant Governor, William Jarvis, Esquire, Keeper of the Rolls, delivered in at the Bar a copy of the Provisional Agreement made and entered into on the part of the Commissioners of this Province and those duly authorized on the part of Lower Canada, which is as follows, viz.

Provisional Agreement made and entered into by the undersigned Commissioners, viz.

The Honorable Richard Cartwright, the Honorable Robert Hamilton, and Samuel Sherwood, Esquire, upon the part of the Province of Upper Canada, appointed by His Excellency, Peter Hunter, Esquire, of the Province by Commission bearing date the Twenty second day of March in the Year of Our Lord One Thousand Eight Hundred and Four, in the Forty Fourth Year of His Majesty's Reign, under authority of an Act of the Legislature thereof passed in the thirty seventh year of His Majesty's Reign, entitled "An Act to authorize the Lieutenant Governor to nominate and appoint certain Commissioners for the purposes therein mentioned; and the Honorable James McGill, John Richardson, Samuel Gerrard, Joseph Perinault, Morrice Blondeau, Esquire, Commissioners on the part of Lower Canada, appointed by an Act of the Legislature thereof, passed in the Forty Fourth Year of His Majesty's Reign, entitled 'An Act for appointing Commissioners to treat with Commissioners appointed, or to be appointed, on the part of Upper Canada for the purposes therein mentioned.'"

The said Commissioners having met and communicated to each other their respective powers and authority, and having taken into consideration and maturely

deliberated upon the objects of their appointment, and finding that no material alteration hath taken place in the relative situation of the two Provinces so as to require any change in the existing provisions for ascertaining the respective proportions of duties and drawbacks on articles imported at the Port of Quebec, or otherwise, it is unanimously agreed that the Articles of Agreement at present subsisting between the two Provinces be further continued, and be in force as if they were here particularly inserted until the First Day of March in the Year of Our Lord One Thousand Eight Hundred and nine.

Done at Montreal, the Fifth day of July, in the Year of Our Lord One Thousand Eight Hundred and Four, and the Forty Fourth Year of His Majesty's Reign, having signed four copies of the same tenor and date.

(Signed) { Richard Cartwright.  
R. Hamilton.  
Samuel Sherwood.  
James McGill.  
John Richardson.  
Samuel Gerrard.  
Jos. Perinault.  
Mce. Blondeau.

Office of Enrolments, Upper Canada,  
5th February, 1805.

[I do hereby certify the foregoing to be a true copy of the original deposited with the Archives of this Province.

(Signed) Wm. Jarvis, Keeper of the Rolls.]

On motion of Mr. Rogers, seconded by Mr. Howard, the House adjourned to half past one o'clock in the afternoon.

The House having met agreeable to adjournment,

Mr. Speaker, attended by the House, went up at the hour appointed with the Address of this House to His Excellency the Lieutenant Governor, and being returned, Mr. Speaker reported that the House had attended His Excellency with its Address, to which he had been pleased to make the following answer.

Gentlemen of the House of Assembly:—

I return you my best thanks for your respectful Address, and have no doubt but that your deliberations and exertions will effectually promote the happiness and prosperity of His Majesty's Subjects in this Province.

Mr. Wilkinson moved, seconded by Mr. McLean, for leave to bring in a Bill on Monday next for the more regular appointment of Parish and Town Officers throughout this Province.

Leave was accordingly granted.

On motion of Mr. Nellis, seconded by Mr. Washburn, the House adjourned.

*Wednesday, 6th February, 1805.*

Prayers were read.

Read for the first time, An Act to regulate the trial of Controverted Elections or returns of Members to serve in Parliament.

Mr. Sherwood, seconded by Mr. Clench, moved that the Bill for the trial of Controverted Elections be read a second time to-morrow.

Ordered accordingly.

Read, The Petition of the Inhabitants of the Township of Lancaster, which is as follows, viz:

To the Honorable the Commons of Upper Canada in Parliament assembled.

The Petition of the several persons whose names are hereunto subscribed, for themselves and on behalf of the Inhabitants of the Township of Lancaster.

Humbly Sheweth,—

That Your Petitioners are subject to many great and material disadvantages from the extent of the Township of Lancaster, it consisting of eighteen concessions deep.

That the Commissioners of the Highways, Assessors, Collectors, &c., are obliged to perform a double proportion of duty to the Officers of other Townships, and from the situation of the country and bad state of the roads the duty is rendered extremely difficult.

That Your Petitioners conceive the forming of a new Township from the ninth concession of Lancaster to the first concession of Hawkesbury would obviate the present inconvenience of Your Petitioners.

Wherefore Your Petitioners pray Your Honorable House will take the business into consideration, and to give them such relief as to Your Honorable House shall seem meet, and Your Petitioners will ever pray.

Alexander McMillian, J.P., Alexander McDonnell, J.P., Alex'r Rose, John McDonald, John Kennedy, Alexander McLeod, Norman McLeod, Finley McDonell, and twenty others.

Then Mr. Wilkinson moved, seconded by Captain Cowan, for leave to bring in a Bill to-morrow for the division of the Township of Lancaster.

Leave was accordingly granted.

On motion of Mr. Swazey, seconded by Mr. Mallory, the House adjourned.

*Thursday, 7th February, 1805.*

Prayers were read.

Mr. McLean moved, seconded by Mr. Sherwood, for leave to bring in a Bill to-morrow entitled "An Act to revive and continue an Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada, met at Montreal on the fifth day of July, One thousand eight hundred and four, for carrying the same into effect, and also to continue an Act passed in the thirty ninth year of His Majesty's Reign."

Then Mr. Howard moved, seconded by Mr. Sherwood, for leave to bring in a Bill on Monday next for an Act to alter certain parts of an Act entitled "An Act to provide for the appointment of Parish and Town Officers throughout this Province."

Accordingly leave was given.

Mr. Wilkinson, seconded by Mr. Sherwood, moved for the Order of the Day.

Then was read for the second time, "An Act to regulate the trial of Controverted Elections, or returns of Members to serve in Parliament."

On motion of Mr. Sherwood, seconded by Mr. McLean, the House resolved itself into Committee to take the said Bill into their consideration.

Mr. Speaker left the Chair.

Mr. Wilkinson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Wilkinson reported that the Committee had gone through the Bill and had made some amendments thereto, which he was directed to report to the



House. He then read the Report in his place and afterwards delivered the same with the Bill in at the Table, where it was again read by the Clerk.

Which Report was accepted.

Mr. McLean moved, seconded by Mr. Sherwood, that the Bill as now read be engrossed, and read a third time to-morrow.

Ordered accordingly.

Read for the first time, An Act for the division of the Township of Lancaster, which was ordered to be read a second time to-morrow.

Mr. Rogers then moved, seconded by Mr. Swayze, for leave to bring up the petition of the Inhabitants of the County of Leeds.

Leave was accordingly granted.

House adjourned.

*Friday, 8th February, 1805.*

Prayers were read.

Mr. McLean moved, seconded by Mr. Sherwood, that so much of the Order of the Day be dispensed with as requires this day the bringing in of the Bill entitled "An Act to continue an Act to ratify and confirm certain Provisional Articles of Agreement, entered into by the respective Commissioners of this Province and Lower Canada, at Montreal on the fifth day of July One Thousand Eight Hundred and Four, and for carrying the same into effect, and also to continue an Act passed in the thirty-ninth year of His Majesty's Reign," and that leave be given to bring in the same on Monday next.

Ordered accordingly.

Mr. Rogers, seconded by Mr. Swayze moved, that the Order of the Day for the third reading of the engrossed Bill to regulate the trial of Controverted Elections be discharged, and that the said Bill be recommitted this day.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported that the Committee had gone through the Bill, and had made some amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same. And he read the Report in his place, and afterwards delivered the same in at the Table, where it was again read by the Clerk.

Which Report was accepted.

Mr. McLean, seconded by Mr. Sherwood, moved that the Bill as now amended be engrossed and read a third time this day.

Ordered accordingly.

Read for the second time, A Bill entitled, "An Act for the division of the Township of Lancaster."

On motion of Mr. Washburn, seconded by Mr. Clench, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment he read in his place, and afterwards delivered the Bill and amendment in at the Table, where it was again read by the Clerk.

And the said amendment being again read, and the question being thereupon put, it was agreed to by the House.

Mr. Wilkinson moved, seconded by Mr. Rogers, that the Bill as amended be engrossed and read a third time to-morrow.

It was ordered accordingly.

An engrossed Bill entitled "An Act to regulate the trial of Controverted Elections, or returns of Members to serve in Parliament" was read for the third time.

Mr. Rogers then moved, seconded by Mr. Washburn, that the following clause be inserted after the second clause of the said Bill.

"Provided that nothing herein contained in respect to the statement of the grounds or reasons required to be made in the petition shall affect the petitions prepared to be laid before the House during this session of Parliament."

A division thereupon ensued; the names being called for they were taken down, and are as follows.

Yeas	Nays
MESSRS. ROGERS	MESSRS. NELLIS
SWAYZE	CLENCH
WASHBURN	HOWARD
DORLAND	HILL
	McGREGOR
	McLEAN
	SHERWOOD
	MALLORY
	COWAN
	WILKINSON

The same passed in the negative by a majority of six.

On motion of Mr. Sherwood, seconded by Mr. McLean,

Resolved, That the Bill do pass, and that the title be "An Act to regulate the trial of Controverted Elections, or Returns of Members to serve in Parliament."

Mr. Clench then moved, seconded by Mr. Dorland, that Messrs. Sherwood, Cowan and McLean do carry up the Bill to the Legislative Council, and do request their concurrence thereto.

Which was ordered accordingly.

Mr. Sherwood moved, seconded by Mr. McLean, that no petition shall be read in the House by the Clerk, complaining of an undue election, until it be known whether the Bill now before the House to regulate contested elections or returns of Members to serve in Parliament will be passed into a Law.

A division took place, the names being called for they were taken down, and are as follows, viz:

Yeas	Nays
MESSRS. COWAN	MESSRS. ROGERS
MALLORY	WASHBURN
SHERWOOD	DORLAND
McLEAN	SWAYZE
McGREGOR	WILKINSON
HOWARD	
HILL	
CLENCH	
NELLIS	

Carried in the affirmative by a majority of four.

The House accordingly resolved the same.

On motion of Mr. Rogers, seconded by Mr. Washburn, the House adjourned.

*Saturday, 9th February, 1805.*

Prayers were read.

Mr. Wilkinson moved, seconded by Mr. McLean, for leave to bring in a Bill on Monday next for the regulation of Special Juries throughout the Province.

Leave was accordingly given.

An engrossed Bill entitled "An Act for the division of the Township of Lancaster" was read for the third time.

The Bill then passed and was signed by Mr. Speaker.

Mr. Clench moved, seconded by Mr. Swayze, that Messrs. Rogers, Wilkinson, and Dorland be a Committee to carry up to the Honorable the Legislative Council the Bill for the division of the Township of Lancaster, and to request their concurrence.

Ordered accordingly.

House adjourned till Monday next.

*Monday, 11th February, 1805.*

Prayers were read.

Mr. Rogers reported that the Messengers did carry up to the Honorable Legislative Council the Bill entitled "An Act for the division of the Township of Lancaster," to which Bill they requested their concurrence.

Mr. Sherwood, one of the Messengers named to carry up to the Legislative Council a Bill entitled "An Act to Regulate the trial of Controverted Elections, or Returns of Members to serve in Parliament," reported that they did bring up the same, to which they requested their concurrence.

Mr. Wilkinson moved, seconded by Mr. Rogers, that so much of the Order of the Day as gives him leave to bring in a Bill for the appointment of Town Officers, may be discharged.

The Leave was discharged accordingly.

Agreeable to the Order of the Day, was read for the second time an Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "an Act to provide for the administration of Justice in the District of Newcastle."

Mr. Rogers then moved, seconded by Mr. Swayze, that the House do now resolve itself into Committee to take into consideration the Bill for the District of Newcastle.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendment, which he was directed to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was then received and accepted.

Mr. Rogers, seconded by Mr. Swayze, moved that the Bill for the District of Newcastle be engrossed and read a third time to-morrow.

Ordered accordingly.

Then was read for the first time, An Act to provide for the appointment of Parish and Town Officers throughout the Province.

Mr. Rogers then moved, seconded by Mr. Howard, That the Bill for the appointment of Parish and Town Officers be read a second time to-morrow.

Which was ordered accordingly.

The Bill entitled, "An Act to revive and confirm an Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada, met at Montreal on the fifth Day of July, One thousand eight hundred and four, for carrying the same into effect, and also to continue an Act passed in the thirty ninth Year of His Majesty's Reign" was read for the first time.

Then Mr McLean moved, seconded by Mr. Washburn for leave to bring in a Bill on Wednesday next to Regulate the Curing, Packing, and Inspecting of Beef and Pork to be exported from this Province."

Leave was accordingly granted.

Mr. Washburn then moved, seconded by Mr. McLean for leave to bring in a Bill on Tuesday next to repeal an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act to alter the method of performing Statute Duty on the Highways and Roads within this Province, and to make further provisions for the same."

Accordingly leave was given.

Mr. Sherwood, seconded by Mr. Nellis, moved that leave be given to Messrs. Wilkinson and Crysler to absent themselves from their attendance in this House for four days of this week.

Leave of absence was accordingly given.

On motion of Mr. Nellis, seconded by Mr. Dorland, the House adjourned till half past one o'clock in the afternoon.

The House being met,

A message from the Hon. Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,—

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill entitled "An Act to regulate the trial of Controverted Elections, or returns of Members to serve in Parliament," sent up from this House, to which they have made some amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

Which Bill as amended was then read.

On motion of Mr. Sherwood, seconded by Mr. Clench, the House resolved itself into Committee to enter into the consideration of the said Bill as amended by the Legislative Council.

Mr. Speaker left the Chair.

Mr. Wilkinson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilkinson reported that the Com-

mittee had gone through the Bill as amended, which he was directed to report as amended by the Legislative Council whenever the House would be pleased to receive the same.

It was then ordered to receive the Report.

Which Report was received and accepted.

On motion of Mr. Sherwood, seconded by Mr. McLean, the House adjourned till twelve o'clock at noon to-morrow.

*Tuesday, 12th February, 1805.*

Prayers were read.

The engrossed Bill entitled "An Act to provide for the administration of justice in the District of Newcastle" was read a third time.

On motion of Mr. Rogers, seconded by Mr. Hill,

Resolved, That the Bill do pass, and that the title be "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled 'An Act to provide for the administration in the District of Newcastle,'"

The House divided upon the question the names being called for they were taken down and are as follows, viz:

Yeas  
 MESSRS. SHERWOOD  
 MALLORY  
 ROGERS  
 COWAN  
 HILL  
 HOWARD  
 NELLIS  
 DORLAND  
 WILKINSON  
 CRYSLER  
 MCGREGOR  
 McLEAN

Nays  
 MESSRS. CLENCH  
 WASHBURN

It was accordingly resolved in the affirmative by a majority of ten.

On motion of Mr. Sherwood, seconded by Mr. Rogers,

Ordered, That Mr. Rogers and Mr. Howard do carry the Bill to the Legislative Council, and request their concurrence, and that they do also carry up to the Legislative Council the Petition from the Inhabitants of the District of Newcastle.

Ordered accordingly.

Read for the second time, The Bill to regulate Town and Parish Officers.

On motion of Mr. Howard, seconded by Mr. Rogers, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McLean reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House shall be pleased to receive the same.

Ordered, That the Report be now received.

The Report was then received and accepted.

Mr. Howard moved, seconded by Mr. Nellis, that the Bill for the further appointment of Parish and Town Officers be engrossed and read a third time to-morrow.

Ordered accordingly.

Read a second time, The Bill entitled "An Act to revive and continue an Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada, met at Montreal on the fifth day of July, One thousand Eight Hundred and Four, for carrying the same into effect; and also to continue an Act passed in the thirty ninth year of His Majesty's Reign."

On motion of Mr. McLean, seconded by Mr. Sherwood, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had gone through the consideration of the said bill without any amendment, which he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was received and accepted.

Mr. McLean then moved, seconded by Mr. Wilkinson, that the Bill now read be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Sherwood moved, seconded by Capt. Cowan, that Mr. McLean and Mr. Wilkinson do inform the Legislative Council that the Assembly have concurred in the amendments made by them to the Bill for regulating Controverted Elections.

Thereupon a question having arisen, whether or not a Bill could be debated which had passed the Assembly, had been sent to the Legislative Council, there amended, then sent back to the Assembly and the amendments concurred in by it, on the day after concurring in such amendments.

The question having been referred to the Speaker, he decided that the Bill should again be debated because a clause in that Bill made mandatory in the Assembly what of right is optional; namely, opening or shutting the doors at pleasure.

On appeal to the House against the decision of the Speaker, the House decided against the Speaker.

Mr. Rogers then moved, seconded by Mr. Clench, in amendment, that after the word "that" in Mr. Sherwood's motion, the rest of the motion be expunged, and that the following words be inserted, "the amendments made by the Honorable the Legislative Council to the Bill entitled 'An Act to regulate the trial of Controverted Elections or Returns of Members of the House of Assembly,' be recommitted."

The same being carried in the affirmative, the House accordingly resolved itself into Committee to go into the consideration of the amendments made to the said Bill.

Mr. Speaker left the Chair.

Mr. Wilkinson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Wilkinson reported that the Committee had gone through the consideration

of the said amendments, to which they had made no amendment, which he was directed to report to the House whenever the House would be pleased to receive the same.

Mr. Rogers then moved, seconded by Mr. Clench, that the report of the Committee of the Whole House on the Bill to regulate the Trial of Controverted Elections be not accepted.

A division thereupon took place; the names were ordered to be taken down, and are as follows,

Yeas.	Nays
MESSRS WILKINSON	MESSRS. SHERWOOD
McGREGOR	COWAN
CLENCH	MALLORY
WASHBURN	HILL
DORLAND	CRYSLER
SWAYZE	HOWARD
	NELLIS
	McLEAN

The same passed in the negative by a majority of one:

Then the amendments made by the Legislative Council were read as engrossed, and passed.

Mr. Sherwood moved, seconded by Mr. Nellis, that Mr. McLean and Captain Cowan do inform the Legislative Council that the House of Assembly have concurred in their amendments to the Bill to regulate Controverted Elections.

Which was ordered accordingly.

Mr. Wilkinson then moved, seconded by Mr. Sherwood, that leave of absence be given to Ralf Clench, Esquire, for four days in this week.

Leave of absence was accordingly given.

Mr. Rogers moved, seconded by Mr. Swayze, for leave to bring up the Petition of James Covill, of Elizabethtown.

Leave was accordingly given, and the said Petition was ordered to lie on the Table.

Mr. Washburn moved, seconded by Mr. Dorland, that so much of the Order of this Day be discharged as gives him leave for the first reading of the Road Bill, and that he have leave to bring in the same on Saturday next.

Accordingly leave was given.

Read, Two Petitions from the District of Niagara.

To the Honorable Provincial Parliament of Upper Canada:

We, the subscribers, Inhabitants of the said Province, and faithful subjects to His Majesty, and at all times ready and willing to support the operating laws in his Dominions; and being possessed of that inalienable right of free men to make known to our law makers and rulers such grievances as we may think we labour under, do beg leave under mature consideration and confidence of the truth and propriety thereof, to most humbly suggest to Your Honors that the law of said Province prohibiting distillers selling any of their distilled liquors under three gallons is not so happily calculated as in our opinion may be for the general good of His Majesty's subjects, for many are under a necessity at times for some of this liquor, but either for the want of abilities, or from principles of prudence are prevented of receiving those comforts of the country to which their hand labour entitles them.

We beg leave further to suggest that no detriment can accrue to the revenue by giving the distillers license to sell one gallon, as in our opinion few retailers or inn keepers would have any objection to an alteration of said law.

The limits of this Petition will not give an opportunity to state all the reasons in support thereof, which will actually be in your possession.

We therefore most humbly pray that Your Honors would take this subject into your wise consideration, and repeal said law in such a manner that the distillers may sell one gallon; or otherwise order and direct so that the law touching the same may be, as all laws should be, for the general benefit of the public weal; and as in duty bound we shall ever pray.

Lanty Shannors,\* Inn-keeper.

Ezekiel Woodruff.

Sam'l VanWick, Inn-keeper.

John Fralick.

John + Camp (his mark).

and fifty-six others.

To the Honorable the Legislative Council and House of Assembly for the Province of Upper Canada.

The Petition of the subscribers, Inhabitants of the District of Niagara.

Humbly prays,

That the Legislature may at their next meeting take into their serious consideration the laws respecting highways and Roads throughout this Province. and make such alterations or amendments to the same as to them in their wisdom may appear meet. Your Petitioners beg leave to intimate that under the existing law it is difficult to determine which are really and legally Highways, the Commissioners being frequently divided in opinion with respect to the construction to be put on said laws, and from the circumstance of the Justices of the Peace being all Commissioners of the Highways and Roads, and nothing mandatory or compulsory on them to act when required, and as it would be unfair that those gentlemen, who do sacrifice much of their time to their duty as Justices, should be forced to leave their homes for days in acting as Commissioners, without an adequate allowance being made them for their trouble and expense; and as many of these gentlemen would probably not wish to act in the line of Commissioners.

Your Petitioners are therefore of opinion that it would tend to the ease of the Inhabitants and the welfare of the District to have a certain number of disinterested persons to be overseers or Commissioners of the Highways in each and every District, and that an allowance should be made to them from the different District Treasurers to be raised by a tax for that immediate purpose, making it compulsory on them on all occasions when thereto required to lay out, alter, or amend any road or roads throughout their respective District or Division. However, all this is submitted to the Honorable the Legislature for their consideration, which Your Petitioners pray may meet with due and mature deliberation.

And your Petitioners as in duty bound will ever pray.

(Signed)

{ John Pettit.

{ Levi Lewis.

{ Richard Griffin.

{ Wm. Kennedy.

{ and fifteen others.

On motion of Mr. Sherwood, seconded by Mr. Wilkinson,  
The House adjourned till twelve o'clock to-morrow noon.

\*Shannon?



*Wednesday, 13th February, 1805.*

Prayers were read.

Read for the first time, "An Act to regulate the curing, packing, and inspection of Beef and Pork."

On motion of Mr. McLean, seconded by Mr. Dorland,

Ordered, That the said Bill be read a second time on Monday next.

Ordered accordingly.

The engrossed Bill entitled "An Act to make provisions for further appointment of Parish and Town Officers throughout this Province," was read for the third time.

On motion of Mr. Howard, seconded by Mr. Nellis,

Resolved, That the Bill do pass, and that the title be "An Act to make provisions for further appointments of Parish and Town Officers throughout this Province."

Mr. Sherwood moved, seconded by Mr. Nellis, that Messrs. Howard and Dorland do carry the said Bill to the Legislative Council and request their concurrence.

Ordered accordingly.

The engrossed Bill, entitled "An Act to ratify and confirm certain Articles of Agreement entered into on the part of the Commissioners of Upper and Lower Canada," was read the third time.

On motion of Mr. McLean, seconded by Mr. Rogers,

Resolved, That the Bill do pass, and that the title be "An Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada at Montreal on the fifth day of July, One thousand eight hundred and four, relative to duties, and for carrying the same into effect; and also to continue an Act passed in the thirty-ninth year of His Majesty's Reign, and continued by an Act passed in the forty-first year of His Majesty's Reign."

Mr. Sherwood moved, seconded by Mr. Mallory, that Messrs. McLean and Hill do carry the said Bill to the Legislative Council and request their concurrence.

It was ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. Clench,—That any Member of the House may bring up a Petition and deliver the same to the Clerk to be laid on the Table, without leave.

The House resolved the same.

Mr. Clench moved, seconded by Mr. McGregor, for leave to bring in a Bill on Monday next to amend an Act passed in the forty-third year of His Majesty's Reign, entitled "An Act to enable married women having Real Estate more conveniently to alien and convey the same."

Leave was accordingly granted.

Mr. McGregor moved, seconded by Mr. Clench, for leave to bring in a Bill for the relief of Insolvent Debtors, on Friday next.

Leave was accordingly granted.

Mr. Rogers, seconded by Mr. Clench, moved that a Committee be appointed to request a conference with the Honorable the Legislative Council on the most proper means of speedily obtaining the Royal assent to an Act to regulate the Trial of Controverted Elections.

A division thereupon ensued; the names were called for and were taken down, and are as follows,

Yeas.	Nays.
MESSRS. CLENCH	MESSRS. McLEAN
ROGERS	SHERWOOD
HILL	COWAN
SWAYZE	DORLAND
WASHBURN	HOWARD
	MALLORY

The same passed in the negative by a majority of one.

On motion of Mr. Sherwood, seconded by Mr. McGregor, the House adjourned till twelve o'clock at noon to-morrow.

*Thursday, 14th February, 1805.*

Prayers were read.

Messrs. Howard and Dorland reported that they had brought up to the Honorable Legislative Council the Bill entitled "An Act for the further appointment of Parish and Town Officers," and did request their concurrence.

Mr. McLean, one of the Messengers named to carry up to the Honorable Legislative Council the Bill entitled "An Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada at Montreal, on the fifth day of July, One thousand eight hundred and four; relative to Duties, and for carrying the same into effect; and also to continue an Act passed in the thirty-ninth year of His Majesty's Reign, and continued by an Act passed in the forty-first year of His Majesty's Reign," reported that they did carry up the said Bill to the Honorable the Legislative Council and did request their concurrence.

By command of His Excellency, the Lieutenant Governor, William Jarvis, Esquire, Secretary of the Province, appeared at the Bar of the House, whereat he delivered the Provincial Public Accounts.

And then he withdrew.

Which Accounts were read, and are as follows,

SCHEDULE OF ACCOUNTS laid before the House of Assembly.

No. 1. The Inspector's list of names of persons licensed as Shop and Inn-keepers in the several Districts of the Province of Upper Canada, for the year ending 5th of April, 1804. These returns were not received in time to be laid before the Legislature in 1804.

No. 2. The Inspector's list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada for the year ending the 5th April, 1804. These returns were not received in time to be laid before the Legislature in 1804.

No. 3. The Inspector's list of names of persons licensed as Shop and Inn-keepers in the several Districts of the Province of Upper Canada for the year ending 5th April, 1805.

No. 4. The Inspector's list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada for the year ending the 5th of April, 1805.

No. 5. Provincial Revenue of the Crown arising from duties collected on Goods imported under authority of Acts of the Provincial Parliament, between the 1st January and the 31st December, 1804, including such duties as have not been heretofore stated.

No. 6. Provincial Revenue of the Crown arising from Duties collected on goods imported under authority of Acts of the Parliament of Great Britain between the 1st January and the 31st December, 1804.

No. 7. Abstract of Warrant issued by His Excellency, Lieutenant General Peter Hunter, Lieutenant Governor of the Province of Upper Canada, for moneys charged against the funds arising from Duties imposed by the Provincial Legislature.

No. 8. Supplementary abstract statement of moneys collected within the several Districts of the Province of Upper Canada, on Shop-keepers, Inn-keepers and Still Licenses for the year ending the 5th April, 1804, after deducting ten per cent. allowed to the Inspectors by the Act of the forty-third of the King.

No. 9. Supplimentary Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada on Shop and Innkeepers licenses for the year ending 5th April, 1804, under authority of Acts of the Parliament of Great Britain, after deducting ten per cent. allowed to the Inspectors by the Act of the forty-third of the King.

No. 10. Abstract statement of moneys collected within the several Districts of the Province of Upper Canada on Shop, Innkeepers and Still Licenses, for the year ending the 5th of April, 1805, as far as the returns have been received, after deducting ten per cent. allowed to the Inspector by the Act of the forty-third of the King.

No. 11. Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada on Shop and Innkeepers Licenses for the year ending the 5th of April, 1805, under authority of Acts of the Parliament of Great Britain so far as the returns have been received, after deducting ten per cent. allowed to the Inspectors by the Act of the 43rd of the King.

No. 12. General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards from the 1st of January to the 30th of June, 1804, agreeable to the written accounts thereof received, or as ascertained on examination of carriages according to the Act.

No. 13. General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards from the 1st July to the 31st December, 1804, agreeable to the written account thereof received, or as ascertained on examination of carriages according to the Act.

No. 14. Account of lighthouse tonnage duties collected for the year ending 31st December, 1804.

No. 15. Account of Cash received by the Honorable Peter Russell, Receiver General, for Fines and Forfeitures, under authority of Acts of the Provincial Parliament between the 5th February, 1804, and the 5th February, 1805.

No. 16. Account of Cash received by the Honorable Peter Russell, Receiver General, for fines and forfeitures under the authority of Acts of the Parliament of Great Britain, between the 5th of February, 1804, and the 5th February, 1805.

No. 17. General state of cash received by the Honorable Peter Russell, Re-

ceiver General, for duties and fines, under authority of Acts of the Parliament of Great Britain, between the 5th February, 1804, and the 5th February, 1805.

No. 18. General state of receipts and payments by the Honorable Peter Russell, Receiver General, for the duties and fines under authority of the Acts of the Provincial Parliament between the 5th of February, 1804, and the 5th of February, 1805.

Inspector General's Office,  
York, 4th February, 1805.

(Signed) John McGill,  
Inspr. Genl.  
P. P. Accounts.

(For Accounts and Statements see Appendix.)

On motion of Mr. Sherwood, seconded by Mr. Clench, the House adjourned till twelve o'clock at noon.

*Friday, 15 February, 1805.*

Prayers were read.

Read for the first time, The Bill for giving relief to insolvent debtors.

Mr. McGregor then moved, seconded by Mr. Sherwood, that the Bill for the Relief of Insolvent Debtors be read a second time to-morrow.

Ordered accordingly.

Mr. Sherwood, seconded by Mr. Clench, moved that the Order for the second reading of the Bill for inspecting Beef and Pork, on Monday next be discharged, and that the same be read a second time this day.

Ordered accordingly.

Read a second time, The Bill to regulate the curing, packing and inspection of Beef and Pork.

Mr. McLean then moved, seconded by Mr. Clench, that the House do now resolve itself into Committee to take into consideration the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Dorland reported that the Committee had directed him to report a progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A message from the Legislative Council by Mr. Burns, Master in Chancery.  
Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act "to ratify and confirm certain Provisional articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada, at Montreal on the 5th day of July, One Thousand Eight Hundred and Four, relative to duties, and for carrying the same into effect; and also to continue an Act passed in the thirty-ninth year of His Majesty's Reign, continued by an Act passed in the forty-first year of His Majesty's Reign" with some amendments, to which they request the concurrence of this House.

The amendments were then read.

Mr. Sherwood gave notice that to-morrow he would move the House to go into Committee to take into consideration the amendments made by the Legis-

lative Council to the Bill to confirm the Provisional Agreement entered into by the Commissioners named by this Province and Lower Canada.

The House again resolved itself into Committee on the Bill to regulate the curing, packing, and inspection of Beef and Pork.

Mr. Speaker left the Chair.

Mr. Dorland again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House shall be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was received and accepted.

Mr. McLean moved, seconded by Mr. Mallory, that the Bill now reported be engrossed, and read a third time to-morrow.

Ordered accordingly.

On motion of Mr. Swayze, seconded by Mr. Washburn, the House adjourned till twelve o'clock to-morrow at noon.

*Saturday, 16th February, 1805.*

Prayers were read.

Mr. Rogers moved, seconded by Mr. Dorland, for leave to bring in a Bill for the better preservation of Deer, on Monday next.

Leave was accordingly given.

Read, The Petition of the Magistrates of the Home District, which is as follows.

To the Honorable the House of Assembly of the Province of Upper Canada.

The Petition of the Magistrates of the Home District,  
Humbly Sheweth,

That the assessments and rates, as by law established in and for the said District, have been found inadequate to discharge the burthens and expenses incident thereto.

That the Gaol of the said District has fallen into great decay, and requires, for the safety and comfort of the Prisoners, many needful and necessary reparations.

That for the purpose of discharging the said necessary burthens and expenses, and for the repairing of the said Gaol, the aid of the Legislature is necessary.

Your Petitioners therefore humbly request that Your Honorable House will take the premises into consideration and grant them such relief therein as you in your wisdom shall think fit.

And Your Petitioners as in duty bound shall ever pray.

(Signed)

Wm. Jarvis, Chairman,  
in Special Sessions.

Wm. Allen

Jno. McGill

D. Cameron

Jas. Macaulay

Alexr. Wood.

York, 13th Feb'y, 1805.

Then was read for the first time a Bill to regulate the Statute Labour to be done on Public Roads and Highways throughout this Province.

Mr. Washburn, seconded by Mr. Dorland, moved that the said Bill be read a second time on Monday next.

Which was ordered accordingly.

Then was read for the second time the Insolvent Debtors Bill.

On motion of Mr. McGregor, seconded by Mr. Rogers, the House resolved itself into Committee to take the said Bill into consideration.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which they made an amendment, which he was directed to report whenever the House shall be pleased to receive the same.

It was then resolved that the Report be now received.

The Report was then received and accepted.

Mr. McGregor then moved, seconded by Mr. Rogers, that the said Bill be engrossed and read a third time on Monday next.

Ordered accordingly.

Then was read the engrossed Bill for the inspection of Pork and Beef.

On motion of Mr. McLean, seconded by Mr. Sherwood,

Resolved, That this Bill do pass, and that the title be "An Act to regulate the curing, packing and inspection of Beef and Pork."

The Bill then passed and was signed by Mr. Speaker.

Mr. Rogers moved, seconded by Mr. Swayze, that Messrs Sherwood, McLean, and Mallory do carry up the said Bill to the Legislative Council, and request their concurrence in passing the same.

It was ordered accordingly.

Mr. Clench, seconded by Mr. Sherwood, moved for leave to bring in on Tuesday next a Bill to authorize the Justices of the Peace for the Home District in Quarter Sessions assembled to increase the assessment in said District.

Leave was accordingly given.

Mr. McLean moved, seconded by Mr. Sherwood, for leave to bring in a Bill on Monday next to purchase a Philosophical Apparatus.

Accordingly leave was granted.

Mr. Sherwood, seconded by Mr. Swayze, moved for leave to bring in a Bill on Monday next to alter the time of issuing Tavern and Still licenses.

Leave was given.

On motion of Mr. Sherwood, seconded by Mr. McLean, the House resolved itself into Committee to go into the consideration of the amendments made by the Legislative Council to a Bill entitled "An Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada."

Mr. Speaker left the Chair.

Mr. Hill was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Hill reported that the Committee had gone through the amendments made by the Legislative Council, without any amendment, which he was directed to report whenever the House will be pleased to receive the same, which Report

he read in his place, and afterwards handed it in at the Table, when it was again read by the Clerk.

The House then resolved that the said Report be now received. It was accordingly received and accepted.

On motion of Mr. Sherwood, seconded by Mr. McLean,

Ordered, that Messrs Clench and Cowan do go up and inform the Honorable the Legislative Council that this House have concurred in the amendments made by them to the Bill for ratifying the Provisional Agreement with Lower Canada.

Mr. Clench, one of the Messengers named to inform the Legislative Council that this House did concur in the amendments made by them to an Act to ratify and confirm certain Articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada, reported that they had carried up the said Message to the Legislative Council.

On motion of Mr. Swayze, seconded by Mr. Clench, the House adjourned till Monday next at twelve o'clock at noon.

*Monday, 18th February, 1805.*

Prayers were read.

Mr. Sherwood moved, seconded by Mr. Nellis, for leave to bring in a Bill to-morrow for the speedy recovery of rents from lands reserved for the Crown and Clergy. Leave was accordingly given.

Mr. Rogers gives notice that he will on to-morrow move that an humble address be presented to His Excellency the Lieutenant Governor praying that he will be pleased to issue his Warrant to the Clerk of this House for the sum of Sixteen Pounds Five Shillings currency, to enable him to purchase twenty copies of the Provincial Statutes of this Province, to be delivered to the Members of the House of Assembly representing the Counties of Hastings and Northumberland, and also six copies to be delivered to the Magistrates in the County of Durham, in the District of Newcastle, the copies of the Statutes intended for the said Counties being lost in His Majesty's Schooner "Speedy."

Mr. Clench moved, seconded by Mr. Sherwood, that the Order of the Day, so far as relates to the leave given to introduce a Bill to amend an Act passed in the forty-third year of His Majesty's Reign, entitled, "An Act to enable married women having Real Estate more conveniently to alien and convey the same," be discharged.

The same passed in the negative.

Mr. Clench, seconded by Mr. Sherwood, moved that so much of the Order of the Day as relates to the leave given to bring in on this day a Bill to amend an Act passed in the forty-third year of His Majesty's Reign entitled "An Act to enable Married Women having Real Estate more conveniently to alien and convey the same," be discharged, and that leave be given to bring in the same on Wednesday next. Accordingly leave was given.

Read for the first time, A Bill for the preservation of Deer throughout this Province.

Mr. Rogers then moved, seconded by Mr. Nellis, that the Bill for the preservation of Deer be read a second time to-morrow. Which was carried in the negative.

Read for the second time, An Act to alter the Statute Labour to be done on the Highways and Public Roads throughout this Province.

Mr. Washburn, seconded by Mr. Clench, moved that the House do now resolve itself into Committee to take the Road Bill into consideration.

The House accordingly resolved itself into Committee. Mr. Speaker left the Chair. Mr. Nellis was called to the chair of the Committee. Mr. Speaker resumed the Chair.

And Mr. Nellis reported that the Committee had made a progress, and directed him to ask for leave to sit again this day.

Leave was accordingly given.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this House that they have passed an Act to afford relief to those persons who may be entitled to claim lands in this Province as heirs or devisees of the nominees of the Crown in cases where no patent hath issued to such lands.

And then he withdrew.

Agreeable to leave granted, the House again resolved itself into Committee to go into the further consideration of the Public Roads throughout this Province.

Mr. Speaker left the Chair. Mr. Nellis was again called to the Chair of the Committee. Mr. Speaker resumed the Chair.

Mr. Nellis reported that the Committee had made a progress, and directed him to ask leave to sit again this day. Leave was accordingly given.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill entitled "An Act to make provision for further appointments of Parish and Town Officers throughout this Province," with some amendments, to which they desire the concurrence of the House of Assembly.

And then he withdrew.

The amendments to the said Bill were then read for the first time.

The House according to leave given again resolved itself into Committee to go into the further consideration of the Road Bill.

Mr. Speaker left the Chair. Mr. Nellis again took the Chair of the Committee. Mr. Speaker resumed the Chair.

Mr. Nellis reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same.

Resolved, That the Report be now received.

The Report was accordingly received and accepted.

Mr. Sherwood then moved, seconded by Mr. Nellis, that the Bill as amended be engrossed and read a third time on Wednesday next. Ordered accordingly.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this House that they passed the Bill entitled "An Act to alter certain parts of an Act passed in the forty-second year of His Majesty's Reign, entitled 'An Act to provide for the Administration of Justice in the District of Newcastle,'" with some amendments, to which they request the concurrence of the House of Assembly.

And then he withdrew.



Then were read for the first time the amendments made to the said Bill.

Read, the engrossed Bill for the relief of Insolvent Debtors, for the third time.

On motion of Mr. McGregor, seconded by Captain Cowan,

Resolved, That the Bill do pass, and that the title be "An Act for the relief of Insolvent Debtors."

The Bill then passed, and was signed by Mr. Speaker.

Mr. Sherwood then moved, seconded by Mr. Rogers, that Mr. Clench and Mr. McGregor do carry up the said Bill to the Honorable the Legislative Council and request their concurrence.

Ordered accordingly.

Then was read for the first time a Bill for appropriating a certain sum of money for the purchase of a Philosophical Apparatus for the use of this Province.

Mr. McLean then moved, seconded by Mr. Sherwood, that this Bill be read a second time on Wednesday next. Which was ordered accordingly.

Then was read for the first time the Tavern and Still License Bill.

Mr. Mallory gave notice that he shall move to-morrow that the House do then resolve itself into Committee to take into its consideration the Public Accounts.

Read for the first time, An Act to afford relief to those persons who may be entitled to claim lands in this Province as heirs or devisees of the nominees of the Crown, in cases where no patent hath issued for such lands, sent down from the Legislative Council for concurrence.

Mr. Rogers then moved, seconded by Mr. Sherwood, that the Bill entitled "An Act to afford relief to those persons who may be entitled to claim lands in this Province as heirs or devisees of the nominees of the Crown, in cases where no Patent hath issued for such lands," be read a second time on Thursday next.

Ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Swayze, that the House do now resolve itself into Committee to take into consideration the amendments made by the Honorable the Legislative Council to the Bill for the District of Newcastle.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Clench reported that the Committee had gone into the consideration of the said amendments, and that the Committee did direct him to report the Bill as amended by the Legislative Council whenever the House shall be pleased to receive the same.

Resolved, That the said Report be now received.

Which Report was then received and accepted.

Mr. Sherwood then moved, seconded by Mr. Swayze, that Messrs. Rogers and McGregor do inform the Honorable the Legislative Council that this House have concurred in the amendments made by them to the Newcastle Bill.

Ordered accordingly.

Mr. Howard then moved, seconded by Mr. Sherwood, that the House do now resolve itself into Committee to take into consideration the amendments made by the Honorable the Legislative Council to a Bill entitled "An Act to make further provision for the appointment of Parish and Town Officers."

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. McLean was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported that the Committee had gone through the consideration of the amendments made to the said Bill, without any amendments, which he was directed to report whenever the House is pleased to receive the same.

It was then Ordered, that the said Report be now received.

The said Report was then received and accepted.

On motion of Mr. Sherwood, seconded by Mr. Swayze,—that Messrs. Rogers and McGregor do inform the Honorable Legislative Council that this House hath concurred in the amendments made by them to an Act to provide for the Administration of Justice in the District of Newcastle.

It was ordered accordingly.

On motion of Mr. Swayze, seconded by Mr. Nellis, the House adjourned.

*Tuesday, 19th February, 1805.*

Prayers were read.

Mr. Rogers moved, seconded by Mr. Dorland, that an Address be presented to His Excellency the Lieutenant Governor praying that he will be pleased to issue his Warrant in favor of the Clerk of the House of Assembly for the sum of Sixteen Pounds, Five Shillings, to enable him to purchase twenty copies of the Provincial Statutes of this Province to be delivered to the Members of the House of Assembly representing the Counties of Hastings and Northumberland and also six copies of the said Statutes to be delivered to His Majesty's Justices of the Peace in the County of Durham in the District of Newcastle; the copies of the Statutes of this Province intended for the said Counties being lost in His Majesty's Schooner "Speedy." Ordered accordingly.

Read for the first time, An Act increasing the Assessments and Rates in the Home District.

Mr. Clench, seconded by Mr. McGregor, moved that this Bill be read a second time on Thursday next. Which passed in the negative.

Then was read for the first time An Act for the speedy recovery of rents arising from the lands reserved for the Crown.

Mr. Sherwood moved, seconded by Mr. Clench, that this Bill be read a second time to-morrow. Ordered accordingly.

Mr. Sherwood moved, seconded by Mr. Swayze, that this House do present an Address to His Excellency the Lieutenant Governor, praying him to advance the sum of twenty-five Pounds to the Clerk of the House towards paying the Copying Clerks.

Mr. Sherwood then moved, seconded by Captain Cowan, that Messrs. Clench and Howard be a Committee to draft an Address to His Excellency the Lieutenant Governor, praying that he may be pleased to advance Twenty-five Pounds to the Clerk of this House towards paying Copying Clerks. Which was ordered accordingly.

Then Mr. Clench informed the House that the Committee had drafted an Address to His Excellency the Lieutenant Governor, which he was ready to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Address be now received.

Mr. Clench then read the same in his place, which he delivered in at the Table, and was once more read by the Clerk, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada.

May it please your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that Your Excellency will be pleased to order an advance of Twenty-five Pounds Currency to be made to the Clerk of this House, on account towards defraying the expenses of Copying Clerks during the present Session, and that the same be charged to the fund by law appropriated for that purpose.

Commons House of Assembly,

19th February, 1805.

On motion of Captain Cowan, seconded by Mr. McGregor,  
The said Address was ordered to be engrossed.

Mr. Mallory moved, seconded by Mr. Sherwood, that this House do now resolve itself into Committee to take into consideration the Public Accounts.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair. Mr. Dorland was called to the Chair of the Committee. Mr. Speaker resumed the Chair.

Mr. Dorland reported that the Committee had gone through the consideration of the Provincial Public Accounts, which he was directed to report to the House whenever it shall be pleased to receive the same.

Then Mr. Rogers moved, seconded by Mr. Washburn, that the Report of the Committee be not received.

On Mr. Speaker having put the question a division thereupon took place, the names being called for they were taken down, and are as follows.

Yeas.

MESSRS. COWAN  
MCGREGOR  
MCLEAN  
HOWARD  
CLENCH  
CRYSLER  
MALLORY  
NELLIS  
HILL  
SWAYZE

Nays.

MESSRS. ROGERS  
WASHBURN  
DORLAND

The same passed in the negative by a majority of seven.

Then Mr. Dorland read the Report in his place, and delivered the same in at the Table, where it was again read by the Clerk, and is as follows.

## THE COMMITTEE REPORT:—

That there remains in the Receiver General's hands	£.	s.	d.
from last year, as per No. 13 .....	1,566	2	11½
That the Revenues arising from duties in Lower Canada for the last Year, though not as yet paid, but supposed to amount to .....	1,400	0	0
That it appears to the Committee that there is due upon Still, Shop, and Tavern Licenses for the year ending on the 5th of April next as per Nos. 3 & 4 .....	701	0	0
	£3,667	2	11½
Of which there is appropriated annually for the current expenses of the two Houses £790.			
And also appropriated annually for printing the laws £80 .....	870	0	0
	2,797	2	11½

The Committee further report that it is their opinion that One Hundred ought to be paid out of the unappropriated moneys above mentioned to each of the Commissioners who were authorized by His Excellency the Lieutenant Governor to treat with Commissioners from Lower Canada.

Which Report was then received and accepted.

On motion of Mr. Sherwood, seconded by Capt. Cowan,

Ordered, That Mr. Rogers and Mr. Washburn be a Committee to draft an Address to His Excellency the Lieutenant Governor, praying that he may be pleased to issue his Warrant for Sixteen Pounds Five Shillings for the purpose of purchasing twenty-six copies of the Provincial Statutes, to be delivered to the Members representing Counties of Hastings and Northumberland, and to the Magistrates of the County of Durham in the District of Newcastle.

Which was ordered accordingly.

Then Messrs. Rogers and Washburn reported that in obedience to the Commands of this House they had drafted an address to His Excellency the Lieutenant Governor, which they are ready to submit to the House whenever it should be pleased to receive the same.

The House then resolved that the said Address be now received and read.

Then Mr. Rogers read the said Address in his place, which he afterwards delivered in at the Table where it was again read by the Clerk, and is as follows.

To His Excellency Peter Hunter Esquire, Lieutenant Governor of The Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. &c.

May it please Your Excellency:—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most respectfully pray that it may please Your Excellency to issue Your Warrant in favour of the Clerk of the House of

Assembly for the sum of Sixteen Pounds Five Shillings, to be employed in purchasing twenty copies of the Provincial Statutes of this Province, to be delivered to the Members of the House of Assembly representing the Counties of Hastings and Northumberland, and also six copies of the said Provincial Statutes to be delivered to His Majesty's Justices of the Peace in the County of Durham in the District of Newcastle; the copies of the Statutes of this Province intended for the said Counties being lost in His Majesty's Schooner "Speedy," which sum of money the Commons will make good during the next Session of Parliament.

Commons House of Assembly,  
19th February, 1805.

Then, on motion of Mr. Hill, seconded by Mr. Mallory,  
Ordered, That the said Address be engrossed.

The said Address was then read as engrossed, and signed by Mr. Speaker.

Mr. Sherwood moved, seconded by Mr. Nellis, that Messrs. Swayze and Rogers do wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the Addresses of this House voted this day, and that they do also present the same at the time His Excellency may appoint.

Which was ordered accordingly.

Mr. Washburn, seconded by Mr. Howard, moved for leave to bring in a Bill on Friday next to establish a Fund for the support of one or more Public Schools in each and every District within this Province. Leave was accordingly given.

Then Mr. Sherwood moved, seconded by Mr. Clench, for leave to bring in a Bill to-morrow to make good the money paid by His Excellency the Lieutenant Governor in consequence of several Addresses of this House in the last Session of Parliament. Accordingly leave was granted.

Messrs Clench and McGregor reported that they had carried up to the Legislative Council the Bill entitled "An Act for the relief of insolvent debtors," and did request their concurrence.

On motion of Mr. Crysler, seconded by Mr. Howard, the House adjourned.

*Wednesday, 20th February, 1805.*

Prayers were read.

Messrs. Swayze and Rogers reported that in obedience to the Commands of this House they had presented the two Addresses of this House, voted yesterday, to His Excellency the Lieutenant Governor, who was pleased to return the following answer to them.

Gentlemen:—

I readily accede to the prayer contained in your Address, and shall issue my Warrant upon the Receiver General for the sum of Sixteen Pounds Five Shillings, to be applied for the purpose therein mentioned.

Gentlemen:—

I readily accede to the request in your Address, and shall issue my Warrant for the sum of Twenty-Five Pounds, the sum of money therein prayed for.

Then was read for the first time, "A Bill to enable Married Women having Real Estate to convey the same."

Mr. Rogers moved, seconded by Mr. Nellis, that the Bill just now read be read a second time to-morrow. Ordered accordingly.

Mr. Howard, seconded by Mr. Nellis, moved that the Order of the Day for the third reading of the Road Bill be discharged, and that the said Bill be recommitted.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Nellis was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nellis reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the Report be now received.

The Report was then received and accepted.

Mr. McLean moved, seconded by Mr. Washburn, that so much of the Order of the Day be discharged as relates to the second reading of the Bill entitled "An Act to purchase a Philosophical Apparatus," and that the same be read on Monday next. Ordered accordingly.

Read for the second time, "A Bill for the more speedy and effectual recovery of the Crown and Clergy reserve rents."

On motion of Mr. Sherwood, seconded by Mr. Clench, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Mallory was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Mallory reported that the Committee had gone through the consideration of the said Bill to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was then received and accepted.

Read for the first time, "A Bill for granting to His Majesty a certain sum of money out of the Provincial Fund for the purpose therein mentioned."

Mr. Sherwood moved, seconded by Mr. Clench, that this Bill be read a second time to-morrow. Ordered accordingly.

Mr. Howard, seconded by Mr. McLean, moved that this House do vote an Address to His Excellency the Lieutenant Governor, praying him to advance the sum of Three Hundred Pounds to the Commissioners appointed by this Province to treat with the Commissioners of Lower Canada. Ordered accordingly.

Mr. Howard moved, seconded by Mr. Clench, that Messrs McLean and McGregor be a Committee to draft an Address to His Excellency the Lieutenant Governor, praying that he may be pleased to pay Three Hundred Pounds to the Commissioners appointed by this Province to treat with Commissioners of Lower Canada. Which was ordered accordingly.

Mr. McLean, one of the Committee appointed to draft an Address to His Excellency the Lieutenant Governor, reported that they had drafted the Address, which they were ready to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the Address be now received.

The Address was then received and read, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c, &c, &c.

May it please Your Excellency,—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that Your Excellency will be pleased to issue your Warrant to the Receiver General to pay to the Hon. Robert Hamilton, Esquire, The Honorable Richard Cartwright, Esquire, and Samuel Sherwood, Esquire, the Commissioners appointed by Your Excellency on the part of this Province to treat with Commissioners, appointed on the part of the Province of Lower Canada, each the sum of One Hundred Pounds, which we, the Commons of Upper Canada will make good to Your Excellency in the next Session of Parliament.

Commons House of Assembly,  
20th Feb'y, 1805.

The said Address was then signed by Mr. Spear.

Mr. McLean moved, seconded by Capt. Cowan, that Messrs. Clench and McGregor do wait on His Excellency the Lieutenant Governor, to know when he will receive the Address relative to the Commissioners, and also to present the same. Which was ordered accordingly.

Which was ordered accordingly.

Capt. Cowan moved, seconded by Mr. McLean, for leave to bring in a Bill to-morrow to make provision for the Sheriffs of the Districts who are not already provided for by law. Leave was accordingly granted.

Matthew Elliott, Esquire, who had previously taken the Oath, and had subscribed the Rolls containing the same took his seat in the House.

Read, the Petition of William Fraser, Esquire.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of His Majesty's Province of Upper Canada, the Honorable the Legislative Council, and the Honorable the Commons House of Assembly in Parliament assembled.

The Petition of William Fraser, Junior, Esquire, respectfully represents,

That Your Petitioner has for several years held the place of Sheriff of the District of Johnstown, and has diligently performed his duty to the best of his abilities without receiving any salary or any other remuneration for the various services attached to his Office, except the fees arising from Civil Suits which are not by any means adequate to afford him a decent support.

Your Petitioner therefore most humbly submits his case to the wisdom of the Legislature, and presumes to hope from the justice of Parliament for the same provision which has been made for others in his situation.

And as in duty bound he will ever pray, &c. &c.

Johnstown,

(Signed) William Fraser.

8th Jan'y, 1805.

On motion of Mr. Sherwood, seconded by Mr. Nellis,

Ordered, That the Bill entitled "An Act for the speedy recovery of the rents arising from the lands reserved for the Crown and for the maintenance and

support of a Protestant Clergy within this Province" be engrossed and read a third time to-morrow.

Mr. Washburn, seconded by Mr. Dorland, moved for leave to bring in a Bill on to-morrow to alter the present mode of swearing witnesses before the Grand Jury.

On the question being put the House divided, upon which the Speaker gave his vote that leave be given to bring in the Bill to-morrow.

Leave was accordingly given.

Mr. Sherwood gave notice that he will move to-morrow to fill up the blank in the first clause in the Bill for the speedy recovery of the rents of Crown and Clergy Reserves with the word "eight."

On motion of Mr. Howard, seconded by Mr. Mallory, it is ordered that the Bill for the better regulation of Statute Labour to be performed on the Highways and Roads be engrossed as amended, and read a third time to-morrow.

On motion of Mr. Clench, seconded by Capt. Cowan, the House adjourned till twelve o'clock to-morrow at noon.

*Thursday, 21st February, 1805.*

Prayers were read.

Read for the second time, the Bill to afford relief to persons claiming lands as Heirs to Nominees of the Crown.

Mr. McLean, seconded by Mr. Rogers, moved that the House do now resolve itself into Committee to take into consideration the said Bill.

Accordingly the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McGregor reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House shall be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was received and accepted.

Read for the second time, The Bill to enable Married Women having Real Estate to the more easily alien and convey the same.

On motion of Mr. Mallory, seconded by Mr. Rogers, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Capt. Cowan was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Cowan reported, that the Committee had gone through the consideration of the said Bill, without any amendments, which he was directed to report whenever the House shall be pleased to receive the same.

The House then resolved that the Report be now received.

Which Report was then received and accepted.

Mr. Rogers moved, seconded by Mr. Swayze, that the Bill for enabling Married Women having Real Estate more conveniently to alien the same be engrossed, and read a third time to-morrow.

Ordered accordingly.



Read for the second time, The Bill for applying a certain sum of money advanced by His Majesty through his Lieutenant Governor in pursuance of Addresses from this House.

On motion of Mr. Sherwood, seconded by Mr. Clench, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had gone through the consideration of the said Bill without any amendment. Which report was received and accepted.

On motion of Mr. Sherwood, seconded by Mr. McLean, Ordered, That the said Bill be engrossed and "Plaintiff" be inserted.

Which passed in the negative.

On the main question being put the House divided, the names being called for were taken down, and are as follows.

Yeas.  
MESSRS. MALLORY  
ROGERS  
HILL  
DORLAND  
CLENCH  
McLEAN

Nays.  
MESSRS. SHERWOOD  
COWAN  
McGREGOR  
HOWARD  
NELLIS  
CRYSLER  
SWAYZE

The same passed in the negative by a majority of one.

Mr. Sherwood, seconded by Capt. Cowan, moved that the Bill do pass.

The Bill accordingly passed.

Mr. Rogers, seconded by Mr. Hall, moved for leave to bring in a Bill on to-morrow to repeal so much of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of Electors," as regards the qualification of Electors.

Leave was accordingly granted.

Mr. Howard moved, seconded by Capt. Cowan, that Mr. Nellis and Mr. Swayze do carry up to the Honorable the Legislative Council the Bill entitled "An Act to alter the mode of performing the Statute Labour on the Highways and Roads throughout this Province," and request their concurrence.

Ordered accordingly.

Mr. Sherwood gave notice that he shall move to-morrow the Bill to alter the time of issuing Licenses be then read a second time.

On motion of Mr. Mallory, seconded by Mr. Swayze,

The House adjourned.

*Friday, 22nd February, 1805.*

Prayers were read.

Mr. Washburn moved, seconded by Mr. Howard, that so much of the Order of the Day be discharged as orders that the School Bill be read this Day, and that leave be given to bring in the same on Monday next.

Leave was granted accordingly.

The engrossed Bill entitled "an Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty to the Lieutenant Governor in pursuance of two Addresses," was read a third time.

On motion of Mr. Clench, seconded by Mr. Sherwood,

Resolved, That the Bill do pass, and that the title be "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through his Excellency the Lieutenant Governor in pursuance of two Addresses."

Mr. Rogers, seconded by Mr. Nellis, moved that Messrs. Sherwood and Clench do carry up to the Honorable the Legislative Council the Bill for making good certain moneys advanced by His Majesty through the Lieutenant Governor, and to request their concurrence. Which was ordered accordingly.

Read for the first time, The Bill to repeal so much of an Act passed in the fortieth year of His Majesty's Reign, entitled "an Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of Electors," as regards the qualifications of Electors.

Mr. Rogers moved, seconded by Mr. Hill, that the Bill defining the qualifications of Electors be read a second time on Monday. Ordered accordingly.

The engrossed Bill entitled, An Act to amend an Act passed in the thirty-third year of His Majesty's Reign, entitled "An Act to enable Married Women having Real Estate more easily to alien the same," was read a third time.

On motion of Mr. Sherwood, seconded by Mr. Swayze,

Resolved, That this Bill do pass, and that the title be "An Act to amend an Act passed in the thirty-third year of His Majesty's Reign, entitled "An Act to enable Married Women having Real Estate more easily to alien the same."

Mr. McLean moved, seconded by Mr. Rogers, that Captain Cowan and Mr. Hill do carry up to the Honorable the Legislative Council the Bill sent down by them for concurrence, entitled "An Act to afford relief to those persons who may be entitled to claim lands in this Province as heirs or devisees of the Nominees of the Crown, in cases where no Patent hath issued for such lands," and inform them that this House have concurred in passing the same. Ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. Swayze,

Was read for the second time the Bill for altering the time of issuing licenses in this Province.

Mr. Sherwood moved, seconded by Mr. Clench, that the House do now resolve itself into Committee to take this Bill into consideration.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House shall be pleased to receive the same.

The House then resolved that the said Report be now received, which Report was received and accepted.

Mr. Rogers moved, seconded by Mr. Swayze, that the Bill for altering the time of issuing Licenses be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Ciench, seconded by Captain Elliott, moved for leave to bring in on tomorrow a "Bill to amend an Act for granting money for the further encouragement of the Growth and Cultivation of Hemp." Leave was granted accordingly.

On motion of Mr. Washburn, seconded by Mr. Dorland, the House adjourned.

*Saturday, 23rd February, 1805.*

Prayers were read.

Captain Cowan, one of the Messengers named by this House to return to the Honorable Legislative Council a Bill sent down by them for the concurrence of this House, entitled "An Act to afford relief to those persons who may be entitled to claim lands in this Province as Heirs or Devisees of the Nominees of the Crown, in cases where no Patent hath issued," reported that they had carried up the said Bill.

Then Mr. Nellis, first named to carry up to the Honorable Legislative Council the Bill entitled "An Act to alter the mode of performing Statute Labour on the Highways and Roads throughout this Province," reported that they had carried up the said Bill to which they requested their concurrence.

Then was read the third time the engrossed Bill for altering the time of issuing Licences for keeping Houses of Entertainment, or Stills for the purpose of distilling spirituous liquors.

Mr. Howard then moved, seconded by Mr. Crysler, that in the tenth line, the second section after the word "the" be inserted "Inspector."

Which was ordered accordingly.

On motion of Mr. Howard, seconded by Mr. Crysler,

Resolved, That the Bill do pass, and that the title be "An Act for altering the time of issuing Licences for the keeping of a House or any other place of public Entertainment, or for the retailing of Wine, Brandy, Rum, or any other spirituous liquors, or for the having or using of Stills for the purpose of distilling spirituous liquors, and for repealing so much of an Act passed in the forty-third year of His Majesty's Reign as relates to the periods of paying into the hands of the Receiver General the monies collected by the Inspector of each and every District throughout this Province for such licences."

Mr. Nellis, seconded by Mr. Washburn, moved that Messrs. Howard and Crysler do carry up to the Honorable the Legislative Council the Bill entitled "An Act for altering the time of issuing Licences for the keeping of a house or any other place of public entertainment, or for the retailing of Wine, Brandy, Rum or any other spirituous liquors, or for the having or using of Stills for the purpose of distilling spirituous liquors and for repealing so much of an Act passed in the forty-third year of His Majesty's Reign as relates to the periods of paying into the hands of the Receiver General the monies collected by the Inspector of each and every District throughout this Province for such Licences," and request their concurrence.

Also the Bill entitled "An Act for the speedy recovery of the rents arising from the Lands reserved for the Crown, and for the maintenance and support of a Protestant Clergy within the Province," and request their concurrence in passing the same.

And also a Bill entitled "An Act to amend an Act passed in the thirty-third year of His Majesty's Reign, entitled 'An Act to enable married women having

Real Estate more easily to alien the same," and also to request their concurrence thereto. Which was ordered accordingly.

Then was read for the first time the Bill for giving further encouragement for the Cultivators of Hemp throughout this Province.

Mr. Clench, seconded by Mr. Howard, moved that the said Bill be read a second time on Monday next. Ordered accordingly.

Messrs. Clench and McGregor reported that in obedience to the commands of this House they had presented to His Excellency, the Lieutenant Governor, the Address of this House voted on the twentieth instant, to which he was pleased to return the following answer.

Gentlemen,

I accede to the request contained in the Address of the House of Assembly of the twentieth instant, and shall accordingly issue my Warrants on the Receiver General to pay to the Honorable Richard Cartwright, Esquire, the Honorable Robert Hamilton, Esquire, and Samuel Sherwood, Esquire, the Commissioners appointed by me on the part of this Province to treat with Commissioners appointed on the part of Lower Canada, each of them respectively the sum of One Hundred Pounds.

York, Feb'y 22nd, 1805.

Mr. Clench, one of the Messengers named to carry up to the Legislative Council an Act for applying a certain sum of money therein mentioned to make good certain moneys advanced by His Majesty through the Lieutenant Governor in pursuance of two Addresses, reported that they had carried up the said Bill and did request their concurrence.

The Speaker informed the House that application had been made to him in writing by the Clerk of the House, which he then read, and is as follows, viz.

Mr. Speaker,

The Clerk respectfully informs this House that the wages now due the Copying Clerks exceeds the sum appropriated by law for that purpose; he therefore prays that he may receive the permission and sanction of this House to employ Copying Clerks to assist him in doing the duty of this House.

Commons House of Assembly,

23rd February, 1805.

(Signed) Donald Maclean,

Clerk Assembly.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery:

Mr. Speaker,—

The Honorable Legislative Council have commanded me to inform this House that they have passed the Bill entitled "An Act to regulate the Curing, Packing and Inspection of Beef and Pork," with some amendments, to which they request the concurrence of the House of Assembly.

And then he withdrew.

The amendments were then read for the first time.

Mr. Howard then moved, seconded by Mr. Washburn, that the House do now resolve itself into Committee to take into consideration the said amendments.

The House accordingly resolved itself into Committee to go into the consideration of the said amendments.

Mr. Speaker left the Chair.

Mr. Dorland was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported that the Committee had made a progress, and that he was directed to ask for leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have concurred in passing the Bill sent up from this House entitled "An Act for granting relief to Insolvent Debtors," without any amendment.

The House again resolved itself into Committee to go into the further consideration of the Beef and Pork Inspection Bill.

Mr. Speaker left the Chair.

Mr. Dorland was again called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Dorland reported that the Committee had gone through the consideration of the said amendments, and that he was directed to report the Bill as amended by the Legislative Council, whenever the House shall be pleased to receive the same.

The House then resolved that the said Report be now received.

The Report was then received and accepted.

Which amendments were ordered to be engrossed.

Mr. McLean then moved, seconded by Mr. Nellis, that Mr. Washburn and Mr. Mallory do inform the Honorable Legislative Council that this House have concurred in the amendments made in and to an Act for the regulating, curing and packing of Pork and Beef.

Which was ordered accordingly.

Mr. Howard, one of the Messengers named to carry up to the Legislative Council the three Bills following, viz.

The Bill entitled "An Act for altering the time of issuing Licences for the keeping of a house or any other place of public entertainment, or for the retailing of Wine, Brandy, Rum, or any other Spirituous Liquor, or for the having and using Stills for the purpose of distilling Spirituous Liquors, and for repealing so much of an Act passed in the Forty-third year of His Majesty's Reign as relates to the periods of paying into the hands of the Receiver General the moneys collected by the Inspector of each and every District throughout this Province for such Licences."

Also the Bill entitled "An Act for the speedy recovery of the rents arising from the lands reserved for the Crown and for the maintenance and support of a Protestant Clergy within this Province."

And also the Bill entitled "An Act to amend an Act passed in the Thirty-third year of His Majesty's Reign, entitled 'An Act to enable married women having Real Estate more easily to alien the same,'" reported that they had carried up the said Bills to the Legislative Council and did request their concurrence therein.

On motion of Mr. Clench, seconded by Captain Cowan, the House adjourned till eleven o'clock at noon on Monday next.

*Monday, 25th February, 1805.*

Prayers were read.

Read for the first time, A Bill for establishing Schools in the different Districts in this Province.

Mr. Washburn then moved, seconded by Mr. Clench, that the said Bill be read a second time to-morrow. Ordered accordingly.

Read for the second time the Bill for defining the qualification of Electors.

On motion of Mr. Rogers, seconded by Mr. Nellis, the House resolved itself into Committee to go into the consideration of the Bill for the better defining the qualifications of Electors.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this House that they have concurred in passing the Bill entitled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty's Lieutenant Governor in pursuance of two Addresses," without any amendments.

And then he withdrew.

The House again resolved itself into Committee to go into the further consideration of the Bill for the Better Defining the Qualification of Electors.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had made a progress, and did direct him to ask for leave to sit again this day. Leave was accordingly given.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this House that they have concurred in passing an Act for altering the Time for issuing Licences for the keeping a house or any other place of public entertainment, or for the retailing of Wine, Brandy, Rum, or any other Spirituous Liquors, or for the having and using of Stills, for the purpose of distilling spirituous liquors, and for repealing so much of An Act passed in the Forty-third year of His Majesty's Reign as relates to the periods of paying into the hands of the Receiver General the moneys collected by the Inspector of each and every District throughout this Province for such Licences, sent up by this House, without any amendment.

And then he withdrew.

The House again resolved itself into Committee to go into the further consideration of the Qualification of Electors.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was received and accepted.

Mr. Rogers then moved, seconded by Mr. Clench, that the Bill for the better defining the Qualification of Electors be engrossed and read a third time to-morrow.

Ordered accordingly.

Read for the second time a Bill for the further encouragement of the growth and cultivation of Hemp within this Province.

Mr. Clench moved, seconded by Mr. Washburn, that this House do now resolve itself into Committee to take the Bill into consideration.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Swayze was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayze reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House shall be pleased to receive the same.

The House then resolved that the Report be now received.

Which Report was received and accepted.

Mr. Clench moved, seconded by Mr. Nellis, that the Bill be engrossed and read a third time to-morrow. Ordered accordingly.

Mr. Sherwood moved, seconded by Mr. Clench, that the Fifth Rule of this House, requiring a day's previous notice being given to make a motion, be dispensed with. Which was ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. Clench,

Ordered, That it be made a Rule of this House that no Petition complaining of an undue election shall be read until the Petitioner or Petitioners shall give security to pay such costs as the House may order in case the Petition shall be considered groundless, and the sitting Member or Members duly elected.

The House accordingly resolved the same.

Mr. Nellis moved, seconded by Mr. Clench, that leave of absence from this House be granted to Isaac Swayze, Esquire, for six days.

Leave of absence was accordingly granted.

On motion of Mr. Clench, seconded by Mr. Howard, the House adjourned.

*Tuesday, 26th February, 1805.*

Prayers were read.

Read, the engrossed Bill entitled "An Act to repeal certain parts of an Act passed in the fortieth year of His Majesty's Reign."

On motion of Mr. Rogers, seconded by Mr. Clench,

Resolved, That the Bill do pass, and that the title be "An Act to repeal certain parts of an Act passed in the Fortieth year of His Majesty's Reign, entitled 'An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the Qualification of Electors.'"

The Bill then passed, and was signed by Mr. Speaker.

Mr. Rogers moved, seconded by Mr. Clench, that Mr. Washburn and Mr. Dorland do carry up the said Bill to the Honorable the Legislative Council and request their concurrence.

Which was ordered accordingly.

On motion of Mr. Washburn, seconded by Mr. Clench, the House resolved itself into Committee to go into the consideration of the Bill for establishing Schools in the different Districts throughout this Province.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had made a progress and directed him to ask leave to sit again to-morrow.

Leave was accordingly granted.

The House then adjourned to half past one o'clock in the afternoon.

The House being met,

Mr. Washburn reported that they had carried up to the Honorable Legislative Council a Bill entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the Qualification of Electors," and did request their concurrence.

The engrossed Bill furthering the cultivation and growth of Hemp within this Province was read for the third time.

On motion of Mr. Clench, seconded by Mr. Nellis,

Resolved, That this Bill do pass, and that the title be "An Act to amend an Act passed in the Forty-fourth year of His Majesty's Reign, entitled 'An Act for granting to His Majesty a certain sum of Money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof.'"

The Bill then passed, and was signed by Mr. Speaker.

Mr. Nellis moved, seconded by Mr. Hill, that Messrs. Wilkinson and Crysler do carry the said Bill up to the Legislative Council, and request their concurrence.

Mr. Wilkinson reported that they had carried up to the Legislative Council the said Bill, and did request their concurrence.

A Message from the Legislative Council by Mr. Burns, Master in Chancery. Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have returned a Bill sent up from this House entitled "An Act for the more speedy recovery of rents arising from the lands reserved for the Crown, and for the maintenance and support of a Protestant Clergy within this Province," which they have passed with some amendments, to which they request the concurrence of the House of Assembly.

And then he withdrew.

Which amendments were then read.

On motion of Mr. Rogers, seconded by Mr. Dorland, the House adjourned till twelve o'clock at noon to-morrow.



*Wednesday, 27th February, 1805.*

Prayers were read.

Mr. Washburn moved, seconded by Mr. Mallory, that the House do now resolve itself into Committee to go into the consideration of the Bill for establishing Schools in the different Districts.

The House accordingly resolved itself into Committee to go into the further consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Wilkinson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Wilkinson reported that the Committee had made a progress, and desired him to ask for leave to sit again.

On the question being put for leave to sit again, it passed in the negative.

Mr. Sherwood, seconded by Mr. Mallory, moved that the House do resolve itself into Committee to go into the consideration of the amendments made by the Honorable Legislative Council in and to a Bill entitled "An Act for the more speedy recovery of the rents due on Crown and Clergy reserves."

On the question being put, the House was divided; Mr. Speaker then gave his vote that the House shall go into the consideration of the said amendments.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Mallory reported that the Committee had directed him to inform the House that a Conference be requested with the Honorable the Legislative Council on the subject of the amendments made by them to the said Bill, which he was desired to report, whenever the House shall be pleased to receive the same.

The House then resolved that the Report be now received, which Report was then received and accepted, and ordered accordingly.

William Jarvis, Esquire, came to the Bar of the House and did inform Mr. Speaker that William Weekes, Esquire, had taken the Oath as prescribed by the Statute, and did sign the Roll.

Then David McGregor Rogers and Ralph Clench, Esquires, introduced William Weekes, Esquire, Knight, representing the Counties of Durham, Simcoe and East Riding of York, who took his seat accordingly.

Mr. Sherwood moved, seconded by Capt. Elliott, that Messrs. Rogers, McLean, Dorland and Weekes be a Committee to confer with the Honorable the Legislative Council on the amendments made by them in and to a Bill for the recovery of the Rents of Crown and Clergy Reserves, which was ordered accordingly.

Then Mr. Sherwood moved, seconded by Mr. Nellis, that Messrs. Rogers and Elliott do wait upon the Honorable the Legislative Council, and inform them that this House requests a conference on the amendments made by them to the Bill for the recovery of Crown and Clergy Rents. Ordered accordingly.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,—

I am commanded by the Honorable Legislative Council to inform this House that they have passed an Act to amend an Act passed in the forty-fourth year of His Majesty's Reign, entitled "An Act for granting to His Majesty a certain

sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof" without any amendment.

And then he withdrew.

Mr. Rogers reported that they had carried up the Message requesting a conference with the Honorable Legislative Council on the subject matter of the amendments made by them in and to the Bill for the more speedy recovery of the Crown and Clergy Rents.

A written Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,—

I am directed by the Honorable Legislative Council to inform you that they have acceded to the Message sent unto them by the House of Assembly of this date, and that they have appointed a Committee to meet a Committee of the House of Assembly forthwith in the Council Chamber, in conference upon the amendments made in and to the Bill for the recovery of Crown and Clergy Rents.

Legislative Co. Chamber,  
27th Feb'y 1805.

(Sd) Rich'd Cartwright,  
Speaker.

Members present: Mr. Speaker, Messrs. Clench, Nellis, Sherwood, McGregor, Crysler, Hill, Mallory.

Mr. Speaker then adjourned the House for want of a quorum.

*Thursday, 28th February, 1805.*

Prayers were read.

The Committee of the House of Assembly appointed to confer with a Committee of the Honorable the Legislative Council on the amendments made in a Bill entitled "An Act for the speedy recovery of the Rents arising from the lands reserved for the Crown and for the maintenance and support of a Protestant Clergy within this Province" beg leave to report that the Committee of the Honorable the Legislative Council will agree to modify the first amendment so that Executors or Administrators shall not be liable to pay the rents due from the Testator or Intestate, unless they should have assets in their hands sufficient to answer the same at the time of its being demanded.

The Committee of the Legislative Council persist in the amendment made by them which goes to expunge the fourth clause of the Bill, laying it down as a principle from which they will not depart that Lessees shall pay rent from the date of their application; which amendment your Committee could not agree to.

All which is humbly submitted by order of the Committee.

York, 28th Feb'y 1805.

(Sd) D. McG. Rogers.

Which Report was accepted.

Mr. Weekes gave notice that he will move this House to-morrow, that it be expedient to enter into the consideration of the disquietude which prevails in this Province by reason of the administration of Public Affairs.

Mr. Rogers moved, seconded by Mr. Weekes, that this House do now resolve itself into Committee to take into their consideration the contingent account of the two Houses of Parliament, and that the Committee have power to send for such persons and papers as they shall judge necessary.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Weekes was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weekes reported that the Committee of the Whole House on taking into consideration the Contingent Accounts of the Legislative Council and the House of Assembly resolved that the Chairman do report progress, and ask leave to sit again to-morrow. Leave was accordingly granted.

Mr. Clench, seconded by Mr. McGregor, moved that Hugh Carpac, the person at present employed by this House as Messenger and Fire-lighter, be recommended to be established as such with an annual allowance to be made him.

Which was ordered accordingly.

Mr. Clench moved, seconded by Mr. Crysler, that leave of absence be granted to Mr. Mallory for the present session of Parliament.

Leave of absence was granted accordingly.

On motion of Mr. Mallory, seconded by Mr. McGregor, the House adjourned till to-morrow at twelve o'clock.

*Friday, 1st March, 1805.*

Prayers were read.

Mr. Weekes moved, seconded by Mr. Rogers, that it is expedient for this House to enter into the consideration of the quietude which prevails in the Province by reason of the administration of Public Offices.

On the question being put, thereupon a division took place; the names being called for they were taken down, and are as follows.

Yeas.

MESSRS. MALLORY  
ROGERS  
WASHBURN  
WEEKES

Nays.

MESSRS. MCGREGOR  
ELLIOTT  
COWAN  
McLEAN  
SHERWOOD  
HILL  
DORLAND  
CRYSLER  
WILKINSON  
HOWARD

The same passed in the negative by a majority of six.

Agreeable to the Order of the Day the House resolved itself into Committee on the Contingent Accounts of both Houses of Parliament for the present Session.

Mr. Speaker left the Chair.

Mr. Weekes was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weekes reported that the Committee had gone through the consideration of the Contingent Accounts of the Legislative Council and this House, and that they had come to several resolutions thereon, which he was directed to submit to the House, and he read the Report in his place, and afterwards delivered the same in at the Table, where it was read throughout by the Clerk.

And the said Resolutions are as follows.

Resolved, That it is the opinion of the Committee that there is due to sundry persons, agreeable to the annexed account sent down from the Hon. the Legislative Council, and signed by their Speaker, for services performed during the present session, £27. 14. 4¾.

Resolved, That it is the opinion of the Committee that it will be expedient to advance the Clerk of the Legislative Council the sum of £20. to enable him to purchase a supply of stationery for the use of the ensuing session of Parliament.

Resolved, That it is the opinion of the Committee, that there is due to sundry persons, agreeable to the annexed account for articles furnished for the use of this House, and for services performed during the present Session, £104. 9. 1.

Resolved, That it is the opinion of the Committee that it is expedient to advance the sum of £30. to the Clerk of the House of Assembly to enable him to purchase a supply of stationery for the use of the next Session of Parliament.

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

Resolved, That this House doth concur in the foregoing resolutions reported from the Committee.

York, 27th February, 1805.

GOVERNMENT OF UPPER CANADA,

To George Lawe,

Gentleman Usher of the Black Rod.

No. 1.	To amount of William Allan's account for sundries furnished the House of Parliament .....	4.	2.	2½
No. 2.	To amount of Thos. Moseley's account for sundries furnished the Legislative Council .....	1.	1.	7
No. 3.	To amount of John Bassell's account for his attendance on the Legislative Council .....	11.	16.	3
No. 4.	To amount of John Bennett's account for copy of the Provincial Statutes for the Legislative Council...		12.	6
No. 5.	To amount of Eleanor Bassell's account for scrubbing the Legislative Council Chamber and Office.....	1.	17.	6
No. 6.	To amount of Phipp Aingers' account for cleaning the Stoves of the Legislative Council Chamber.....	2.	0.	7½
No. 7.	To Caleb Humphrey's account for repairing the Gallery between the Parliament Buildings .....	1.	3.	9
		<hr/>		
		£22.	14.	4¾

Amounting to Twenty-two Pounds, Fourteen Shillings and Fourpence Three Farthings.

To the Clerk of the Legislative Council for extra allowance

to Copying Clerks .....

5.	0.	0
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(Signed) Richard Cartwright,  
Speaker.

Commons House of Assembly,  
28th February, 1805.

Contingent Account of the Honorable House of Assembly for the first Session of the Fourth Parliament.

To Duncan Cameron's account .....	£6.	3.	9
To Duncan Cameron as Executor to Judge Cochrane .....	39.	2.	21½
To John Bennett's account .....	5.	15.	0
To Henry Hale's account .....		15.	0
To John McBeath's account .....	7.	4.	0
To Postage of a letter from the Clerk of the Peace, Western District, enclosing the Assessment rate .....		2.	3
To The Doorkeeper's account .....	5.	8.	1
To Isaac Columbes's account .....	1.	5.	10½
To Philip Clinger's account .....	2.	0.	0
To Hugh Garfrae, Messenger's account .....	10.	0.	0
To John Dettor's* for extra copying .....	3.	10	6
To William Connors for Copying .....	2.	10.	0
To Charles Willcocks for Copying .....	3.	16.	0
To William Baldwin for copying .....	7.	0.	0
To allowance made the Clerk to complete the business of the present Session .....	10.	0.	0
	<hr/>		
	£104.	9.	1

The Honorable the Assembly in account current with Donald MacLean, Clerk, for stationery furnished for the use of the first session of the fourth Parliament.

Dr.

To cash paid Duncan Cameron for stationery bought for the use of the first session of the fourth Parliament, as per receipt .....	£23.	17.	6
To Mr. Neilson's account for parchment, as per receipt ..	6.	2.	6
To Paid Charles Willcocks for copying done for the use of the present session, as per receipt .....	18.	0.	0
To Paid William Baldwin for copying done for the use of the present session, as per receipt .....	7.	0.	0
	<hr/>		
	£55.	0	0

Cr.

By cash received by virtue of an Address from the House of Assembly, dated 6th March, 1804, for the purpose of purchasing stationery for the use of the present session .....	£30.	0.	0
By cash received by virtue of an Address presented to His Excellency, the Lieutenant Governor, from the House of Assembly, dated the 19th Feb'y, 1805, on account of Copying Clerks, being the sum allowed by law annually for that purpose .....	25.	0.	0
	<hr/>		
	£55.	0.	0

\* Dettlor?

On motion of Captain Cowan, seconded by Mr. McGregor,

Resolved, that an humble Address be presented to His Excellency, the Lieutenant Governor, to request that he will be pleased to issue his Warrant in favor of George Lawe, Gentleman Usher of the Black Rod, for the sum of £22. 14. 4¾, to enable him to pay the Contingent Account of the Legislative Council during this Session; and also that His Excellency may be pleased to issue his Warrant in favor of James Clarke, Esquire, Clerk of the Legislative Council, for the sum of £25, for the purpose of paying extra Copying Clerks employed by him during this session, and for the purpose of purchasing stationery for the use of the next session of Parliament. And that His Excellency will be further pleased to issue his Warrant in favor of Donald McLean, Esquire, Clerk of the House of Assembly, for the sum of £104. 9. 1, for the purpose of paying the extra Copying Clerks employed by him this Session, and the other contingent accounts of the House of Assembly during this Session of the Legislature. And that His Excellency be also pleased to advance the Clerk of the House of Assembly the sum of £30, to enable him to purchase stationery for the use of the next Session of Parliament.

Then Mr. Wilkinson moved, seconded by Captain Cowan, that Messrs. Weekes and McLean be a Committee to draft an Address to His Excellency, the Lieutenant Governor, praying that he may be pleased to issue his Warrants for the payment of the several contingencies of both Houses of Parliament for the present Session, and for the purchase of stationery for both Houses for the ensuing Session of the Legislature, which was ordered accordingly.

Mr. Weekes reported that the Committee appointed to draft an Address to His Excellency, the Lieutenant Governor, had done so, which they were ready to submit to the House whenever it should be pleased to receive the same.

The House then resolved that the said Address be now received.

Mr. Weekes then read the Address in his place, which he then delivered in at the Table, and it was again read by the Clerk, and is as follows:

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c, &c, &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that it may please Your Excellency to issue your Warrant directed to the Receiver General, requiring him to pay unto Mr. George Lawe, Gentleman Usher of the Black Rod, the sum of twenty-two Pounds, fourteen shillings and fourpence three farthings, in order to enable him to answer and satisfy certain contingent expenses of the Legislative Council during the present Session; and also that it may please Your Excellency to issue your Warrant, directed to the Receiver General requiring him to pay unto James Clarke, Esquire, Clerk of the Legislative Council, the sum of five pounds, to enable him to answer and satisfy the wages of extra Copying Clerks employed during the present session of Parliament; and the further sum of Twenty pounds to enable him to provide a supply of stationery for the use of the ensuing Session of Parliament, and that Your Excellency be further pleased to issue your Warrant, directed to the Receiver General, requiring him to pay unto Donald MacLean,

Esquire, Clerk of the Commons House of Assembly, the sum of One hundred and four pounds, nine shillings and one penny, in order to enable him to answer and satisfy the Contingent expenses of the Commons House of Assembly, including the wages of extra Copying Clerks during the present Session; and also Your Excellency's Warrant to the Receiver General, requiring him to pay the sum of Thirty pounds to enable him to purchase a supply of stationery for the use of the ensuing Session of Parliament, which several sums of money the Commons will make good to Your Excellency the next Session of Parliament.

Commons House of Assembly,

1st March, 1805.

Then, on motion of Captain Cowan, seconded by Captain Elliott,  
Ordered, That the said Address be now engrossed.

The said Address as engrossed was then read, which passed, and was signed by Mr. Speaker.

On motion of Mr. Rogers, seconded by Mr. Weekes,

Ordered, That Captain Cowan and Mr. McGregor do present the said Address to His Excellency the Lieutenant Governor.

On motion of Mr. Howard, seconded by Mr. Crysler, the House adjourned.

*Saturday, 2nd March, 1805.*

Prayers were read.

Captain Cowan and Mr. McGregor reported that in obedience to the Order of the House they had waited upon His Excellency, the Lieutenant Governor, and presented to him the Address of this House voted yesterday.

To which His Excellency was pleased to return the following answer:

Gentlemen,

I accede to the Address of the House of Assembly of the 1st of March, 1805, and shall issue my Warrants accordingly.

York, 2nd March, 1805.

A Message from His Excellency, the Lieutenant Governor, by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Excellency, the Lieutenant Governor, to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Excellency, when His Excellency was pleased to give in His Majesty's name the Royal assent to the following Public and Private Bills:

An Act to regulate the Trial of Controverted Elections or Returns of Members to serve in Parliament.

An Act to alter certain parts of An Act passed in the Forty-second year of His Majesty's Reign, entitled "An Act to provide for the Administration of Justice in the District of Newcastle."

An Act to make Provision for Further Appointments of Parish and Town Officers throughout this Province.

An Act for the Relief of Insolvent Debtors.

An Act to regulate the Curing, Packing and Inspection of Beef and Pork.

An Act for altering the Time of Issuing Licences for the keeping of a house or any other place of public entertainment, or for the Retailing of Wine, Brandy, Rum or any other Spirituous Liquors, or for the having or using of Stills for the purpose of distilling Spirituous Liquors; and for repealing so much of an Act passed in the Forty-third year of His Majesty's Reign, as relates to the periods of paying into the hands of the Receiver General the moneys collected by the Inspector of each and every District throughout this Province for such Licences.

An Act to afford Relief to those who may be entitled to claim Lands in this Province, as Heirs or Devisees of the Nominees of the Crown, in cases where no Patent hath issued for such Lands.

Mr. Speaker then said,

May it please Your Excellency to approve of the three Bills which the House of Assembly, with the concurrence of the Legislative Council, have passed for aid to His Majesty.

An Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and Lower Canada at Montreal on the fifth day of July, one thousand eight hundred and four, relative to duties, and for carrying the same into effect; and also to continue an Act passed in the Thirty-ninth year of His Majesty's Reign, and continued by an Act passed in the Forty-first year of His Majesty's Reign.

An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor in pursuance of two Addresses.

An Act to amend an Act passed in the Forty-fourth year of His Majesty's Reign, entitled "An Act for granting to His Majesty a certain sum of money for the further encouragement of the Growth and cultivation of Hemp within this Province, and the exportation thereof.

And then His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly.

The ability and diligence with which you have conducted the business of the Public enables me, at this early period, to close this Session of the Legislature.

I have with pleasure assented in His Majesty's name to the Bill by which the Lands bestowed by the bounty of the Crown will be transmitted and secured to the Heirs, and according to the will of the original objects of that bounty.

The regulations which have been enacted respecting the improvement and management of some of the most essential articles of our produce meet with our approbation, and, I trust, will contribute to render that produce a permanent source of supply and of wealth to this Province.

The other laws which have passed, will, I hope, effectuate the salutary purposes for which they were intended, and prove, that in the discharge of your duty, you have not been unmindful of the important trust committed to your care.

I now close this Session of the Legislature, fully confiding that in your respective Counties and Districts as Magistrates or as private individuals you will at all times give additional force and effect to the laws of this Province by your exertions and example.



After which the Honorable Speaker of the Legislative Council said:—  
Gentlemen of the Legislative Council,  
and

Gentlemen of the House of Assembly:—

It is His Excellency the Lieutenant Governor's will and pleasure that the Provincial Parliament be prorogued until Monday the eighth day of April next, to be then here held, and this Provincial Parliament is accordingly prorogued until Monday the eighth day of April next.

[I do hereby certify that the above and what is written on the foregoing pages is a true copy of the Journal of the House of Assembly of Upper Canada, being the first session of the Fourth Provincial Parliament, assembled at York on the first day of February last, agreeable to the Proclamation of His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Province of Upper and Lower Canada, and prorogued by His Excellency the 2nd day of March last.  
York, Upper Canada,

27th April, 1805.

Donald MacLean,  
Clerk Assembly.]

[Certified to be a true copy.

George Mayer,  
Librarian and Keeper of the Records,  
Colonial Office, 25th August, 1855.]

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**JOURNAL**  
**OF THE**  
**HOUSE OF ASSEMBLY**  
**OF**  
**UPPER CANADA**

**From the fourth day of February to the  
third day of March,  
1806.**

**Both days inclusive.**

**In the forty-sixth year of the Reign of**

**KING GEORGE THE THIRD.**

**Being the second session of the fourth provincial parliament  
of this province.**

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JOURNAL  
OF THE  
HOUSE OF ASSEMBLY  
OF  
UPPER CANADA  
1806.

PETER HUNTER, Lieutenant Governor.

PROCLAMATION.

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

To Our beloved and faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province to the Provincial Parliament at the Town of York on the Eighth Day of April to be commenced, held, called and elected, and to every of you, Greeting.

Whereas by Our Proclamation bearing date the Second Day of March last we thought fit, by and with the advice of Our Executive Council, to prorogue Our said Provincial Parliament until the Eighth day of this present Month of April, at which time in Our Town of York you were held and constrained to appear,— But We taking into Our Royal consideration the ease and convenience of Our Loving Subjects have thought fit, by and with the advice and consent 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 the Fifteenth Day of May next ensuing you meet us in Our Provincial Parliament in Our Town of York there to take into consideration the state and welfare of Our said Province of Upper Canada, and there 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 Peter Hunter, Esquire, Lieutenant Governor of our said Province, and Lieutenant General Commanding Our Forces in Our Province of Upper and Lower Canada, at York, this Second Day of April in the Year of Our Lord One Thousand Eight Hundred and Five, and in the Forty-Fifth Year of Our Reign.

P.H.

Wm. Jarvis, Sec'y.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Province of Upper and Lower Canada &c. &c. &c. dated at York the Tenth Day of May, One Thousand Eight Hundred and Five the meeting of the Legislative Council and House of Assembly stands prorogued to the Twenty-First Day of June, One Thousand Eight Hundred and Five.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. &c. dated at the Town of York the Fourteenth Day of June, One Thousand Eight Hundred and Five, the meeting of the Legislative Council and House of Assembly stands prorogued to the Twenty-ninth Day of July, One Thousand Eight Hundred and Five.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. &c. dated at York, the Twenty-sixth day of July, One Thousand Eight Hundred and Five, the meeting of the Legislative Council and House of Assembly stands prorogued to the Sixth Day of September, One Thousand Eight Hundred and Five.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Province of Upper and Lower Canada &c. &c. &c. dated at York, the Thirty-First Day of August One Thousand Eight Hundred and Five the meeting of the Legislative Council and House of Assembly stands prorogued to the Fifteenth Day of October, One Thousand Eight Hundred and Five.

ALEX'R GRANT, President.

#### PROCLAMATION.

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

To Our Beloved and Faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province to the Parliament of Our Town of York on the Fifteenth Day of October, to be commenced, held called and elected, and to every of you, Greeting.

Know ye that we have thought fit, by and with the advice of Our Executive Council of Our said Province, to convoke, and by these presents do convoke and enjoin you and each of you that on the Fifteenth Day of October next ensuing you meet us in Our Provincial Parliament in Our Town of York, there to take into consideration the state and welfare of Our said Province of Upper Canada, and there in 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 Alexander Grant, Esquire, Our President administering the Government of Our said Province of Upper Canada at York, this Seventeenth day of September, in the Year of Our Lord One Thousand Eight Hundred and Five, and Forty-Fifth of Our Reign.

A.G.

Wm. Jarvis, Sec'y.

By a further Proclamation of His Honor Alexander Grant, Esquire, President administering the Government of the Province of Upper Canada &c. &c. &c. dated at York the Eleventh Day of October, One Thousand Eight Hundred and Five, the meeting of the Legislative Council and House of Assembly stands prorogued

to the thirteenth day of December, One Thousand Eight Hundred and Five.

By a further Proclamation of His Honor Alex'r Grant, Esquire, President administering the Government of the Province of Upper Canada, dated at York the Fourteenth day of November One Thousand Eight Hundred and Five, the meeting of the Legislative Council and House of Assembly stands prorogued to the Thirteenth day of December, One Thousand Eight Hundred and Five.

By a further Proclamation of His Honor Alex'r Grant, Esquire, President administering the Government of the Province of Upper Canada &c. &c. dated at York the Twenty-Sixth day of December One Thousand Eight Hundred and Five, the meeting of the Legislative Council and House of Assembly stands prorogued to the First day of February, One Thousand Eight Hundred and Six.

ALEX'R GRANT, President,

### PROCLAMATION.

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

To Our Beloved and Faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province to the Provincial Parliament at Our Town of York on the First Day of February, to be commenced, held, called and elected, and to every of you, Greeting.

Whereas by Our Proclamation bearing date the Twenty-Sixth Day of December last we thought fit, by and with the advice of Our Executive Council to convoke Our said Provincial Parliament to meet us on the First day of February for the actual dispatch of Public Business, at which time in Our Town of York you were held and constrained to appear, but we taking into Our Royal consideration the ease and convenience of Our Loving Subjects have thought fit by and with the consent 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 Fourth day of February you will meet us in Our Provincial Parliament in Our Town of York for the actual dispatch of Public Business, there to take into consideration the state and welfare of Our said Province of Upper Canada, and there 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 Alexander Grant Esquire, Our President administering the Government of Our said Province of Upper Canada, at York, this Thirty-First Day of January in the Year of Our Lord One Thousand Eight Hundred and Six, and Forty-Sixth Year of Our Reign.

Wm. Jarvis, Sec'y.

A.G.

### HOUSE OF ASSEMBLY, UPPER CANADA.

Tuesday, 4th February, 1806.

At the Second Session of the Fourth Parliament of Upper Canada, begun and held in the Town of York on Tuesday the Fourth day of February, in the Forty-Sixth Year of the Reign of Our Sovereign Lord George the Third, by the

Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the Year of Our Lord One Thousand Eight Hundred and Six.

His Excellency the late Peter Hunter, Esquire, Lieutenant Governor, and His Honor Alexander Grant Esquire, President, did by their several proclamations as annexed prorogue the meeting of the Provincial Parliament until this day.

The House being met, prayers were read.

A Message by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker,

It is His Honor the President's pleasure that this Honorable House do immediately attend him in the Honorable Legislative Council Chamber.

The House went up accordingly, and being returned,

Mr. Speaker reported that the House had attended His Honor the President in the Legislative Council Chamber, where his Honor had been pleased to open the present Session by a most gracious Speech to both Houses, and that to prevent mistakes he had obtained for the information of the House a copy of His Honor's Speech, which was read as follows.

Honorable Gentlemen of the Legislative Council

and

Gentlemen of the House of Assembly.

By the much lamented death of Lieutenant Governor Hunter the administration of the Government of this Province hath devolved on me. I most sincerely condole with you on that melancholy event. His faithful and meritorious services to the Public in this part of His Majesty's Dominions will be long felt and remembered. It shall be my endeavour to imitate and follow his example.

Since the last Session of this Legislature, Commissioners have been appointed for carrying into effect the provisions of an Act for affording relief to those persons who may be entitled to claim lands in this Province as Heirs or Devisees of the Nominees of the Crown. To such lands I make no doubt by the exertions and abilities of those Gentlemen to whom that important trust is delegated the Public will soon see the most important benefits from the operations of that Statutory Law.

I forbear on the present occasion to point out particular objects for your deliberations, being convinced that your knowledge of the respective situations of His Majesty's Subjects whom you here represent will be the surest guide to direct you in the enacting of such laws as may still be necessary for their security and comfort (as well as in the continuing of laws heretofore made but now about to expire) whose beneficial effects we have already felt and experienced.

Gentlemen of the House of Assembly,

I have ordered the Public Accounts to be laid before you, not doubting but that you will pay that attention in the examination of them which the nature, of the subject requires.

Honorable Gentlemen of the Legislative Council

and

Gentlemen of the House of Assembly,

It is with the highest satisfaction that I congratulate you on the great Naval Victory which lately hath crowned the success of His Majesty's Arms, though our joy is not unmingled, as we have deeply to regret the loss of one of the bravest and most able defenders of his King and of His Country.

May Great Britain, Our Parent State, ever have such men to fight her battles,

and may she by the blessing of Providence be enabled to defend herself and her widely extended Dominions from the assaults of her enemies, and transmit her Territories with her invaluable Constitution unimpaired to the latest posterity.

Mr. Speaker then adjourned the House for want of a quorum.

Present: Mr. Speaker, Messrs. Dorland, Nellis, Howard, Hill, Weekes, Mallory, McLean, Cowan, Elliott.

*Wednesday, 5th February, 1806.*

Prayers were read.

Mr. Jarvis came to the Bar of this House and there did inform Mr. Speaker that D'Arcy Bolton, Esquire, did take the Oath as prescribed by the Statute, and did sign the Roll.

Then Allan McLean and Matthew Elliott, Esquires, introduced D'Arcy Boulton, Esquire, Knight, representing the County of Stormont and Russell and took his seat accordingly.

Mr. Nellis then moved, seconded by Mr. Hill, that Messrs. Weekes, McLean, Dorland and Capt. Elliott be a Committee to draft an Address to His Honor the President in answer to his Speech.

Mr. Weekes moved in amendment, seconded by Capt. Elliott, that Mr. Nellis, Mr. Howard, and Mr. Mallory be added after the word Elliott to Mr. Nellis' motion. Which was carried in the affirmative, and ordered accordingly.

On motion of Mr. Weekes, seconded by Mr. Mallory, the House adjourned.

*Thursday, 6th February, 1806.*

Prayers were read.

Capt. Elliott, from the Committee appointed to draw up an Address of thanks to His Honor the President for His Speech to both Houses in opening the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

And he read the report in his place, and then delivered in the same at the Table, where it was again read by the Clerk once throughout, as follows:

To the Honorable Alexander Grant, Esquire, President, administering the Government of the Province of Upper Canada, &c.

May it please Your Honor,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, beg leave to present to you our gratulations on your accession to the administration of the Government of this Province.

We affect not to describe to you the career in which disinterested virtue may display itself in exercising the high prerogative of the Representative of a gracious and benevolent Sovereign, but we cherish the fond hope that you, in your relation to Majesty and from your experience in the Public concerns of this Country, will in the administration of the Government of it preserve unsullied this important trust.

We derive much pleasure from being informed that the Act of the last Session of this Parliament for affording relief to those persons who may be entitled to claim Lands in this Province as Heirs or Devisees of the Crown in cases where no patent



hath issued for such Lands, will in its operation prove a salutary law, as we feel impressed with the principle that the protection of the subject and the security of his property ought to be legibly evinced in every act of legislation in which a regard to our happy constitution can find either ascendancy or support.

We shall with cheerful assiduity devote our attention to the Public Accounts, and shall feel ourselves happy in submitting to you such observations as may be deemed essential, either in the retrenchment of the expenditure of the Public moneys or in devising the means of a more necessary application of them.

We feel more than ordinary pleasure in your communication of His Majesty's late Naval Victory, and though we may much regret the fall of the illustrious Nelson in that action, yet we cannot refrain from expressing our sensations of joy. May our Navy be permanent, and its successes perpetual.

Commons House of Assembly,  
6th February, 1806.

(Signed) Alex. McDonell,  
Speaker.

On motion of Mr. Weekes, seconded by Mr. Solicitor General,  
Ordered, That the Address be engrossed.

The Address as engrossed was then read, passed, and signed by Mr. Speaker.

On motion of Mr. Nellis, seconded by Mr. Dorland,

Ordered, That Captain Cowan, Mr. Howard and Mr. Mallory do wait upon His Honor, the President, to know when he will be pleased to receive this House with its address.

Captain Cowan, accompanied by the other messengers, reported that in obedience to the order of this House they had waited upon His Honor, the President, to know His Honor's pleasure when he would receive the House with its address; and that His Honor was pleased to appoint this day at three o'clock in the afternoon to receive the House.

Mr. Speaker then read a paper by permission of the House, which was ordered to be inserted in the Journal, and is as follows, viz.

The Speaker begs the indulgence of the House to have inserted on its Journals that he does not concur in opinion with the House in the new mode which it has adopted in Addressing the President: it has been the uniform and established practice in addressing Presidents administering a Government to say "To His Honor," and not "To the Honorable." The former appellation, the Speaker humbly conceives to be more respectful, and more comprehensive than the latter. Mr. President Russell was invariably addressed by the former appellation during his administration of the Government of this Province; as Mr. President Dunn actually is in that of Lower Canada.

At the Hour appointed Mr. Speaker attended by the House went up to his Honorable President with the Address of this House.

And being returned, Mr. Speaker reported that the House had attended upon His Honor with its Address, to which His Honor had been pleased to make the following answer:

Gentlemen of the House of Assembly,

I return you my best thanks for your respectful Address, and have no doubt but that your deliberations and exertions will effectually promote the happiness and prosperity of His Majesty's subjects in this Province.

On motion of Mr. Nellis, seconded by Mr. Hill, the House adjourned.

*Friday, 7th February, 1806.*

Prayers were read.

Mr. Weekes moved, seconded by Mr. Dorland, for leave to bring in on Wednesday next a Bill to amend an Act passed in the Forty-third year of the King, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualification of Electors."

Leave was accordingly given.

On motion of Captain Cowan, seconded by Mr. McLean, the House adjourned.

*Saturday, 8th February, 1806.*

Prayers were read.

Mr. Weekes moved, seconded by Mr. Nellis, that the Petition brought up from Mr. Mallory for the relief of the People called Methodists be now read.

Accordingly the said Petition was read by the Clerk at the Table, and is as follows:

To the Honorable House of Commons for the Province of Upper Canada in Session assembled.

The Petition of the Religious Community called Methodists, Humbly Showeth,

That the Members of the Methodist Society in this Province of Upper Canada are numerous, and a large majority of the principal ones are of those people called U. E. Loyalists, or their descendants, having fled from their former homes or habitations and joined the Royal British Standard, to which they have since firmly adhered, and in whose defence, should the necessity of the case again require it, Your Petitioners trust their loyalty in maintaining the rights of the best of Sovereigns would be as conspicuous as it heretofore has been.

Your Petitioners being liable to all the Statutes, Duties, Services, pains and penalties with those of other religious societies in this Province, and not having an equal participation with them in their religious rites, which we, Your Petitioners, think a great grievance, having confidence in the friendship of many of your respectable body with whom we are acquainted, and hoping the rest with whom we are not acquainted to be equally friendly, have presumed once more to solicit your Honorable House among whom we know there are men well acquainted with our religious tenets and also our sufferings—we, Your Petitioners, have not the least doubt from the liberality of your House but that every step will be taken, and everything done for us, that can consistently with our glorious Constitution. At the same time we would not forget to offer you our sincere thanks for your kind disposition, manifested towards us on the presentment of our former Petition.

We, Your Petitioners, therefore humbly pray that an Act may be passed in our favor, giving authority to our preachers, most of whom are Missionaries from the States, and a number more who are residents in this Province regularly ordained, to solemnize the religious rites of Marriage, as well as to confirm all past marriages performed by them.

This requisition we, Your Petitioners, pray may be taken into your serious consideration, and we trust that our request will appear so reasonable that its purport will meet your unanimous approbation, while ease will be given to the minds and consciences of a numerous body of the Inhabitants of this Province.

And we, Your Petitioners, will then as now and shall as in duty bound ever pray.

(Signed) Samuel Coates,  
John Embury,  
Jeremiah Lovess\*,  
and about 235 others.

Mr. Dorland then moved, seconded by Mr. Nellis, for leave to bring in on Tuesday next a Bill for removing doubts respecting the affirmation of the people called Quakers. Leave was accordingly granted.

The Clerk of this House has the honor of informing Mr. Speaker and the House that the Clerks of the Peace for the different Districts in this Province did send him returns of all the rateable property in their respective Districts, in compliance with the Eighth section of the Act for the more uniform collection of Assessments throughout this Province, except the Clerk of the Peace for the Western District.

Mr. Speaker then ordered the different returns received from the Clerks of the Peace to be laid on the Table and to be entered in a book to be of record in this House.

Captain Elliott, seconded by Mr. Mallory, moved for leave to bring in on Friday next a Bill for making provisions for the laying out and repairing the Roads and Bridges throughout this Province. Leave was accordingly given.

Mr. Weekes gave notice that he will on Monday next move this House to resolve itself into a Committee to take into consideration the state of the Province.

Mr. Howard moved, seconded by Mr. Dorland for leave to bring in a Bill on Friday next to revise an Act passed in the Forty-third year of the King, relative to Assessments and Rates, and to make further provisions for the same. Accordingly leave was granted.

Mr. Mallory, seconded by Mr. Howard, then moved for leave to bring in a Bill on Friday next to give relief to a Religious Society called Methodists throughout this Province. Leave was accordingly given.

On motion of Mr. Dorland, seconded by Mr. Nellis, the House adjourned until Monday next.

*Monday, 10th February, 1806.*

Prayers were read.

Ordered, That when the copy of an Address from this House is sent to the Secretary of the Governor, Lieutenant Governor, or person administering the Government for his perusal to be prepared with his answer to such address, the Clerk do add the name of the Speaker thereto, viz. "(Signed) B. C."

Agreeably to the notice given,

Mr. Weekes moved, seconded by Mr. Mallory, that the House do now resolve itself into a Committee to take into consideration the state of the Province.

The House accordingly resolved itself into Committee.

The Speaker left the Chair.

Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had made some progress, and had directed him to ask for leave to sit again this day.

\*Loveless.

Ordered, that the said Committee have leave to sit again this day.

Mr. Weekes then moved, seconded by Mr. Howard, that the Committee appointed to take into consideration the state of the Province have leave to call before them such witnesses and to examine such papers as may be necessary on their deliberation of this question.

The House then resolved, That the Committee have power to send for persons and papers.

Mr. Weekes moved, seconded by Mr. Dorland, that the House do now resolve itself into Committee to go into the further consideration of the state of the Province.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Howard again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had made some progress, and directed him to move for leave to sit again to-morrow.

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

On motion of Mr. Dorland, seconded by Mr. Washburn, the House adjourned.

*Tuesday, 11th February, 1806.*

Prayers were read.

Mr. Howard moved, seconded by Mr. Nellis, that the Petition from the Inhabitants of the District of Johnstown be now read.

The said Petition was then read, and is as follows, viz.

To the Honorable the House of Assembly for the Province of Upper Canada.

The Petition of the subscribers, Inhabitants of the District of Johnstown in said Province, humbly represents,

That the District of Johnstown extends about fifty-six miles on the River St. Lawrence, that the Counties of Grenville and Leeds are the only inhabited Counties in said District.

That the County of Leeds originally contained ten Townships, two of which Escott and Yonge, are now comprised in one; that the County of Grenville contains only seven Townships, whose population in the whole is not more than half so great as that of the County of Leeds. That the Court House and Gaol in the District of Johnstown are situated in the Town of Johnstown in the County of Grenville, within seven miles of the division line between the said District and the Eastern District. That the said Court House and Gaol were erected in pursuance of an Act passed in the Thirty-second year of the King for the express purpose of accommodating the inhabitants of that part of the Province, then known by the name of the Eastern District. That since the last mentioned period the present District of Johnstown has been formed by dividing the said Eastern District conformably to an Act passed in the Thirty-eighth year of the King, entitled "An Act for the better division of the Province." That the remote situation of the said Court House and Gaol from the centre of the said District of Johnstown precluded in a great degree the inhabitants of said District from enjoying the conveniences which the Legislature had undoubtedly in view when the last mentioned Act was framed. That previous to the division

of the Eastern District before mentioned the General Quarter Sessions of the Peace were alternately holden at Cornway and Johnstown, and the inhabitants of the said District of Johnstown attended the said Session as Jurymen only twice a year at the said Court House in Johnstown, that since the said division the said inhabitants are obliged to attend the General Quarter Sessions of the Peace to serve on Juries four times in each year, and to travel the same distance for that purpose as formerly. That if the Court House and Gaol were placed in a more central situation the expense and the trouble of attending the Court to serve on Juries would be more equally divided and the benefits intended to be granted by the said Act of the Thirty-eighth of the King would be more generally experienced. That the said Court House and Gaol in the Town of Johnstown is in a ruinous and almost irreparable state.

Your Petitioners therefore humbly pray that Honorable House of Assembly to form a Bill calculated to enable the inhabitants of the said District of Johnstown to build a new Gaol and Courthouse near or about Mr. Daniel Jones's Mill in the front of the first Concession of Elizabethtown in the County of Leeds aforesaid. Your Petitioners humbly conceive that the said situation is the most eligible of any in the said District of Johnstown for the purpose aforesaid, being at the distance of twenty-three miles from the lower extremity of said District, and as far towards the centre of the same as convenience will allow; and your Petitioners as in duty bound will ever pray.

(Signed)

Wm. Buell,  
David Manhart,  
Lewis P. Sherwood,  
and about 107 others.

District of Johnstown,  
December 20th, 1806.

Mr. Howard then moved, seconded by Mr. Nellis, for leave to bring in a Bill on Thursday next to enable the inhabitants in the District of Johnstown to erect and build a Court House and Gaol in the Township of Elizabethtown.

Leave was accordingly granted.

Then was read for the first time a Bill for removing doubts respecting the affirmation of the people called Quakers.

Mr. Nellis moved, seconded by Mr. Dorland, that the said Bill be read a second time to-morrow. Ordered accordingly.

Mr. Weekes then moved, seconded by Mr. Mallory, that this House do now resolve itself into Committee to take into their further consideration the state of the Province.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Howard took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Howard reported that the Committee had made some progress, and had directed him to ask for leave to sit again to-morrow.

The House accordingly resolved that the Committee have leave to sit again to-morrow.

Read, A Letter from the Speaker of the Honorable the Legislative Council to the Speaker of this House as follows, viz.

Legislative Council Chamber,  
11th February.

Mr. Speaker,—

I think it proper to inform you that Wm. Warren Baldwin Esquire, hath been duly appointed a Master in Chancery, and as such will be employed in making the necessary communications from the Legislative Council to the House of Assembly during the present Session.

I have the honor to be, with much regard,

Sir,

Your Very Obedient Servant,

Richard Cartwright,  
Speaker, Legislative Co.

The Honorable the Speaker  
of the House of Assembly.

On motion of Mr. Dorland, seconded by Capt. Cowan, the House adjourned.

*Wednesday, 12th February, 1806.*

Prayers were read.

Mr. Weekes moved, seconded by Mr. Mallory that so much of the Order of the Day as gives leave to bring in a Bill this day to alter and amend an Act made for the more equal representation of the people and for the qualification of Electors be discharged, and leave given to bring in the same on Saturday next.

Ordered accordingly.

Then was read for the second time the Bill for removing debts respecting the affirmation of the people called Quakers.

Mr. Nellis moved, seconded by Capt. Elliott, that this House do now resolve itself into Committee to take into consideration the Bill for removing doubts respecting the affirmation of Quakers.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. McLean was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported that the Committee had made some progress and had directed him to ask for leave to sit again to-morrow.

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

Agreeable to the Order of the Day the House resolved itself into Committee to go into the further consideration of the state of the Province.

Mr. Speaker left the Chair.

Mr. Howard took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had come to several resolutions, which he was directed to report to the House whenever the House should be pleased to receive the same.

Ordered, That the Report be now received.

And he read the Report in his place and afterwards delivered the same in at the Table, where it was again read by the Clerk, and is as follows:

Resolved, That it is the opinion of this Committee that it is expedient that they do recommend to the House that an Address be presented to His Honor

the President, praying that U. E. Loyalists applying for grants of lands may be permitted to locate lands by agent as heretofore, and that the demand of extra fees under the table of fees of January 1804 be discontinued.

Resolved, That it is the opinion of this Committee that it is expedient to recommend to the House that an Address be presented to His Honor the President, praying that persons known by the description of Military Claimants who have from inability of means, infirmity of health or other untoward circumstances been hitherto unable to make their claims or to procure titles for lands under the proclamation made for that purpose, do now receive such quota or portion of lands as they might have been entitled to receive had they made an early application under such privileges as Military Claimants originally obtained grants of the waste lands of the Crown.

Resolved, That it is the opinion of this Committee, that the Roads throughout the greater part of this Province are in such a state that it is expedient to devise some means for the repair of them.

Resolved, That it is the opinion of this Committee that seminaries for the education of youth are highly necessary in this Province.

The said resolutions were then received and accepted.

Mr. Sherwood moved, seconded by Capt. Cowan, that Mr. Weekes, Mr. McLean, and Mr. Solicitor General be a Committee to prepare addresses upon the resolutions of the House relative to the sons of U. E. Loyalists and Military Claimants.

Which was ordered accordingly.

The Solicitor General then moved, seconded by Capt. Elliott for leave to bring in a Bill to enable His Majesty to grant to aliens part of the waste lands of the Crown within this Province.

A division thereupon took place, and the names were ordered to be taken down, and are as follows:

Yeas.  
MESSRS. SOL'R GEN.  
WASHBURN  
ELLIOTT

Nays.  
MESSRS. NELLIS  
COWAN  
SHERWOOD  
MALLORY  
McLEAN  
WEEKES  
HOWARD  
DORLAND  
HILL  
CRYSLER  
CLENCH

The same was carried in the negative by a majority of eight.

Mr. Sherwood moved, seconded by Mr. Nellis, for leave to bring in a Bill on Monday next to alter and amend an Act passed in the thirty-third year of the King, entitled "An Act to provide for the nomination and appointment of Parish and Town Officers within this Province." Leave was accordingly granted.

On motion of Mr. Nellis, seconded by Capt. Elliott, the House adjourned.

*Thursday, 13th February, 1806.*

Prayers were read.

Read for the first time, An Act for erecting a Court House and Gaol in the Township of Elizabethtown in the district of Johnstown.

Mr. Howard then moved, seconded by Mr. Nellis, that the Bill to enable the Inhabitants in the District of Johnstown to erect and build a Court House and Gaol in the Township of Elizabethtown be read a second time to-morrow.

Ordered accordingly.

Agreeable to the Order of the Day, the House resolved itself into Committee to go into the further consideration of the Bill for removing doubts respecting the affirmation of the people called Quakers.

Mr. Speaker left the Chair.

Mr. McLean took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The Report was then received and accepted.

Mr. Sherwood moved, seconded by Mr. Dorland, that the Bill relative to Quakers be engrossed and read a third time to-morrow. Ordered accordingly.

Mr. Howard then moved, seconded by Mr. Mallory for leave to bring in a Bill on Monday next to alter an Act passed in the thirty-eighth of the King; entitled "An Act to alter the method of performing Statute Duty on the Highways and Roads within this Province." Leave was accordingly granted.

Mr. Weekes, from the Committee appointed to draft two addresses to His Honor the President, reported that they had prepared two addresses grounded on two resolutions of this House, which they were ready to submit to this House whenever it should be pleased to receive the same.

Ordered, That the draft of the said Addresses be now received.

He then read the two Addresses in his place, and then delivered in the same at the Table, where they were again read through by the Clerk, and are as follows:

To His Honor Alexander Grant, President administering the Government of the Province of Upper Canada, &c. &c.

May it please Your Honor,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, taking into consideration the state of this Province, and having due regard to such means as may tend to promote harmony and tranquility amongst all descriptions of His Majesty's people, humbly beg leave to represent to you that several persons of the description of those who have adhered to the unity of the Empire and to whom it has been held out that the Bounty of our Most Gracious Sovereign would be extended by grant of a certain portion of lands on applying for the same, are precluded from receiving His Gracious Favor by reason of the difficulty of access to the seat of Government at York, and of the expense of attending therein. We therefore entreat you that you in your kind consideration for their situation and in your laudable design of carrying the Royal promise into effect, will dispense with their personal attendance and permit them by their agents to lay their claims before Your Honor in Council, and also to do such further acts towards obtaining grants for lands through their agents as the exigency of their case may require.



We also with due respect beg leave to represent to you that the infant state of wealth and commerce in this country renders persons applying for grants of lands incapable of paying large fees for the same to the Land Granting Department, and that the additional fee required under the table of Fees of the 1st of January, 1804, is incommensurate with their means, and has caused much discontent.

We therefore entreat that you in your solicitude for promoting the welfare and prosperity of all descriptions of His Majesty's dutiful subjects will in your Council direct that they may be relieved from the payment of this fee, or that you will take such other measures for absolving them therefrom as to you in your wisdom may seem meet.

Commons House of Assembly,

13th February, 1806.

To His Honor Alexander Grant, Esquire, President administering  
the Government of the Province of Upper Canada, &c. &c.

May it please Your Honor,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, deeply impressed with sentiments of loyalty and attachment to His Majesty's person and Government, and studious to devise such means as may induce discord or dissatisfaction to give place in every breast to an unity of affection to the common Father of his people, beg leave to represent to you that a number of persons under the description of Military Claimants have, from inability of means, infirmity of health, or other untoward circumstances, been hitherto unable to make claims or to procure titles for lands under the Proclamations made for compensating them in lands for their Military services.

We rest satisfied that when we advert to the character of the soldier who exhausted his vigor and his years in the service of his King, and who sought for naught but victory in the battle of his Country, your feelings will be sufficiently roused to his condition, and that you will extend to him as the reward of his zeal and loyalty that bounty which was early intended by our Gracious Sovereign, and which neither time nor residence (much less poverty or distress) ought to amend or diminish.

We therefore hope that you will in your Council and wisdom grant to persons of this description (even at this late period) such quota or portion of land as they might have been entitled to receive had they made an early application, and under such privileges as Military Claimants formerly received grants of the waste lands of the Crown.

Commons House of Assembly,

13th February, 1806.

On motion of Mr. Sherwood, seconded by Captain Cowan, the two Addresses were ordered to be engrossed and read to-morrow.

On motion of Mr. Nellis, seconded by Captain Cowan, the House adjourned.

*Friday, 14th February, 1806.*

Prayers were read.

Captain Elliott moved, seconded by Mr. Mallory, that so much of the Order of the Day as directs that a Bill for the repair of Roads and Bridges be brought

in this Day be discharged, and that leave be given to bring in the same on Wednesday next.

The said Order was discharged, and leave given to bring in the Bill next Wednesday.

Mr. Howard then moved, seconded by Mr. Dorland, that so much of the Order of the Day as relates to the Assessment Bill be discharged.

Ordered accordingly.

Then was read for the first time the Bill for affording relief to the society of people called Methodists in this Province.

Mr. Mallory moved, seconded by Mr. Sherwood, that any Rule of this House that prevents the second reading of a Bill in the same day be dispensed with in this instance, and that the Bill relative to Methodists be now read a second time.

Accordingly the said Bill was read for the second time.

Agreeable to the Order of the Day was read for the second time the Bill for erecting a Gaol and Court House in the District of Johnstown.

William Jarvis, Esquire, Secretary of the Province, delivered in at the Bar of this House the Public Provincial Accounts as Per Schedule, which was read by the Clerk at the Table, and are as follows.

#### SCHEDULE OF ACCOUNTS LAID BEFORE THE HOUSE OF ASSEMBLY.

No. 1. The Inspector's list of Names of persons licensed as Shop and Innkeepers in the several Districts of the Province of Upper Canada for the year ending the 5th of April, 1805. These returns were not received in time to be laid before the Legislature in 1805.

No. 2. The Inspector's list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada for the year ending the 5th April, 1805. These returns were not received in time to be laid before the Legislature in 1805.

No. 3. The Inspector's list of names of persons licensed as Shop and Innkeepers in the several Districts of the Province of Upper Canada, from the 5th April, 1805, to the January, 1806.

No. 4. The Inspector's list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada from the 1st April, 1805, to the 5th April, 1806.

No. 5. Provincial Revenue of the Crown arising from Duties collected on goods imported under authority of Acts of the Provincial Parliament, between the 1st January and 31st December, 1805, including such duties as have not heretofore been stated.

No. 6. Provincial Revenue of the Crown arising from duties collected on goods imported under authority of Acts of the Parliament of Great Britain, between the 1st January and the 31st December, 1805, including such duties as have not heretofore been stated.

No. 7. Abstract of Warrants issued by His Excellency Peter Hunter, Esquire, Lieutenant Governor, and His Honor Alexander Grant, Esquire, President of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature.

No. 8. Supplementary abstract statement of moneys collected within the several Districts of the Province of Upper Canada on Shop, Innkeepers and

Still Licences, for the year ending the 5th April, 1805; after deducting ten per cent. allowed to the Inspectors by the Act of the Forty-third of the King.

No. 9. Abstract statement of moneys collected within the several Districts of the Province of Upper Canada on Shop, Innkeepers' and Still Licences, issued between the 5th April, 1805, and 5th January, 1806, so far as the returns have been received after deducting ten per cent. allowed to the Inspector by the Act of the Forty-third of the King.

No. 10. Abstract statement of moneys collected within the several Districts of the Province of Upper Canada on Shop and Innkeepers Licences, issued between the 5th April, 1805, and 5th January, 1806, under authority of Acts of the Parliament of Great Britain, so far as the returns have been received after deducting ten per cent. allowed to the Inspectors by the Act of the Forty-third of the King.

No. 11. General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau-du-Lac upwards from the 1st January, to the 30th June, 1805, agreeable to the written accounts thereof received, or as ascertained on examination of carriages according to the Act.

No. 12. General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau-du-Lac upwards from the 1st July to the 31st December, 1805, agreeable to the written accounts thereof received, or as ascertained on examination of carriages according to the Act.

No. 13. Account of Lighthouse tonnage duty collected for the year ending the 31st December, 1805.

No. 14. Account of cash received by the Honorable Peter Russell, Receiver General, for fines and forfeitures, under authority of Acts of the Provincial Parliament, between the 5th February, 1805, and 5th February, 1806.

No. 15. Account of cash received by the Honorable Peter Russell, Receiver General, for fines and forfeitures under authority of Acts of the Parliament of Great Britain, between the 5th February, 1805, and 5th February, 1806.

No. 16. General state of cash received by the Honorable Peter Russell, Receiver General, for duties and fines under authority of Acts of the Parliament of Great Britain, between the 5th February, 1805, and the 5th February, 1806.

No. 17. General state of receipts and payments by the Honorable Peter Russell, Receiver General, for duties and fines and likewise appropriations made under authority of Acts of the Provincial Parliament, between the 4th February, 1805, and 9th February, 1806.

Inspector General's Office,  
York, 5th February, 1806.

(Signed) John McGill,  
Inspr. Genl. P.P. Ac'ts.

(For accounts as per Schedule, see appendix.)

Then was read for the third time the Bill for giving relief to the Societies of Quakers, Mennonists and Tunkers.

Mr. Weekes moved, seconded by Mr. Sherwood, that after the word "Quakers" the words "Mennonists and Tunkers" be inserted throughout the Bill.

Ordered accordingly.

Mr. Weekes moved, seconded by Mr. Sherwood, that the Bill be engrossed as amended. Ordered accordingly.

The Speaker then read the two Addresses as engrossed, voted to be presented to His Honor, the President, which passed, and were signed by the Speaker.

Mr. Sherwood then moved, seconded by Captain Cowan, that Mr. Weekes and Mr. Howard do wait upon His Honor, the President, to know at what time he will be pleased to receive the two Addresses of this House; and also that they present the said Addresses to him at such time as he may be pleased to appoint.

Ordered accordingly.

On motion of Mr. Howard, seconded by Mr. Nellis, the House resolved itself into Committee to go into the consideration of the Bill for erecting a Gaol and Courthouse in the Township of Elizabethtown, District of Johnstown.

Mr. Speaker left the Chair.

Mr. Dorland was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported that the Committee had made a progress, and that he was directed to ask for leave to sit again next Monday.

Resolved, That the Committee have leave to sit again on Monday next.

On motion of Mr. Solicitor General, seconded by Mr. Sherwood, the House resolved itself into Committee to go into the consideration of a Bill for giving relief to the Society of people called Methodists.

Mr. Speaker left the Chair.

Mr. Weekes was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weekes reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

Resolved, That the said Report be now received.

Mr. Washburn then moved, seconded by Mr. Mallory, that the Methodist Bill be engrossed and read a third time to-morrow. Ordered accordingly.

On motion of Captain Cowan, seconded by Mr. Nellis, the House adjourned.

*Saturday, 15th February, 1806.*

Prayers were read.

Read for the first time, A Bill for the better defining the qualifications of Electors.

Mr. Weekes moved, seconded by Mr. Howard, that the said Bill be read a second time on Monday next. Ordered accordingly.

Read for the third time, the engrossed Bill for affording relief to the Society called Methodists.

On motion of Mr. Mallory, seconded by Mr. McLean,

Resolved, That the Bill do now pass, and that the title be "An Act to afford relief to the Religious Society called Methodists."

The Bill then passed and was signed by the Speaker.

Mr. Dorland then moved, seconded by Mr. Nellis, that the Bill for relieving Dissenters of the Religious Societies of Quakers, Mennonists and Tunkers from certain legal disabilities, be now read as engrossed.

The said Bill was read as engrossed for the third time.

Mr. Weekes moved, seconded by Mr. Dorland, that this Bill do pass, and that the title be "An Act for relieving Dissenters of the Religious Societies of Quakers, Mennonists and Tunkers from certain legal disabilities."

The House resolved the same; the Bill accordingly passed, and was signed by the Speaker.

Mr. Washburn moved, seconded by the Solicitor General, that Mr. Mallory and Mr. Hill be a Committee to carry up the Methodist Bill to the Honorable Legislative Council, and request their concurrence thereto. Ordered accordingly.

Mr. Nellis then moved, seconded by Mr. Dorland, that Mr. McLean, Mr. Crysler and Mr. Mallory be a Committee to carry up to the Honorable Legislative Council the Bill for affording relief to the Societies called Quakers, Mennonists and Tunkers, and request their concurrence thereto.

Mr. McLean moved in amendment, seconded by Mr. Howard, that the name of McLean be left out and the name of Dorland substituted.

Which was carried in the affirmative and ordered accordingly.

The main question being then put, the same passed in the negative.

Mr. Solicitor General then moved, seconded by Captain Elliott, for leave to bring in a Bill on Tuesday next to continue an Act passed in the Forty-third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned." Leave was accordingly granted.

Mr. Washburn, seconded by Mr. Nellis moved for leave to bring in a Bill on Tuesday next to grant support to the Poor within this Province.

Accordingly leave was given.

On motion of Captain Cowan, seconded by Captain Elliott, the House adjourned until Monday next at twelve o'clock at noon.

*Monday, 17 February, 1806.*

Prayers were read.

Mr. Howard moved, seconded by Mr. Nellis, that so much of the Order of the Day as relates to the Statute Labour Bill be discharged, and that leave be given to bring it in on Friday next. Ordered accordingly.

Agreeable to the Order of the Day, the House resolved itself into Committee to go into the further consideration of the Bill for erecting a gaol and Court-house in the District of Johnstown.

Mr. Speaker left the Chair.

Mr. Dorland took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

The said Report was then accordingly received and accepted.

Mr. Howard, seconded by Mr. Weekes, moved that the Johnstown Bill be engrossed and read a third time to-morrow. Ordered accordingly.

Read for the second time, The Bill for the better defining the Qualification of Electors.

Mr. Dorland, one of the Messengers named to carry up to the Legislative Council the Bill for relieving Dissenters of the Religious Societies of Quakers, Mennonists, and Tunkers, from certain disabilities; reported that they had carried up the same and did request their concurrence thereto.

Mr. Weekes moved, seconded by Mr. Rogers, that the House do to-morrow resolve itself into a Committee to take the Bill for the better defining the Qualification of Electors into consideration. The House resolved the same.

Then was read for the first time, The Bill for regulating the duty of Parish and Town Officers throughout the Province.

Mr. Sherwood then moved, seconded by Mr. McLean, that so much of the Rules of this House as prevents a Bill from being read a second time in the same day be dispensed with, and that leave be given to read this Bill a second time this day. The same passed in the negative.

Mr. Rogers, seconded by Mr. Weekes, moved that the Bill relative to Parish and Town Officers be read a second time to-morrow. Ordered accordingly.

Mr. Sherwood moved, seconded by Mr. Rogers, for leave to bring in a Bill to-morrow to provide for the payment of costs after Judgment.

Leave was accordingly granted.

Then was read the Petition of John Bennett, Government printer, which is as follows, viz.

To the Honorable the Legislative Council and House of Assembly.

The Petition of John Bennett, Government Printer,  
Humbly Showeth,

That Your Petitioner as Printer to His Majesty was appointed to print the Laws and Journals of the House of Assembly of the Province of Upper Canada, for which service a sum not exceeding three hundred pounds currency was voted by Parliament. After the first impression Your Petitioner by letter informed His Excellency, the late Lieutenant Governor, that the work performed would not, according to the schedule with which he was furnished, calculated in Quebec in the year 1789, when paper, printing materials, wages, and even the necessaries of life, were to be had at much more reasonable rates than at present, amount to near the sum voted for that purpose; and was given to understand by the Lieutenant Governor's Secretary that he was to receive the whole sum voted by the Legislature for printing the Laws and Journals, and His Excellency's Warrants for the full amount were always ready, either before or as soon as the work could be completed.

Sometime afterwards His Honor, Chief Justice Allcock, demanded of Your Petitioner what sums received by him for printing the Laws and Journals; on being informed, said he would put a stop to the printing of the Journals; that the receipt of such a sum was mere robbery, &c. &c. &c., that he would represent him to the Governor, and that the money should be refunded. On stating his situation to His Excellency, Your Petitioner was again told by His Honor that as sure as God was his Maker he should receive a letter requesting him to give up his office were any more complaints made to the Governor.

Your Petitioner was next commanded to attend His Excellency, who demanded whether he had been paid for printing the Laws and Journals, and by what authority payment was made; on being informed the money was paid by virtue of His Excellency's own Warrants, he observed the money was voted for himself, and not for the printer, who was ordered immediately to retire to make out

his accounts without delay and to present them to the Inspector General of Public Provincial Accounts for examination.

Shortly afterwards Your Petitioner was given to understand that the sum of three hundred and seventy-five pounds, Halifax currency, was to be refunded by him, nearly two thirds of which sum have actually been stopped by retaining his contingencies.

Upon what principle this deduction is founded your Petitioner could never learn, nor has he ever witnessed a precedent; all the satisfaction or information he could possibly derive relative to the subject was "You are getting too rich, sir."

The duty required of Your Petitioner was duly performed, and no complaint ever alleged; consequently he received the money appropriated therefore and applied the same to the purchase of new printing materials and stationery to a considerable amount, and to other purposes, and had that work exceeded the sum a loss would then have accrued, as it was to have been done for that particular sum. The difficulties and embarrassments into which such a measure would infallibly involve him represented to the Governor, but they were represented in vain—no redress could be obtained.

The situation of Your Petitioner is therefore distressing in the extreme, and has left him deeply in arrears in Lower Canada. In short, all he now receives from Government is a salary of One hundred Pounds, ninety-one Pounds, five shillings of which is to be yearly paid to an assistant, and sometimes a trifling contingent account which Government do not think proper to retain. Thus circumstance he is entirely deprived of the means of making the necessary remittances for the articles used in the process of his business.

Two people exclusive of your Petitioner were employed in printing the Revised Statutes, done at the wish of the Government, at the rate of fourteen dollars a week, for upwards of eighteen months, together with other heavy expenses attending the same; at the completion of which your Petitioner confidently and anxiously expected to have been able to have satisfied these demands, but the money for the copies taken by the Government was detained, and those flattering prospects have now vanished, and he has to anticipate the dreary and disheartening prospect of beginning the world anew, involved in debt, without even the slender means he possessed on his arrival in the country. The refunding of three hundred and seventy five pounds, Halifax currency, will ultimately ruin him; he therefore humbly hopes Your Honorable House will take his case into consideration, and grant him such relief as to you in your wisdom may seem meet. And Your Petitioner, as in duty bound, will ever pray.

(Signed) John Bennett,  
Government Printer.

York, Upper Canada,  
12<sup>th</sup> February, 1806.

On motion of Mr. Sherwood, seconded by Mr. Weekes,  
Ordered, That the House do now resolve itself into a Committee to take into its consideration the Public Accounts.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Hill was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Hill reported a progress, and was directed to ask for leave to sit again to-morrow.

Resolved, That the Committee have leave to sit again to-morrow.  
On motion of Mr. Sherwood, seconded by Captain Elliott, the House adjourned.

*Tuesday, 18th February, 1806.*

Prayers were read.

Read for the first time, An Act to continue an Act for the better securing to His Majesty certain duties therein mentioned.

The Solicitor General moved, seconded by Capt. Cowan, that the second reading of the Act for continuing the collection of certain duties within this Province be appointed for to-morrow. Ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of the Bill for the better defining the qualifications of Electors.

Mr. Speaker left the Chair.

Mr. Nellis was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nellis reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

The House then resolved that the Report be now received.

Which Report was then received and accepted.

Mr. Washburn then moved, seconded by Mr. Nellis, that so much of the Order of the Day be discharged as relates to the bringing in a Bill for the support of the poor within this Province. Which was ordered accordingly.

Mr. Rogers moved, seconded by Mr. Nellis, that the Committee appointed to carry up the Bill for the relief of the Methodists to the Legislative Council do also carry up four petitions. Ordered accordingly.

Mr. Weekes then moved, seconded by Mr. Sherwood, that the Bill for amending an Act for the more equal representation of the Commons be engrossed, and read a third time to-morrow. Which was ordered accordingly.

Read for the third time, The engrossed Bill for erecting a Gaol and Court House in the District of Johnstown.

Mr. Howard, seconded by Mr. Sherwood, moved that the title of the Johnstown Bill be "An Act to enable the Inhabitants of the District of Johnstown to erect and build a Court House and Gaol in the Township of Elizabethtown."

The House accordingly resolved the same.

The Bill then passed and was signed by the Speaker.

Mr. Nellis then moved, seconded by Mr. Dorland, that Mr. Howard and Mr. Washburn be a Committee to carry up the said Bill to the Honorable the Legislative Council and request their concurrence thereto. Ordered accordingly.

Read for the second time, The Bill for regulating the duty of Parish and Town Officers.

On motion of Mr. Sherwood, seconded by Mr. Rogers, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

7 A.



Mr. Mallory reported that the Committee had made a progress, and that he was directed to ask for leave to sit again on Thursday next.

Leave was accordingly granted.

Read for the first time, An Act to amend the Law.

Mr. Sherwood moved, seconded by Mr. Rogers, that the said Act be read a second time to-morrow. Ordered accordingly.

Capt. Cowan, seconded by the Solicitor General, moved for leave to bring in to-morrow a Bill to provide for several Sheriffs in this Province.

Leave was accordingly granted.

Mr. Washburn, seconded by Mr. Nellis, moved that so much of the Order of the Day be discharged as relates to the Public Accounts, and that leave be given to take them into consideration to-morrow. Ordered accordingly.

Mr. Sherwood moved, seconded by Capt. Cowan, for leave to bring in a Bill to-morrow to appropriate a sum of money for the purpose of certain apparatus for the promoting of science. Leave was accordingly granted.

On motion of Mr. Sherwood, seconded by Capt. Cowan, the House adjourned until to-morrow at twelve o'clock at noon.

*Wednesday, 19th February, 1806.*

Prayers were read.

Read for the second time, an Act to continue an Act for the better securing to His Majesty the due collection of certain duties therein mentioned.

Mr. Mallory, one of the Messengers named to carry up to the Honorable the Legislative Council the Bill to afford relief to the Society of people called Methodists, reported that they had carried up the same, and did request their concurrence thereto, as also the four petitions ordered to accompany it.

Mr. Sherwood reported that the Messengers named to carry up to the Honorable Legislative Council the Act for erecting a Gaol and Court House in the Township of Elizabethtown, District of Johnstown, had carried up the same, and did request their concurrence thereto.

Mr. Weekes moved, seconded by Mr. Rogers, that after the word "Britain" the words in the seventh line of the fourth clause of the Bill entitled "An Act to repeal certain parts of an Act passed in the Fourteenth year &c." be engrossed, and the following words inserted, "passed in the Thirty-First year of His Majesty's Reign, entitled 'An Act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province.'" Ordered accordingly.

Read a second time, the Bill to amend the Law.

Mr. Sherwood moved, seconded by Mr. Rogers, that the House do now resolve itself into Committee on the Bill to amend the Law.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Capt. Cowan was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Cowan reported that the Committee had gone through the consideration of the said Bill without any amendments.

Mr. Sherwood moved, seconded by Mr. Mallory, that the Bill to amend the Law be engrossed, and read a third time to-morrow.

A division thereupon took place, the names being called for they were taken down and are as follows:

Yeas.	Nays.
MESSRS. COWAN	MESSRS. NELLIS
SHERWOOD	MALLORY
SOLICITOR GEN.	McLEAN
WEEKES	DORLAND
HOWARD	HILL
CRYSLER	CLENCH
WASHBURN	

Carried in the affirmative by a majority of one.

The Bill was accordingly ordered to be engrossed.

Mr. Rogers then moved, seconded by Mr. Weekes, that the Bill to provide for the Sheriffs be read a second time on Friday next. Ordered accordingly.

Mr. Sherwood moved, seconded by Capt. Elliott, that the Order of the Day to bring in the Road Bill be discharged for to-day, and that leave be given him to bring it in to-morrow. Which was ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Hill took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler then moved, seconded by Mr. Clench, that Messrs. Weekes, Dorland, Rogers, Nellis and Washburn be a Select Committee to examine the Public Accounts, and that they do report to this House as soon as possible, and that the said Committee have power to send for such persons or papers as they shall think necessary.

Ordered accordingly.

Read for the first time, a Bill to appropriate a certain sum of money for the purpose of an apparatus to promote science.

Mr. Sherwood then moved, seconded by Capt. Elliott, for the second reading of the Bill for promoting science on Friday next. Ordered accordingly.

Read for the third time as engrossed, the Bill for the better defining the qualification of Electors.

Mr. Weekes then moved, seconded by Mr. Rogers, that the said Bill do pass, and that the title be, an Act to alter and amend an Act for the more equal representation of the Commons of the Province, and for the better defining the qualifications of Electors."

The House resolved the same.

The Bill then passed, and was signed by the Speaker.

Mr. Sherwood then moved, seconded by Mr. McLean, that Mr. Weekes and Mr. Crysler be a Committee to carry up this Bill to the Legislative Council.

Which was ordered accordingly.

On motion of Mr. Sherwood, seconded by Capt. Cowan, the House adjourned until twelve o'clock to-morrow at noon.

*Thursday, 20th February, 1806.*

Prayers were read.

Read for the third time, the Bill to amend the Law.

The Bill then passed and was signed by Mr. Speaker.

Mr. Weekes, one of the Messengers named to carry up to the Honorable Legislative Council the Act for the better defining the qualifications of Electors, reported that they had carried up the said Bill, and did request their concurrence thereto.

Mr. Rogers then moved, seconded by Mr. Weekes, that Mr. Sherwood and the Solicitor General be a Committee to carry up to the Honorable Legislative Council the Bill to amend the Law, and to request their concurrence in passing the same.

Ordered accordingly.

Agreeable to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill for regulating the appointment of Town and Parish Officers.

Mr. Speaker left the Chair.

Mr. Mallory was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Mallory reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House shall be pleased to receive the same.

The House then resolved that the Report be now received.

On motion of Mr. Sherwood, seconded by Mr. Nellis, the said Bill was ordered to be engrossed and read a third time on Saturday next.

Read for the first time, the Road Bill.

On motion of Mr. Mallory, seconded by Mr. Nellis, the said Bill was ordered to be read a second time on Saturday next.

Mr. Washburn moved, seconded by Mr. Howard, for leave to bring in a Bill on to-morrow to repeal so much of an Act passed in the thirty-fifth of the King, entitled "An Act to regulate the practice of Physic and Surgery" as relates to the Governor, Lieut. Governor, or person administering the Government, to order and appoint a Board of Surgeons to examine persons applying, and grant license to these approved of to practise physic, surgery and mid-wifery, and make further provision for the same. Leave was accordingly granted.

Mr. Weekes gave notice that he would on Saturday next move that this House do appoint a Committee to prepare an Address to Our Most Gracious Sovereign, laying before His Majesty the substance of two addresses presented by this House to His Honor the President on the 14th Inst, and praying that Our Most Gracious Sovereign, in his parental solicitude for his subjects in this Province, will take the matter of such Addresses into consideration.

Mr. Rogers moved, seconded by Mr. Weekes, that the Rule of this House that directs that no petition complaining of an undue Election shall be read until the Petitioner or Petitioners shall give security to pay such costs as the House may order, in case the petition shall be considered groundless, and the sitting Members duly elected, be rescinded. The same passed in the negative.

On motion of Capt. Elliott, seconded by Mr. Nellis, the House adjourned until twelve o'clock to-morrow at noon.

*Friday, 21st February, 1806.*

Prayers were read.

William Jarvis, Esquire, Secretary of the Province, came to the Bar of the House, and there did deliver answers to two addresses of this House presented to His Honor the President on the fourteenth instant, which answers were signed by His Honor; which the Speaker then read, the Members standing up, and are as follows, viz.

Gentlemen of the Commons House of Assembly:—

It is the sons of the persons mentioned in one of the Addresses presented by you the thirteenth of this month who are required by the regulations of the Executive Government of this Province personally to appear, in order to obtain grants of the lands bestowed on them by the bounty of the Crown.

The Frauds for some time committed by the agent of persons assuming that character, rendered the personal appearance of such claimants a measure of the highest expediency.

But as it is my wish to contribute to the ease and accommodation of His Majesty's Subjects in this Province of every description, as well as at all times to pay proper attention to your representations, I shall, aided by the advice of the Executive Council take into consideration whether the evils above stated may not be obviated consistent with indulgence as to personal appearance to the sons of those persons who adhere to the unity of the Empire, whose local situation may render it difficult for them to comply with the above regulations.

The Table of Fees of the Ninth January, 1804, is under the authority of instructions of that date communicated by one of His Majesty's principal Secretaries of State to the late Lieutenant Governor.

(Signed) Alex'r Grant,  
President.

Gentlemen of the Commons House of Assembly:—

I will take into serious consideration what is stated in your Address to me respecting Military Claimants, as no one can wish more than I do to contribute to the comfort and happiness of that highly meritorious class of individuals.

(Signed) Alex'r Grant,  
President.

Mr. Howard then moved, seconded by Mr. Crysler, that so much of the Order of the Day as relates to the Statute Labour Bill be discharged.

Ordered accordingly.

Read for the second time the Bill for allowing Salaries to different Sheriffs in this Province.

Capt. Cowan moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee to take this Bill into consideration.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported a progress, and asked for leave to sit again this day. Leave was accordingly granted.

Mr. Solicitor General, one of the Messengers named to carry up to the Honorable Legislative Council the Bill entitled "An Act to amend the Law,"

reported that they had carried up the same, and did request their concurrence thereto.

The House again resolved itself into Committee to go into the further consideration of a Bill for allowing salaries to Sheriffs.

Mr. Speaker left the Chair.

Mr. Solicitor General again took the chair of the Committee.

Mr. Speaker resumed the Chair.

The Solicitor General reported that the Committee had gone through the consideration of the Bill, to which they had made some amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

Mr. Clench then moved, seconded by Mr. Dorland, that the Report be not received.

A division thereupon took place; the names being called for they were taken down and are as follows, viz.

Yeas.	Nays.
MESSRS. DORLAND	MESSRS. ELLIOTT
CLENCH	COWAN
HILL	SHERWOOD
NELLIS	WASHBURN
WEEKES	SOL'R GEN.
McLEAN.	ROGERS.
	HOWARD.
	-CRYSLER.

The same was carried in the negative by a majority of two.

The Report was then received and accepted.

Mr. Rogers then moved, seconded by Mr. Howard, that the Bill for allowing salaries to the Sheriffs be engrossed, and read a third time to-morrow.

Which was ordered accordingly.

Agreeable to the Order of the day was read for the second time a Bill to appropriate a certain sum of money for the purchase of apparatus to promote science.

Mr. Sherwood moved, seconded by Capt. Cowan, that the House do now resolve itself into Committee to take the said Bill into consideration.

The House accordingly resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the chair.

Mr. Clench reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

On motion of Mr. Clench, seconded by Capt. Cowan,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Read for the first time, the Bill for regulating the practice of Physic and Surgery.

Mr. Washburn moved, seconded by Mr. Sherwood, that the Bill to regulate the practice of Physic and Surgery be read a second time to-morrow.

Ordered accordingly.

Then the Clerk, by order of the House, read the bond of Samuel Ryerse, Esquire, respecting the contested election of Benajah Mallory, Esquire, the sitting Member for the Counties of Norfolk, Oxford and Middlesex, which is as follows, viz.:

Know all men by these presents that we, Samuel Ryerse, of the District of London in the Province of Upper Canada, and Samuel Smith of the County of York and Home District, of the Province aforesaid, are held and firmly bound unto Benajah Mallory, of the District of London and Province aforesaid, Esquire, in the sum of One Hundred Pounds of lawful money, to be paid to the said Benajah Mallory, his Heirs, Assigns or certain Attornies, in which payment well and truly to be made we bind ourselves, our Heirs and Assigns, firmly by these presents.

Signed with our hands, sealed with our seals, and dated at York this twenty-first day of February in the Year of Our Lord One Thousand Eight Hundred and Six.

Whereas the said Benajah Mallory has been returned as a Member to represent the District of London in the provincial Parliament of Upper Canada, and whereas the said Samuel Ryerse contests the legality of his holding a seat therein.

Now, therefore, the condition of this obligation is such, that if the above bounden, or either of them, shall produce such proofs of the legal incapacity of the said Benajah Mallory as will induce the Honorable the Commons House of Assembly to dispossess the said Benajah Mallory of his seat therein or in default thereof will pay such sum or sums of money to the said Benajah Mallory for his costs as the Honorable the Commons House of Assembly then this obligation will be null and void, or otherwise remain in full force and effect.

(Signed) Samuel Ryerse.  
Samuel Smith.

Signed and sealed  
in presence of

(Signed) John McDonell.  
J. Boucherville.

Then the House ordered that the Clerk file the Bond upon the Records of the House, there to be kept until the decision of the said contested election by this Honorable House take place.

Then the Clerk, by order of the House, read at the Table the petition of Samuel Ryerse, Esquire, respecting the said contested election, which is as follows, viz.:

To the Honorable the Commons House of  
Assembly of the Province of Upper Canada,  
in Provincial Parliament assembled.

The Petition of Samuel Ryerse of Woodhouse, in the District of London, Esquire,

Respectfully Sheweth,

That at the late election holden in and for the said District of London for a Member to represent the said District in Your Honorable House of Assembly, Benajah Mallory, the now sitting member, and your petitioner were candidates, the Returning Officer, William Spurgin, declared the said Benajah Mallory duly elected.

Your Petitioner therefore comes forward to state to Your Honorable body that the said Benajah Mallory has been illegally and unduly returned, being by

the thirty-first of His present Majesty rendered ineligible to a seat in the Parliament, having both before and since the election been a preacher and teacher of the Religious Society or Sect called Methodists, all of which Your Petitioner is ready to verify, and is ready to give any security Your Honourable House may deem necessary.

Your petitioner therefore most humbly prays that a day may be assigned him to be heard, by Counsel or otherwise, at the Bar of Your Honourable House in support of the charge as afore stated, and that such steps may be taken as you in your wisdom may think proper to compel the attendance of such witnesses as Your Petitioner may deem necessary to support his charge against the aforesaid Benajah Mallory as a Preacher and Teacher of the Religious Society or Sect called Methodists.

And Your Petitioner as in duty bound will ever pray.

(Signed) Sam'l Ryerse.

Then the House resolved that the Petition of Samuel Ryerse contains grounds and reasons sufficient, if substantiated, to make the election of Benajah Mallory, Esquire, void.

Mr. Sherwood then moved, seconded by Mr. Clench, that Friday, the seventh day of March next ensuing, at twelve o'clock at noon, be appointed for to take into consideration the merits of the Petition of Samuel Ryerse, Esquire, complaining of the undue Election and return of Benajah Mallory, Esquire, now sitting Member in this House, returned for the Counties of Norfolk, Oxford and Middlesex.

The House accordingly resolved that the said day and hour be appointed to hear the merits of the said contested election.

On motion of Mr. Clench, seconded by Capt. Elliott, the House adjourned until ten o'clock in the forenoon to-morrow.

*Saturday, 22nd February, 1806.*

Prayers were read.

Read for the third time, the engrossed Bill for giving salaries to Sheriffs.

Mr. Weekes then moved, seconded by Mr. Sherwood, that the following make an additional clause to the said Bill: "And be it further enacted by the authority aforesaid, that this Act shall remain in force for ten years, and to the end of the then next present Session of Parliament."

Mr. Nellis moved in amendment to the additional clause proposed, that in line the third the word "ten" be expunged, and that the word "seven" be inserted in lieu thereof. Which passed in the negative.

The main question was then put, and carried in the negative.

Mr. Sherwood then moved, seconded by Capt. Cowan, that the Bill do pass, and that the title be "An Act to make provision for several Sheriffs in this Province." Which passed in the negative.

Then was read for the third time the engrossed Act for promoting Science.

Mr. Sherwood then moved, seconded by Mr. Clinch, that the Bill do pass, and that the title be "An Act to purchase certain apparatus for promoting Science."

A division thereupon took place; the names being called, for they were taken down, and are as follows, viz.:

Yeas.  
 MESSRS. McLEAN.  
 COWAN.  
 SOL'R GENERAL.  
 WEEKES.  
 ELLIOTT.  
 WASHBURN.  
 CRYSLER.  
 CLENCH.

Nays.  
 MESSRS. HOWARD.  
 ROGERS.  
 HILL.  
 DORLAND.  
 NELLIS.

Carried in the affirmative by a majority of three, the Bill then passed and was signed by Mr. Speaker.

Mr. Washburn moved, seconded by Mr. Crysler, that Mr. Clench and Captain Cowan be a Committee to carry up to the Legislative Council the said Bill, and to request their concurrence thereto. Ordered accordingly.

Read for the second time, the Bill to regulate the practice of Physic and Surgery.

Mr. Clench, one of the Messengers named to carry up to the Honorable Legislative Council the Bill to purchase apparatus for promoting science, reported that they had carried up the said Bill and did request their concurrence thereto.

Mr. Washburn moved, seconded by Mr. Clench, that the House do on Monday next resolve itself into Committee to take into consideration the Bill to regulate the practice of Physic and Surgery.

The House accordingly resolved the same.

Read for the third time, the engrossed Bill for regulating the appointment of Parish and Town Officers.

Mr. Sherwood then moved, seconded by Mr. Rogers, that the Bill do pass, and that the title be "An Act to alter and amend an Act passed in the thirty-third year of His Present Majesty's Reign, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers.'"

Ordered accordingly.

The Bill then passed, and was signed by the Speaker.

Mr. Sherwood moved, seconded by Captain Elliott, that Mr. Rogers and Mr. Nellis do carry up the said Bill to the Honorable Legislative Council, and request their concurrence thereto. Accordingly it was ordered.

Mr. Weekes gives notice that he will on Monday next move that this House do resolve itself into a Committee to take into consideration the necessity of Addressing our Most Gracious Sovereign on the subject of two Addresses from this House, presented on the thirteenth instant to His Honor the President.

Mr. Weekes moved, seconded by Mr. Rogers, for leave to bring in on Monday next a Bill for establishing Public Schools in this Province.

Leave was accordingly given.

Mr. Sherwood, seconded by Mr. Solicitor-General, moved that the following clause be added to the Sheriffs' Salary Bill: "And be it further enacted by the authority aforesaid that this Act shall be and continue in force eight years from and after passing of the same, and from thence to the end of the then next ensuing session of the Provincial Parliament, and no longer."

Carried in the affirmative, and ordered accordingly.

Mr. Sherwood then moved, seconded by Mr. Rogers, that the Bill do pass, and that the title be "An Act to make provision for Sheriffs in this Province."

The House accordingly resolved the same.



Mr. Rogers, one of the Messengers named to carry up to the Honorable Legislative Council the Bill to alter and amend an Act passed in the thirty-third year of His present Majesty's Reign, entitled, "An Act to provide for the nomination and appointment of Parish and Town Officers," reported that they had carried up the said Bill and did request their concurrence thereto.

Then was read the Petition of Captain Joseph Brant, which is as follows:

To the Honorable the Commons House of Assembly in Parliament Assembled, &c., &c., &c.

The Petition of Captain Joseph Brant,  
Respectfully Sheweth,

That in the year 1775, when the war between Great Britain and her Colonies had commenced, the Mohawk Nation, always faithful to the cause of the King, took a decided and active part, and leaving their families to the mercy of the enemy brought off the Indian Department through a hostile country into Canada; where their conduct was highly approved by Sir Guy Carleton, who, in a public council with the Indians, desired them to take up the hatchet and defend their rights; he then solemnly engaged that we should be remunerated for any losses we might sustain during the war.

Some years after, when it was foreseen that the contest was likely to take an unfavorable turn, we stated our situation to the late Sir Frederick Haldimand, then Governor and Commander-in-Chief, and requested a confirmation of General Carleton's promise, by which it was understood that the Indians who had lost their lands should receive an equivalent in this country, and at all events have them as fully confirmed as those they were possessed of before the war; and the grant which we afterwards obtained is now before your Honorable House.

The lands thus granted, although from the quantity and situation by no means an equivalent for our losses, we cheerfully accepted, in full confidence that they should be our own property, at least as much so as those we had sacrificed by joining the British Standard at the commencement of the war.

After thus obtaining these lands, which are delineated on the map, which is also before Your Honorable House, we, with the approbation of General Haldimand, settled some white families on the tract (many of whom had served with us) for the purpose of making roads and teaching our people the benefit of agriculture, etc. I am sorry to say that our grievances commenced upon the establishment of the present Government of Upper Canada, by whom it was contemplated to curtail us of a great part of this tract.

Considering ourselves under the protection of His Majesty, it becomes a duty we owe to ourselves and our posterity candidly to state the difficulties we labour under. Divisions have been fomented amongst the Indians by Mr. Claus, the Deputy Superintendent, which may lead to serious consequences. He has taken the most unjustifiable means to destroy our former transactions, for which purpose he brought a party of Senecas from Buffalo Creek, to whom he dictated a paper purporting to make void all we had done respecting the lands in question; although he must have known that these Indians who live within the limits of the United States have, in their present situation, no right to interfere in the disposal of our lands. This will appear by referring to General Haldimand's grant.

We cannot see what interest it can be to the Government to tie our hands in regard to the disposal of our own property, or that Mr. Claus, through the means he has in his power, should disunite us.

That a small spot of ground of so little consequence to the British Nation should become a matter of contention we cannot suppose to be their intention, but if, unfortunately for us, this should be the case, and if ever this small tract is considered as too large for the former services and losses of the Indians, in God's name let them confirm the one half.

We are aware that all representations of this nature should come through the Indian Department, but as they have long since ceased from paying attention to our complaints, we are under the necessity of appealing to your Honorable House in hopes of obtaining relief through such means as you in your wisdom shall see fit.

In behalf of the Indians,

(Signed) JOSEPH BRANT,

York, 14th February, 1806.

Agent.

Read for the third time as engrossed, the Bill to make provision for several Sheriffs in this Province, which passed, and was signed by the Speaker.

Mr. Washburn moved, seconded by Mr. Nellis, that Mr. Sherwood and Mr. Crysler do carry up to the Legislative Council the Bill, and request their concurrence thereto. Ordered accordingly.

Mr. Mallory gave notice that he will on Wednesday next move that this House resolve itself into a Committee to take into consideration the prayer of Captain Brant's petition.

Mr. Sherwood, seconded by Mr. Clench, moved that the Speaker be authorized to issue summons to require the attendance of witnesses either for the sitting member, Mr. Mallory, or the Petitioner, Mr. Ryerse.

The House accordingly resolved the same.

On motion of Captain Elliott, seconded by Mr. Nellis, the House adjourned until Monday next at twelve o'clock at noon.

*Monday, 24th February, 1806.*

Prayers were read.

Agreeable to the Order of the Day, the House resolved itself into Committee to go into the consideration of the Bill for regulating the practice of Physic and Surgery.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The Report was then received and accepted.

Mr. Washburn then moved, seconded by Mr. Clench, that the Bill to regulate the practice of Physic and Surgery be engrossed and read a third time to-morrow.

Ordered accordingly.

A message from the Honorable Legislative Council by Mr. Baldwin, Master-in-Chancery.

Mr. Speaker,—

The Honorable the Legislative Council have concurred in passing the Bill entitled "An Act to amend the Law," sent up from this House, to which they

have made some amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

Mr. Weekes then moved, seconded by Mr. Rogers, that this House do resolve itself into a Committee to take into consideration the necessity of addressing Our Most Gracious Sovereign on the subject of two addresses from this House presented on the 13th instant to His Honor the President.

A division thereupon took place; the names being called for they were taken down, and are as follows, viz.:

Yeas.  
MESSRS. MALLORY.  
WEEKES.  
ROGERS.  
CLENCH.

Nays.  
MESSRS. SHERWOOD.  
NELLIS.  
ELLIOTT.  
COWAN.  
DORLAND.  
SOLICITOR-GENERAL.  
WASHBURN.  
HILL.  
CRYSLER.  
McLEAN.

Carried in the negative by a majority of six.

Read, the amendments made by the Honorable Legislative Council to an Act entitled "An Act to amend the Law."

On motion of Mr. Sherwood, seconded by Capt. Cowan, the House resolved itself into Committee to go into the consideration of the said amendments.

Mr. Speaker left the Chair.

Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had gone through the amendments made by the Legislative Council to the said Bill without any amendments, which he was directed to report whenever the House should be pleased to receive the same.

The said Report was then received and accepted.

On motion of Mr. Sherwood, seconded by Mr. Nellis,

Ordered, that the Bill as amended be engrossed.

Capt. Cowan, seconded by Mr. Nellis, moved, that Mr. Sherwood and Mr. Solicitor-General do inform the Legislative Council that this House have agreed to the amendments made by them to the Act to amend the Law.

Ordered accordingly.

Mr. Mallory moved, seconded by Capt. Elliott, that the Road Bill be read a second time this day.

The said Bill was accordingly read for the second time.

Mr. Nellis then moved, seconded by Capt. Cowan, that this House do resolve itself into Committee on to-morrow to take the Road Bill into consideration.

Ordered accordingly.

The Solicitor General moved, seconded by Mr. Sherwood, that the House do resolve itself in a committee this day on the Duty Bill.

The House accordingly resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

The said Report was then received and accepted.

The Solicitor General moved, seconded by Capt. Elliott, that the said Bill be engrossed and read a third time to-morrow. Ordered accordingly.

Mr. Clench then moved, seconded by Mr. McLean, that there be a call of the House on Wednesday next. Ordered accordingly.

Mr. Rogers moved, seconded by Mr. Nellis, that the Order of the House which gives Mr. Weekes leave to bring in a Bill on to-morrow to provide for Schools in this Province be discharged, and that leave be given to him to bring in the said Bill this day. Ordered accordingly.

And the said Bill was read by the Clerk at the Table for the first time.

Mr. Rogers then moved, seconded by Mr. Nellis, that the Bill to provide for Schools in this Province be read a second time to-morrow.

It was ordered accordingly.

On motion of Mr. Nellis, seconded by Mr. Crysler, the House adjourned until twelve o'clock to-morrow at noon.

*Tuesday, 25th February, 1806.*

Prayers were read.

Agreeable to the Order of the Day the House resolved itself into Committee on the Road Bill.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported progress, and asked for leave to sit again to-morrow.

Leave was granted accordingly.

Read a third time, the engrossed Bill for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain Duties therein mentioned.

Mr. Solicitor General moved, seconded by Mr. Rogers, that the Bill do pass, and that the title be "An Act to continue an Act passed in the forty-third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain Duties therein mentioned.

The Bill then passed, and was signed by the Speaker.

On motion of Mr. Sherwood, seconded by Mr. McLean,

Ordered, That the Solicitor General and Mr. Nellis do carry up the said Bill to the Legislative Council, and request their concurrence therein.

Read for the third time as engrossed, The Bill to regulate the practice of Physic and Surgery.

Mr. Solicitor General, one of the Messengers named to carry up to the Legislative Council the Bill for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain Duties therein mentioned, reported that they had carried up the said Bill and did request their concurrence thereto.

Mr. Washburn moved, seconded by Mr. Rogers, that the title of the Bill be "An Act to amend certain parts of an Act passed in the thirty-fifth year of His Majesty's Reign, entitled 'An Act to regulate the Practice of Physic and Surgery.'" "

Ordered accordingly.

The Bill then passed, and was signed by Mr. Speaker.

Mr. Rogers moved, seconded by Mr. Weekes, that Mr. Washburn and Mr. Hill do carry up to the Honorable Legislative Council the Bill to provide for the licensing of Physicians and Surgeons, and to request their concurrence in passing the same. Ordered accordingly.

Read for the second time, the Bill for erecting Public Schools in the different Districts in this Province.

On motion of Mr. Weekes, seconded by Mr. Sherwood, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported that the Committee had made a progress, and that he was directed to ask leave to sit again to-morrow.

Leave was accordingly granted.

Mr. Weekes, from the Select Committee to whom was referred the Provincial Public Accounts, reported the proceedings of the Committee therein and he read the Report in his place, and afterwards delivered the same in at the Table, where it was read by the Clerk, and is as follows, viz.:

The Committee appointed to examine the Public Accounts and to report thereon, having examined the same, and agreed upon the following Report, viz.:

Your Committee have in the first place examined the amount of Duties on Stills, and also on Shop and Tavern Licenses contained in the Supplementary Accounts for the year 1805, and not accredited in the Public Accounts of that year, as marked Nos. 1 and 2, and find on comparing the same with the document marked 8, which has a reference thereto, that a sum of £7. 4s. 1½d. is short credited in the Public Accounts, the same after deducting ten per cent. for the Inspector, making £78. 5s. 6½d.

Your Committee have examined the Duties on Stills, and also on Shop and Tavern Licenses, and find on a calculation of the duties chargeable on the specific number of gallons set forth in the Account marked No. 9, and also of the number of Shop and Tavern Licenses, that the same far exceeds the amount of the sum credited in the General Account of Receipts and disbursements marked No. 17, the same, after deducting ten per cent. for Inspectors, making £1,092. 5s. 11d.

Your Committee have examined the Account of goods imported under authority of Acts of the Provincial Parliament marked No. 5, and find the duties on the same to amount to the sum of £488. 12s. ½d.

Your Committee have examined the Account marked No. 6, relating to the like Duties, and find the same to make £113. 10s. 7½. Sterling, equal to Provincial Currency £126. 2s. 10¼d.

Your Committee have examined the Account marked No. 13, for Tonnage or Light House Duty, and find the same to amount, exclusive of outstanding sums though credited in the General Account but £79. 3s. 1¼d. to £96. 5s. 6¼d.

Your Committee have examined the Account marked No. 14, for Fines and Forfeitures, and find the same to amount to £12. 10s.

Your Committee have examined the Account marked No. 15, and find a sum for Fines and Forfeitures of £29. 17s. 7¼d. sterling £33. 4s.

Your Committee have examined the Account marked No. 17, and find a balance of last year's funds remaining in the Receiver General's hands of £166. 2s. 11½d.

Your Committee have examined the same Account, and find a sum received from Lower Canada under the Provincial Agreement, £1,414. 6s. 8d.

Your Committee find in the same Account a sum received from John Bennett, Printer of £61. 6s. 5½d.

Your Committee find in the same Account a payment received from George Lukes, for Duties and arrears of Duties on Stills, £62. 17s. 9¾d.

Your Committee find the whole amount of the sums received for the year ending the 5th February, 1806, to amount to £3,632. 9s. 9¾d.

Your Committee find the amount of the sums payable out of the said fund under authority of this Parliament, including £400 for Public Buildings to be as follows, viz. £1,789. 0½d.

Donald McLean, Esq. ....	25.	0	0
Hon. Richd. Cartwright .....	100.	0.	0
Hon. Robt. Hamilton .....	100	0.	0
Sam'l. Sherwood, Esq. ....	100	0.	0
James Clarke, Esq. ....	25.	0.	0
George Lawe, Gent. ....	22.	14.	3
James Clarke .....	5.	0.	0
James Clarke .....	3.	16.	10½
Donald McLean .....	16.	5.	0
Donald McLean .....	3.	5.	0
Donald McLean .....	104.	9.	1
Donald McLean .....	30.	0.	0
James Clarke .....	125.	0.	0
George Lawe .....	50.	0.	0
David Burns, Esq .....	50.	0.	0
Rev. Jno. Stewart .....	50.	0.	0
Hugh McLean .....	20.	0.	0
The Speaker of the Commons House of Assembly....	200.	0.	0
Donald McLean .....	125.	0.	0
Thos. Ridout, Esq .....	50.	0.	0
Rev. Robt. Addison .....	50.	0.	0
Thos. Ridout, .....			
Johnson .....	20.	0.	0
John Symington .....	33.	10.	10
For Public Buildings, annually .....	400.	0.	0
For printing the Laws .....	80.	0.	0

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£1,789. 1. ½

Your Committee find that a balance is now remaining in the Receiver General's hands after deducting the aforesaid disbursements of £1,743. 9s. 9¼d.

Your Committee find that the following sums remain in the Receiver General's hands of moneys appropriated by Act of Parliament, as hereafter set forth,

For Roads .....	£725.	0.	0
For the Purchase of Hemp .....	900.	0.	0
For the Purchase of Hemp Seed .....	423.	11.	0
A sum voted to support the War .....	500.	0.	0
For the purchase of Hemp in Wm. Allan's hands ....	100.	0.	0
For the purchase of the Statute Laws of England, in the hands of Henry Alcott, Esq .....	175.	0.	0
	£2,823.	11.	0

Your Committee find that several items are introduced in the General Account of disbursements, not authorized by the Provincial Parliament making in manner following £617. 13s. 7d.

Your Committee find that out of the sum of £1,000 appropriated by Act of Parliament for Roads, an advance of £250 of the same has been made to Thos. Talbot, Esq, which Your Committee understand has not been laid out according to the provisions of the Act.

Your Committee find that several sums have been annually returned as outstanding which are not brought into the General Account of the receipts and expenditures of the Province.

Your Committee find that the balance stated to be in the Receiver General's hands by the General Account of Receipts and Expenditures laid before the House is only £933. 9s. 10½d.

All which is humbly submitted.

(Signed) W. Weekes,  
Chairman of Committee.

Commons House of Assembly,  
25th February, 1806.

Mr. Washburn, one of the Messengers named to carry up to the Honorable Legislative Council the Bill to regulate the practice of Physic and Surgery, reported that they had carried up the same, and requested their concurrence thereto.

Mr. Weekes moved, seconded by Mr. Rogers, that the House do now resolve itself into Committee to take into consideration the Report of the Select Committee on the Provincial Public Accounts.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported a progress, and asked for leave to sit again.

Leave was granted accordingly.

Mr. Sherwood gave notice that he shall move to-morrow that the accounts of the Contingent Expenses of the two Houses of Parliament for the present Session be laid before this House.

Mr. Weekes gave notice that he will to-morrow move the House to address His Honor the President praying that the Officers of this House be paid their salaries in future half yearly.

Read, the Petition of Duncan Cameron Esquire, which is as follows, viz: To the Honorable the Commons of Upper Canada, in Parliament assembled.

The humble Petition of Duncan Cameron, Administrator of the Goods and Chattels of the late Hon. Mr. Justice Cochrane,

Humbly Sheweth,

That Your Petitioner in submitting to Your Honorable House his demand for 62 volumes of Debrett's Parliamentary Register, which Your Honorable House purchased of Your Petitioner as part of the effects of the said Mr. Justice Cochrane, was then ignorant of the price paid for said Books in England, and only charged the average price of ten shillings per volume.

That Your Petitioner has since found amongst Mr. Cochrane's papers the charge made by the Bookseller for six of the volumes, which average fourteen shillings and nine pence sterling per volume.

Your Petitioner therefore prays that you will take the same into consideration, and make such order thereon as to you shall seem meet.

And Your Petitioner will ever pray.

(Signed) D. Cameron.

On motion of Capt. Elliott, seconded by Capt. Mallory, the House adjourned until to-morrow at twelve o'clock at noon.

*Wednesday, 26th February, 1806.*

Prayers were read.

The Order of the Day for the call of the House being read,

Ordered, That the House be now called over.

The House was accordingly called over, and several of the Members appeared, and the names of such Members as made default to appear were taken down, and are as follows, viz:

Wm. B. Wilkinson.

Peter Howard.

Allan McLean.

Isaac Swayzey (sick, excused.)

Benajah Mallory.

John McGregor.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of the Bill for amending and laying out Public Roads throughout the Province.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had made a progress, which he was directed to report, and to ask leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council by Mr. Baldwin, Master in Chancery.

8 A.



Mr. Speaker:—

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill to alter and amend an Act, passed in the thirty-third year of His present Majesty's Reign, entitled "An Act to provide for the nomination and appointment of Parish and Town Officers," to which they have made some amendments, to which amendments they request the concurrence of this House. And then he withdrew.

Agreeable to leave given, the House again resolved itself into Committee to go into the further consideration of the Bill for amending the Roads through this Province.

Mr. Speaker left the Chair.

Mr. Rogers again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had made a progress, and that he was directed to ask for leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker:—

The Legislative Council have passed the Bill entitled "An Act to make provision for several Sheriffs in this Province," to which they have made several amendments, to which amendments they desire the concurrence of the House of Assembly.

And also the Legislative Council have passed the Bill entitled "An Act to continue an Act passed in the forty-third year of His Majesty's Reign, entitled 'An Act for the better securing to his Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned.'"

And also the Legislative Council have passed the Bill entitled "An Act to purchase certain apparatus for promoting science," with amendments, to which amendments they desire the concurrence of the House of Assembly.

And then he withdrew.

Agreeable to leave given the House again resolved itself into Committee to go into the further consideration of the Road Bill.

Mr. Speaker left the Chair.

Mr. Rogers again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported progress, and asked for leave to sit again to-morrow.

Leave was accordingly given.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of the Bill for establishing schools in the different Districts in this Province.

Mr. Speaker left the Chair.

Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McLean reported that the Committee had made a progress, and directed him to ask for leave to sit again to-morrow.

Leave was accordingly granted.

Mr. Mallory moved, seconded by Mr. Nellis, that this House do now resolve itself into a Committee to take into its consideration the Petition of Capt. Brant.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Weekes was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Weekes reported that the Committee had made a progress, and that he was directed to ask for leave to sit again to-morrow. Leave was accordingly granted.

Mr. Sherwood moved, seconded by Capt. Cowan, that the House do now resolve itself into a Committee to take into consideration the amendments made by the Legislative Council to the Bill for procuring apparatus for promoting science.

Which passed in the negative.

On motion of Mr. Howard, seconded by Mr. Rogers, the House adjourned.

*Thursday, 27th February, 1806.*

Prayers were read.

Agreeable to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for laying out Public Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported a progress and asked for leave to sit again.

Leave was accordingly granted.

Agreeable to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill for establishing Public Schools in the different Districts in this Province.

Mr. Speaker left the Chair.

Mr. McLean was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A Message by Mr. Baldwin, Master-in-Chancery.

Mr. Speaker,—

I am commanded by the Honorable Legislative Council to inform this House that they have passed a Bill entitled "An Act to amend certain parts of an Act passed in the thirty-fifth year of His Majesty's reign, entitled 'An Act to regulate the practice of Physic and Surgery,'" to which they have made some amendments, to which they request the concurrence of the House of Assembly.

And then he withdrew.

The House again resolved itself into a Committee to go into the further consideration of the Bill for establishing Public Schools in the different Districts in this Province.

Mr. Speaker left the Chair.

Mr. McLean again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same.

Mr. Clench then moved, seconded by Captain Elliott, that the Report be not received.

A division thereupon took place, the names being called for, they were taken down, and are as follows, viz.:

Yeas.  
MESSRS. CLENCH.  
ELLIOTT.

Nays.  
MESSRS. NELLIS.  
COWAN.  
SHERWOOD.  
SOL'R GENERAL.  
MALLORY.  
WEEKES.  
ROGERS.  
DORLAND.  
WASHBURN.  
HILL.  
HOWARD.  
McLEAN.

The same was carried in the negative by a majority of ten.

The Report was then received and accepted.

Mr. Weekes then moved, seconded by Mr. Howard, that the said Bill be engrossed and read a third time to-morrow. Which was ordered accordingly.

Mr. Sherwood moved, seconded by Mr. McLean, that the House do now resolve itself into a Committee to go into the further consideration of the Road Bill.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had gone through the Bill with some amendments, which he was directed to report whenever the House should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

Mr. Rogers then moved, seconded by Mr. Clench, that the Bill to provide for the opening and amending of the Public Highways throughout this Province be engrossed and read a third time to-morrow. Ordered accordingly.

Agreeable to the Order of the Day, the House resolved itself into a Committee to go into the consideration of Captain Joseph Brant's Petition.

Mr. Speaker left the Chair.

Mr. Weekes was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weekes reported that the Committee was of opinion that the prayer of the said Petition was entitled to a further consideration, and that it be recommended to the House to take it into consideration early in the next Session of Parliament.

The House accordingly Resolved: That the prayer of the said Petition be taken into consideration early in the next ensuing Session of the Provincial Parliament.

Mr. Sherwood then moved, seconded by Captain Elliott, for leave to bring in a Bill to make provision for several Sheriffs in this Province.

Leave was then granted.

He then read the said Bill in his place, and delivered the same in at the Table, where it was again read throughout by the Clerk for the first time.

Mr. Weekes then moved that the said Bill be now read for the second time.

The said Bill was accordingly read for the second time.

On motion of Mr. Sherwood, seconded by Mr. Rogers, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Nellis was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nellis reported that the Committee had gone through the said Bill without any amendment.

On motion of Mr. Sherwood, seconded by Captain Cowan, the said Bill was ordered to be engrossed and read a third time this day.

Then was read as engrossed for the third time the Bill for allowing Salaries to certain Sheriffs in this Province.

Mr. Sherwood then moved that the Bill do pass, and that the title be "An Act to make provision for certain Sheriffs in this Province."

The Bill then passed and was signed by the Speaker.

Mr. Sherwood moved, seconded by Mr. Solicitor-General, for leave to bring in a Bill this day to procure certain Apparatus for promoting Science.

Leave was accordingly granted.

The said Bill was then read for the first time.

On motion of Mr. Clench, seconded by Mr. Rogers, the said Bill was read for the second time.

On motion of Mr. Sherwood, seconded by the Solicitor-General, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Mallory was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Mallory reported that the Committee had gone through the consideration of the said Bill without any amendment.

On motion of Mr. Clench, seconded by Captain Cowan, the said Bill was ordered to be engrossed and read a third time this day.

The said Bill as engrossed was read for the third time.

Mr. Sherwood then moved, seconded by the Solicitor-General, that the said Bill do pass, and that the title be "An Act to procure certain Apparatus for the promotion of Science."

The Bill then passed, and was signed by the Speaker.

Mr. Rogers then moved, seconded by Mr. Mallory, that Mr. Sherwood and Captain Cowan do carry up to the Honorable Legislative Council the Bill to provide for several Sheriffs and the Bill for purchasing certain Apparatus for promoting Science, and to request their concurrence in passing the same.

Mr. Solicitor-General then moved, seconded by Captain Cowan, for leave to bring in a Bill for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant-Governor in pursuance of Addresses of this House.

Leave was accordingly granted.

On motion of Mr. Washburn, seconded by Mr. Dorland,

Ordered, That the amendments made by the Legislative Council to the engrossed Bill entitled "An Act to amend certain parts of an Act passed in the thirty-fifth year of His Majesty's reign, entitled 'An Act to regulate the practice of Physic and Surgery,'" be now taken into consideration.

Accordingly the House resolved itself into Committee to take the case into consideration.

Mr. Speaker left the Chair.

Captain Cowan was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Captain Cowan reported that the Committee had gone through the consideration of the said Bill as amended by the Honorable Legislative Council, which he was directed to report whenever the House shall be pleased to receive the same.

The House then received the Report and concurred in the amendments made by the Legislative Council.

Mr. Sherwood moved, seconded by Mr. Clench, that Messrs. Rogers and Hill do inform the Legislative Council that this House has concurred in the amendments made by them to the Bill entitled, "An Act to amend certain parts of an Act passed in the thirty-fifth year of His Majesty's reign, entitled 'An Act to regulate the practice of Physic and Surgery.'" Ordered accordingly.

Mr. Sherwood, one of the Messengers named to carry up to the Legislative Council the Act to procure certain Apparatus for the promotion of Science, and also the Act to make provision for Sheriffs in this Province, reported that they had carried up the said Bills, and did request their concurrence thereto.

Mr. Weekes moved, seconded by Mr. Clench, that this House do resolve itself into a Committee to-morrow to take into consideration the Report on the Public Accounts. Ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. Clench, the House resolved itself into a Committee to go into the consideration of the amendments made by the Honorable Legislative Council to the Bill for the nomination of Parish and Town Officers.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported a progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master-in-Chancery.

Mr. Speaker,—

I am commanded by the Legislative Council to inform this House that they have passed the Bill sent up from this House entitled "An Act to make provision for certain Sheriffs in this Province" without any amendment.

And then he withdrew.

The House, agreeable to leave given, resolved itself into Committee to go into the further consideration of the Bill to nominate Parish and Town Officers.

Mr. Speaker left the Chair.

Mr. Clench again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weekes then moved, seconded by Mr. Rogers, that this House do resolve itself into a Committee to consider the propriety of an Address to His Honor, the President, praying that the Officers of the Legislative Council and Assembly may be paid their salaries half-yearly.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported that it is the opinion of the Committee that the Officers of the Legislative Council and House of Assembly suffer much inconvenience from the delay of payment of their salaries until the end of the year, and that the Committee recommend that the House do request a conference with the Legislative Council to prepare a joint Address to His Honor, the President, upon the subject of the same. Which report was received and accepted.

Mr. Rogers then moved, seconded by Mr. Weekes, that Mr. McLean and Mr. Clench be a Committee to request a conference with the Legislative Council on the subject of a joint Address to His Honor, the President, for the payment of the salaries of the Officers of the two Houses of Parliament half-yearly, and that they also be a Committee on the part of this House to manage the said conference, if agreed to by the Legislative Council. Which was ordered accordingly.

*Friday, 28th February, 1806.*

Prayers were read.

Read for the third time as engrossed, the Bill for establishing Schools in the different Districts throughout this Province.

Mr. Washburn then moved, seconded by Mr. Clench, that the said Bill be now recommitted, which passed in the negative.

Mr. Weekes moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act for the more general dissemination of learning throughout the Province."

The Bill then passed, and was signed by the Speaker.

Mr. Sherwood then moved, seconded by Mr. Clench, that this House do request a Conference with the Legislative Council upon the amendments made by them to a Bill relative to Parish and Township Officers. Ordered accordingly.

Mr. Weekes moved, seconded by Mr. Clench, that Mr. Sherwood and Captain Cowan do carry up to the Legislative Council the Bill for the more general dissemination of learning throughout the Province, and to request their concurrence thereto. Which was ordered accordingly.

Mr. Rogers moved, seconded by Mr. Washburn, that Mr. Sherwood and Capt. Cowan do go up and request a Conference with the Honorable Legislative Council in the amendments made by them to the Bill to amend an Act for the nomination and appointment of Parish and Town Officers.

The same was ordered accordingly.

Then was read for the third time as engrossed, the Bill for laying out and repairing Roads throughout this Province.

Mr. Rogers then moved, seconded by Mr. Weekes, that the Bill do pass, and that the title be "An Act to repeal an Act passed in the forty-fourth year of His Majesty's reign, entitled, 'An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province to defray the expenses of amending and repairing the Public Highways and Roads, laying out and building new Roads, and building Bridges in the several Districts thereof, and to make further provision for the opening and amending of the said Roads.'"

The House resolved the same; the Bill passed, and was signed by the Speaker.

Mr. Rogers moved, seconded by Mr. Weekes, that Mr. Sherwood and Capt. Cowan do carry up to the Honorable Legislative Council the said Bill, and do request their concurrence in passing the same. Ordered accordingly.

Read for the first time, an Act for applying a certain sum of money for the purpose therein mentioned.

The Solicitor-General moved, seconded by Mr. McLean, that the Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through His late Lieutenant-Governor in pursuance of the several Addresses of this House be now read a second time.

The said Bill was accordingly read for the second time.

Mr. Solicitor-General then moved, seconded by Mr. McLean, that the House do now resolve itself into Committee to go into the consideration of the said Bill.

The House accordingly resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received.

The said Report was then received and accepted.

On motion of the Solicitor-General, seconded by Mr. McLean, the said Bill was ordered to be engrossed and read a third time to-morrow.

A Message from the Legislative Council by Mr. Baldwin, Master-in-Chancery.

Mr. Speaker:—

The Honorable the Legislative Council have passed the Bill entitled "An Act to procure certain apparatus for the promotion of science, sent up from the Honorable House, without any amendments.

And then he withdrew.

In obedience to the order of the House Mr. Clench and Mr. McLean reported that they had brought up to the Honorable Legislative Council the Message of this House, and is as follows, viz:

Mr. Speaker:—

The Commons do request a Conference with the Honorable Legislative Council on the subject of a joint Address to His Honor the President for the payment of the salaries of the Officers of the two Houses half yearly.

Commons House of Assembly,  
28th February, 1806.

(Signed) A. McDonell,  
Speaker.

Messrs. Sherwood and Capt. Cowan, in obedience to the order of this House, did carry up to the Honorable Legislative Council the following Message, viz:  
Mr. Speaker:—

The Commons request a Conference with the Honorable Legislative Council upon the amendments made by them to the Bill entitled "An Act to alter and amend an Act, passed in the thirty-third year of His present Majesty's Reign, entitled 'An Act to provide for the nomination of Parish and Town Officers.

Commons House of Assembly,  
28th February, 1806.

(Signed) Alex'r McDonell,  
Speaker.

Mr. McLean, one of the Messengers named to carry up a Message to the Honorable Legislative Council, reported that they had carried up the said Message.

Then Mr. Sherwood, one of the Messengers named to carry up to the Honorable Legislative Council the Bill entitled "An Act for the more general dissemination of learning throughout the Province," reported that they had carried up the said Bill and did request their concurrence thereto.

Mr. Sherwood, one of the Messengers named to request a Conference with the Honorable Legislative Council, further reported that they had carried up the said message.

Agreeable to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported a progress, and asked for leave to sit again.

Leave was accordingly granted.

A written Message from the Honorable Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker:—

A Committee of the Legislative Council are now ready to meet a Committee of the House of Assembly in the Legislative Council Chamber, as well on the subject of a joint Address to His Honor the President for the payment of the salaries of the two Houses of Parliament half yearly, as on the subject of amendments made by them to the Bill entitled "An Act to authorize and amend an Act passed in the thirty-third year of His present Majesty's Reign, entitled 'An Act to provide for the nomination of Parish and Town Officers.

Legislative Council Chamber,  
28th February, 1806.

(Signed) Rich'd Cartwright,  
Speaker Leg. Co.

And then he withdrew.

The House again resolved itself into a Committee to go into the further consideration of the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Dorland again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported that the Committee had gone through the consideration of the Provincial Public Accounts, and had come to several resolutions, which he was directed to submit to the House, and he read the Report in his place; and afterwards delivered the same in at the Table, where it was again read by the Clerk. And the said Resolutions are as follows:

Resolved, That it is the opinion of the Committee that several sums of money have been paid out of the Provincial Treasury without the authority of Parliament or a vote of this House, amounting to £617. 13s. 7d.

Resolved, That it is the opinion of the Committee that the rights and privileges of the Commons House of Assembly in this Province have been violated by the application of several sums of the moneys in the Provincial Treasury to various purposes without the assent of Parliament or a vote of the Commons House of Assembly, and this Committee do therefore recommend to the Commons House of Assembly to address His Honor the President, praying that no moneys be issued



in future without the assent of Parliament, or a vote of the House of Assembly, and that the sum of £617. 13s. 7d. be replaced in the Provincial Treasury, to be at the disposal of Parliament.

The following is the Schedule of moneys paid out of the Provincial Treasury in the year ending on February, 1806, without the consent of Parliament or a vote of the Commons House of Assembly.

Mr. John Bennett, Government Printer, being the amount of his salary as Government Printer, and the rent of an Office from the 1st January, to the 30th June, 1805, inclusive .....	£50.	0.	0
Mr. Hugh McLean, being his half yearly allowance as Usher of the Court of King's Bench, from 1st January to 30th June, 1805, inclusive .....	5	.0.	0
Mr. Isaac Pilkington, being his half yearly allowance as keeper of the Court of King's Bench from 1st January to 30th June, 1805, inclusive .....	5	.0.	0
Mr. John Bennett, Government Printer, being the amount of his account for printing proclamations & laws of the first session of the fourth Provincial Parliament of this Province, and publications in the Gazette &c. between the 1st January and 30th June, 1805, inclusive .....	63.	5.	10
William Jarvis, Esq. Secretary of the Province, being the amount of his Fees on divers Public instruments &c. between the 1st January and 30th June, 1805, inclusive....	38.	4.	0
William Jarvis, Esq. Register of the Province, being the amount of his Fees on divers public instruments &c. between the 1st January, and 30th June, 1805, inclusive ...	4.	15.	9
David Burns, Esq. Clerk of the Crown and Pleas, equal to £8. sterling, being the amount of his Contingent Account between 1st January and 30th June, inclusive .....	8.	17.	9¼
Thomas Scott, Esq. Attorney General, equal to £32. 4s. sterling, being the amount of his Contingent Account between 1st January and 30th June inclusive .....	35.	15.	6½
William Samuel Currey, Esq. Administrator to the Estate of the late Lieutenant Governor, Peter Hunter, Esq. being the amount of his Fees on divers Public instruments due to the said Lieut. Governor Peter Hunter, Esquire, from the 1st January to the 30th of June, 1805, inclusive...	42.	0.	0
Mr. John Bennett, Government Printer, being the amount of his Salary as Government Printer, and the rent on an Office from 1st July to the 31st December, 1805, inclusive .....	50.	0.	0

Mr. Hugh McLean, being his half yearly allowance as Usher of the Court of King's Bench, from the 1st July to the 31st December, 1805, inclusive .....	5.	0.	0
Mr. Isaac Pilkington, being his half yearly allowance as Keeper of the Court of King's Bench from the 1st July to the 31st December, 1805, inclusive .....	5.	0.	0
Mr. John Bennet, Government Printer, being the amount of his account for printing notices, licenses, money warrants, proclamations and bonds between the 1st July and 31st December, 1805, inclusive .....	11.	15.	0
D'Arcy Boulton, Esq. Solicitor General, equal to £30. 18s. sterling, being the amount of his contingent account from the 1st July to the 31st December, 1805, inc...	34.	6.	8
William Jarvis, Esq. Secretary of the Province, being the amount of his fees of divers Public instruments between the 1st July and the 31st December, 1805, inclusive .....	43.	11.	0
William Samuel Currey, Esq. administrator to the estate of the late Lieutenant Governor Peter Hunter, Esq. being the amount of fees on divers Public instruments due to the said late Lieutenant Governor Peter Hunter, Esq. from the 1st July to the 31st August, 1805, inclusive .....	70.	0.	0
William Jarvis, Esq., Register of the Province, being the amount of his fees on divers Public instruments between 1st July to the 31st August, 1805, inclusive .....	7.	4.	3
William Allan, Esq. being the amount of fees on divers public instruments due to Mr. President Grant between the 11th September and the 31st December, 1805, inclusive....	24.	0.	0
Thomas Scott, Esq. Attorney General, equal to £36. 6s. sterling, being the amount of his Contingent account between the 1st July and the 31st December, 1805, inclusive	95.	17.	9¼
Mr. William Smith, being for materials furnished and repairs made to the passage of communication between the two Houses of the Legislature .....	18.	0.	0
	<hr/>		
	£617.	13.	7

Mr. Rogers moved, seconded by Mr. Weekes, that Mr. Sherwood and Captain Cowan be added to the Committee appointed to confer with a Committee of the Legislative Council on the subject of an Address to His Honor the President, requesting him to alter the mode of paying the salaries of the Officers of the two Houses of Parliament. Ordered accordingly.

Mr. Rogers then moved, seconded by Mr. Weeks, that Messrs. Sherwood, McLean, Clench and Cowan be a Committee to confer with a Committee of the Honorable Legislative Council on the amendments made by them to an Act for amending the Act relative to Parish and Town Officers.

The same was ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Nellis, the House adjourned for half an hour.

The House being met,

Mr. Sherwood, one of the Messengers named to confer with a Committee of the Honorable Legislative Council on the subject matter of amendments made by them to a Bill sent up from this House, entitled "An Act for the nomination of Parish and Town Officers throughout this Province," reported that they had met a Committee of the Honorable Legislative Council and that they had mutually agreed to the several amendments made to the said Bill, except that made to the ninth clause, prep. eighth line, third after the word "meeting" the rest of the clause be withdrawn.

Mr. Sherwood also reported that the Honorable Legislative Council had concurred in jointly addressing His Honor the President that the salaries of the Officers of both Houses of Parliament should be paid half yearly as the same becomes due.

Mr. Sherwood then moved, seconded by Capt. Elliott, that the amendments made to the Parish and Town Officers Bill as agreed upon by the Committee of Conference be adopted by this House, and that a Committee be appointed to inform the Legislative Council of the same. Ordered accordingly.

On motion of Mr. Sherwood, seconded by Capt. Elliott,

Ordered, that Messrs. Rogers and Nellis do carry the following message up to the Legislative Council.

Mr. Speaker:—

The House of Assembly have agreed to the Report of their Committee of Conference on the Bill entitled "An Act to alter and amend an Act passed in the thirty-third year of His present Majesty's Reign entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers, and also to repeal certain parts of an Act passed in the thirty-third year of His Majesty's Reign, entitled, 'An Act to authorize and direct the laying and collecting of assessments and rates in every district in this Province, and to provide for the payment of the wages of the Members of the House of Assembly,'" and have adopted all the amendments made by this Honorable House except the one agreed to be withdrawn by the Committee of both Houses.

(Signed) Alex'r McDonell,

Commons House of Assembly,  
28th February, 1806.

Speaker.

Mr. Washburn moved, seconded by the Solicitor General, that the House do now resolve itself into a Committee to go into the consideration of John Bennett's Petition. The same passed in the negative.

Mr. Weekes moved, seconded by Mr. Rogers, that an Address be presented to His Honor, the President, praying that he may be pleased to order that the salaries of the Officers of both Houses of Parliament be paid half yearly.

Mr. Clench then moved, seconded by Captain Cowan, that Messrs. Rogers

and Weekes be a Committee to draft an Address to His Honor, the President, praying that he may be pleased to order the salaries to be paid to the respective Officers of both Houses of Parliament half yearly, as the same becomes due.

Which was ordered accordingly.

Mr. Rogers, one of the Committee appointed to draft an Address to His Honor, the President, praying that the salaries of the Officers of both Houses should be paid half yearly as the same becomes due, reported that they had drafted an Address to His Honor, the President, which they were ready to submit to the House whenever it should be pleased to receive the same.

It was then resolved that the said Address be now received.

He then read the Address in his place, and afterwards delivered the same in at the Table, where it was again read by the Clerk, and is as follows, viz.:

To His Honor Alexander Grant, Esquire, President administering the Government of the Province of Upper Canada, etc., etc., etc.

May it please Your Honor.

We, His Majesty's dutiful and loyal subjects, the Legislative Council and Commons of Upper Canada assembled, beg leave to state to Your Honor that the Officers and others attending the Legislative Council and House of Assembly suffer much inconvenience from the delay of payment of their respective salaries until the end of the year in which the same become payable.

We therefore entreat Your Honor to direct that they may be paid half yearly as the other officers of the Civil Government are paid.

The said Address was then ordered to be engrossed.

The said Address as engrossed was then read, passed, and signed by the Speaker.

Mr. McLean moved, seconded by Mr. Sherwood, that Messrs. Weekes and Boulton be a Committee to prepare an Address to the President in pursuance of the resolutions of the House upon the report of the Committee on the Provincial Public Accounts. Ordered accordingly.

Read, The Petition of sundry Inhabitants of the Western District, which is as follows, viz.:

To the Honorable the House of Representatives of His Majesty's Province of Upper Canada, in Provincial Parliament assembled.

The Petition of the Magistrates in General Quarter Sessions assembled, and others, Freeholders of the Western District.

Most Humbly Showeth,

That the Act of the forty-third of George the Third for the further altering and amending an Act, passed in the thirty-third year of His present Majesty's Reign, entitled "An Act to encourage the destroying of wolves and bears in different parts of this Province," has fallen with a great weight on this District; that a quarter part of the whole assessments have been consumed in discharging the claims made on the Treasurer under the authority of the same.

Your Petitioners further represent that the District, from causes which have already been laid before this Honorable House, is greatly in debt, and which they can see no prospect of paying off while the assessments are appropriated in the manner directed by the said Act.

They therefore humbly pray a repeal of the same so far as it relates to this District.

And your petitioners as in duty bound will ever pray.

(Signed) William Smith,  
Hector S. McKay,  
John Sparlman,

Sandwich, the 26th day of January, 1806.

and about 32 others.

Mr. Rogers then moved, seconded by Mr. Weekes, that Captains Cowan and Elliott do wait upon His Honor, the president, to know when he will be pleased to receive the Address of the two Houses of Parliament, praying him to order that the salaries of their Officers may be paid half yearly; and that those gentlemen be a joint Committee with a Committee of the Honorable Legislative Council, to present the said Address at what time His Honor will be pleased to appoint to receive the same. The same was ordered accordingly.

Mr. Rogers reported that the Messengers had carried up the Message of this House concurring in the conference held by a Committee of both Houses this day on the subject matter of amendments made in and to an Act for the nomination of Parish and Town officers.

On motion of Captain Cowan, seconded by the Solicitor General, the House adjourned until to-morrow at twelve o'clock at noon.

*Saturday, First March, 1806.*

Prayers were read.

Captain Cowan, one of the Messengers named to wait upon His Honor, the President, to know at what time he would be pleased to receive the Joint Address of the Legislative Council and this House, reported that His Honor was pleased to say that he would receive it this day at twelve o'clock.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,—

I am commanded by the Honorable Legislative Council to inform this House that they have concurred and passed the Bill entitled "An Act to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act for the granting to His Majesty a certain sum of money out of the funds applicable to the uses of this province to defray the expense of amending and repairing the Public Highways and Roads, laying out and opening new Roads and building Bridges in the several Districts thereof; and to make further provision for the opening and amending the said Roads,'" without any amendment.

And then he withdrew.

Captain Cowan, one of the Messengers named to carry up to His Honor, the President, the Joint Address of the two Houses of Legislature, reported that they had carried up the same; to which His Honor was pleased to return the following answer:

Gentlemen of the Commons House of Assembly,

In reply to your Address requesting that the salaries of the officers and others attending Your House may be paid half yearly as the other Civil Officers of Government are paid, I shall readily meet your wishes and give the necessary directions for that purpose.

Read for the third time as engrossed, the Bill for applying a certain sum of money therein mentioned to make good moneys advanced by His Majesty through the Lieutenant Governor.

Mr. Solicitor General then moved, seconded by Mr. McLean, that the Bill do pass, and that the title be "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the late Lieutenant Governor, in pursuance of several Addresses."

The Bill then passed, and was signed by the Speaker.

Mr. McLean then moved, seconded by Mr. Dorland, that Mr. Boulton and Captain Cowan do carry up to the Legislative Council the said Bill.

Ordered accordingly.

Mr. Solicitor General, one of the Messengers named to carry up to the Honorable Legislative Council the Bill to make good several sums of money issued by His Majesty through the late Lieutenant Governor in pursuance of several Addresses, reported that they had carried up the said Bill and did request their concurrence thereto.

Mr. Weekes, one of the Committee appointed to draft an Address to His Honor, the President, reported that they had drafted an Address, which they were ready to submit to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received.

He then read the draft of the Address in his place, and then gave it in at the Table, where it was once more read by the Clerk, and is as follows, viz.

To His Honor, Alexander Grant, Esquire, President administering the Government of the province of Upper Canada, etc., etc., etc.

May it please Your Honor,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament Assembled, have, conformably to an early assurance to Your Honor, taken into consideration the Public Accounts of the Province, and have, on a due investigation of the same, to report to you that the first and most constitutional privilege of the Commons has been violated in the application of moneys out of the Provincial Treasury to various purposes without the assent of Parliament or a vote of the Commons House of Assembly.

The comment on this departure from constituted authority and fiscal establishment must be more than painful to all who appreciate the advantages of our happy Constitution, and who wish their continuance to the latest posterity; but however studious we may be to abstain from stricture we cannot suppress the mixed emotions of relative condition, we feel it as the representatives of a free people, we lament it as the subjects of a beneficent Sovereign, and we hope that you, in your relation to both, will more than sympathize in so extraordinary an occurrence.

We beg leave to annex hereto a schedule of the moneys so misapplied, amounting to Six Hundred and Thirteen Pounds, Thirteen Shillings, and Sevenpence, and trust that you will not only order that sum to be replaced in the Provincial Treasury, but will also direct that no moneys be issued thereout in future without the assent of Parliament or a vote of the Commons House of Assembly.

Commons House of Assembly,  
1st March, 1806.

(Signed) Alexander McDonell,  
Speaker.

Then, on motion of Mr. Dorland, seconded by Mr. Nellis,  
Ordered, That the said Address be engrossed.

Accordingly the said Address was engrossed, was read, passed, and signed by the Speaker.

The Solicitor General then moved, seconded by Mr. McLean, that Mr. Rogers and Mr. Dorland do wait upon His Honor the President to know when he will be pleased to receive the House with its Address. Ordered accordingly.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker:—

The Honorable Legislative Council have passed the Bill sent up from this Honorable House, entitled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor in pursuance of several Addresses" without any amendment.

And then he withdrew.

On motion of Mr. Nellis, seconded by Mr. Dorland, the House adjourned for one quarter of an hour.

The House being met,

Mr. Rogers, one of the Messengers named to wait upon His Honor the President, reported that in obedience to the Orders of the House the Messengers had waited upon His Honor the President to know his pleasure when he would receive this House with its Address and that His Honor was pleased to appoint Monday the third instant at ten o'clock in the forenoon to receive this House with its Address.

On motion of Mr. Nellis, seconded by Mr. Hill,

The House resolved itself into Committee on the Contingent Accounts of both Houses of Parliament for the present Session.

Mr. Speaker left the Chair.

Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had gone through the consideration of the Contingent Accounts of the Legislative Council and this House, and that they had come to several Resolutions thereon, which he was directed to submit to the House; and he read the Report in his place, and afterwards delivered the same, in at the Table, where it was again read by the Clerk.

And the said Resolutions are as follows:

Resolved, that it is the opinion of the Committee that there is due to sundry persons, agreeable to the annexed account sent down from the Legislative Council, and signed by their Speaker, for services performed during the present Session £33 13s. 7d.

Resolved, that it is the opinion of this Committee that there is due to the sundry persons, agreeable to the annexed account for articles furnished for the use of this House, and for services performed during the present Session, £39 8s. 11½d.

Resolved, that it is the opinion of this Committee that the sum of £15 be allowed to the Clerk to enable him to complete the business of the present Session.

Resolved, that it is the opinion of the Committee that it is expedient to advance the sum of £30 to the Clerk of the House of Assembly to enable him to purchase a supply of stationery for the use of the next Session of Parliament.

Resolved, that it is the opinion of the Committee that Hugh Carfrae be

allowed annually for his attendance on this House as Messenger and Firelighter the sum of £15.

Resolved, that there is due to Duncan Cameron, Esq., Administrator of the estate of the late Mr. Justice Cochrane, the sum of £18 for books purchased for the use of the House of Assembly the last and present Session, as per account.

On motion of Mr. Rogers, seconded by Mr. Washburn,

Resolved, that this House doth concur in the foregoing Resolutions reported from the Committee.

The Honorable Legislative Council  
to George Lawe Dr.

To W. Allan's Acct. for sundries furnished for the Legislative Council .....	£5	1	5
To John Bassett's Account for his attendance on the Legislative Council .....	12	16	3
To William Smith's Account for sundry repairs to the Legislative Council Chamber and Office .....	1	10	0
For Sarah Hay's Account for scouring the Office and Chamber of the Legislative Council .....	2	6	9
For Philip Clinger's Acct. for cleaning the stoves and making two holdfasts to secure the pipes of the stoves of the Legislative Council Chamber and Office .....	1	10	0
For Elinor Bassett's Acct. for hemming and washing the towels of the Legislative Council Chamber and Office .....		9	2
For making a Press for the security of the Records, etc., of the Legislative Council, and furnishing all materials for the same .....	5	0	0
For extra Copying Clerks .....	5	0	0
Prov. Curr'y .....	£33	13	7

York, 1st March, 1806.

Approved. (Signed) Richd. Cartwright,  
Speaker.

York, Upper Canada, Mar. 1, 1806.

The Contingent Account of the Commons House of Assembly, for the Second Session of the Fourth Provincial Parliament.

Due to John McBeath .....	£8	10	6
" Philip Clinger .....	1	5	0
" William Allan .....	6	10	$\frac{1}{2}$
" Duncan Cameron .....	1	10	$\frac{7}{2}$
" Alex'r. Wood .....	1	17	6
" Thomas Ridout Johnson .....	8	0	$\frac{9}{2}$
" The Postmaster at York .....	2	8	
" Allowance made to complete the business of the present Session, and for other contingencies during the recess of Parliament .....	15	0	0
" Cash voted to procure stationery for the use of the ensuing Session of the Provincial Parliament .....	30	0	0
" Charles Willcocks for extra copying .....	6	0	0



" Samuel B. Cozens Do. ....	6 5 0
" John Cameron and others for Do. ....	5 10 0
" Allowance to Hugh Carfrae, Messenger and Firelighter to House of Assembly for services during this Session....	15 0 0

Passed the Commons House of Assembly,  
1st March, 1806. £99 8 11½

The House of Assembly in Account Current with Donald McLean, Clerk of the Assembly, for Stationery furnished for the use of the Second Session of the Fourth Provincial Parliament.

Dr.  
1805.

To Cash paid John Nelson for stationery bought for the use of the Second Session of the Fourth Parliament, as per receipt	£27 5 5
To freight of two barrels bulk from Montreal, supposed 18s. 6d. per bar., to Kingston .....	1 17 0
To freight from Kingston to York, at 5s. ....	10 0
To balance due by Donald McLean, the Clerk .....	7 7
	<u>£30 0 0</u>

The House of Assembly in Account Current with Donald McLean, Clerk of the Assembly, for stationery furnished for the use of the Second Session of the Fourth Provincial Parliament.

Cr.

1805.

By Lieut.-Gov. Hunter's Warrant to enable me to provide a supply of stationery for the use of the House of Assembly at the ensuing session, pursuant to an Address from the House of Assembly dated 1st March, 1805 .....	£30 0 0
	<u>£30 0 0</u>

Errors excepted.

York, 26th Feb'y, 1806.

(Signed) Donald McLean.  
Clerk Assembly.

The House of Assembly in Account Current with Donald McLean, Clerk of the Assembly.

Dr.  
1806.

To Cash paid Chas. Willcocks for copying, as per receipt .....	£10 0 0
Do. Saml. D. Cozens for Do., as per receipt .....	11 0 0
Do. John Cameron for Do. as per receipt .....	4 0 0
	<u>£25 0 0</u>
Prov. Cur'y.....	£25 0 0

1806.		Cr.
	By amount of His Honor the President's Warrant in my favor as by law appropriated .....	£25 0 0
	Prov. Cur'y.....	£25 0 0

Errors excepted. (Signed) Donald McLean,  
 York, 26th Feb'y, 1806. Clerk Assembly.

The Honorable House of Assembly			
	to the Estate of the Honorable Mr. Justice Cochrane,		Dr.
	So much short charged on 62 volumes of Debrett's Parliamentary Register, sold and delivered in February, 1805 .....	£16 7 2	
	Two volumes Debrett's Parliamentary Register at 16s. 5d.....	1 12 10	
	Halifax Cur'y.....	£18 0 0	

Mr. Rogers then moved, seconded by Mr. Nellis, that the Solicitor-General and Mr. Washburn be a Committee to draft an Address to His Honor the President requesting him to issue his Warrant for the payment of certain sums of money agreeable to the several Resolutions of the Committee on the Contingent Accounts of this House. Which was ordered accordingly.

Mr. Solicitor-General reported that the Committee appointed to draft an Address to His Honor the President had done so, which they were ready to submit to the House whenever it should be pleased to receive the same.

The House then resolved that the said Address be now received.

The Solicitor-General then read the Address in his place, and delivered it in at the Table, when it was again read by the Clerk, and is as follows, viz.:

To His Honor Alexander Grant, Esquire,  
 President Administering the Government of  
 the Province of Upper Canada, etc., etc.

May it Please Your Honor,—

We, His Majesty's Most dutiful and Loyal Subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that it may please Your Honor to issue your warrant directed to the Receiver-General, requiring him to pay unto Mr. George Lawe, Gentleman Usher of the Black Rod, the sum of Thirty-three Pounds Thirteen Shillings and Sevenpence, in order to enable him to answer and satisfy certain contingent expenses of the Legislative Council during the present Session.

And also that it may please Your Honor to issue Your Warrant directed to the Receiver-General, requiring him to pay unto Donald McLean, Esquire, Clerk of the House of Assembly, the sum of Sixty-nine Pounds, Eight Shillings and Elevenpence Halfpenny to enable him to answer and satisfy certain Contingent Expenses of the House of Assembly during the present Session.

And that Your Honor be further pleased to issue your Warrant, directed to the Receiver-General, requiring him to pay the sum of Thirty Pounds to enable him to purchase a supply of stationery for the use of the ensuing Session of Parliament, which several sums of money the Commons will make good to Your Honor the next Session of Parliament.

Commons House of Assembly, (Signed) Alexander McDonell,  
 1st March, 1806. Speaker.

Then, on motion of Captain Cowan, seconded by Mr. Howard,

Ordered, That the said Address be now engrossed,

The said Address as engrossed was then read, passed, and signed by the Speaker.

On motion of Mr. Rogers, seconded by Mr. Nellis,

Ordered, That Captain Cowan and Captain Elliott do present the said Address to His Honor the President at such time as he may be pleased to appoint to receive the same.

On motion of Mr. Washburn, seconded by Mr. Crysler, the House adjourned till Monday at nine o'clock in the forenoon.

*Monday, 3rd March, 1806.*

Prayers were read.

Captain Cowan reported that the Messengers had waited upon His Honor, the President, with the Address of this House voted on the first instance, to which His Honor was pleased to return the following answer, viz.:

Gentlemen of the Commons House of Assembly,—

Agreeable to your Address of the 1st March, I shall issue Warrants for the purposes therein mentioned.

York, Upper Canada,

3rd March, 1806.

On motion of Mr. Clench, seconded by Mr. Sherwood,

Ordered, That an Address to His Honor, the President, for the payment of Eighteen Pounds to Duncan Cameron, Esquire, as Executor to the Estate of the late Judge Cochrane, being the amount due for certain books purchased of him for the use of the House of Assembly, the last session and the present.

Ordered accordingly.

Captain Cowan moved, seconded by Mr. Crysler, that Messrs. McLean and Rogers be a Committee to draft an Address to His Honor, the President, praying that he may be pleased to issue his Warrant to the Clerk of this House, to enable him to pay Duncan Cameron Esquire, Thirteen Pounds, due to the Estate of the late Judge Cochrane, as per account laid before this House accompanied by a petition.

Mr. McLean and Mr. Rogers informed the House that agreeably to an order of this House they had drafted an Address to His Honor, the President, which they are ready to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Address be now received and read.

The said Address was then delivered in at the Table to the Clerk and by him read, and is as follows:

To His Honor Alexander Grant, Esquire, President administering the Government of the Province of Upper Canada, etc., etc.

May it Please Your Honor,—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most respectfully pray that it may please Your Honour to issue your Warrant to the Clerk of the House of Assembly for the sum of Eighteen Pounds, to enable him to pay Duncan Cameron, Esquire, Ad-

ministrator to the Estate of the late Mr. Justice Cochran, for books purchased for the use of the House of Assembly; which sum of money the Commons will make good in the next session of Parliament.

Commons House of Assembly,  
3rd March, 1806.

On motion of Mr. Dorland, seconded by Mr. Washburn, the said Address was ordered to be engrossed.

The Address as engrossed then passed, and was signed by the Speaker.

On motion of Mr. Weekes, seconded by Mr. Howard,

Ordered, That the said Address be presented to His Honor, the President, by Captains Cowan and Elliott at such time as he may be pleased to receive the same.

Captain Cowan reported that the Messengers had waited upon His Honor, the President, with the Address voted this day, to which he was pleased to return the following answer, viz.:

Gentlemen of the Commons House of Assembly,—

Agreeable to your Address of the third March, I shall issue a Warrant for the purpose therein mentioned.

York, Upper Canada,  
3rd March, 1806.

Mr. Sherwood then moved, seconded by Mr. Clench, that the trial of the election of Benajah Mallory, Esquire, be deferred to the third day of the next Session of Parliament, and that the Speaker have authority during the Recess to issue orders for the attendance of witnesses. Ordered accordingly.

Mr. Sherwood, seconded by Mr. Clench, moved that the Contingent Accounts of this House shall be hereafter signed by the Speaker, and that he shall cause to be sent to the Governor, Lieutenant-Governor, or person administering the Government for the time being, four copies of the same signed by him, immediately after the close of each session, as the only voucher for the expenditure of the Session; and that the heading of the said Contingent Account shall be "The Contingent Account of the Commons House of Assembly for the (as the case may be) Provincial Parliament."

The House accordingly resolved the same.

At the hour appointed Mr. Speaker and the House attended upon His Honor, the President, with the Address of this House, and being returned, Mr. Speaker reported that the House had attended upon His Honor, the President, with the Address, and that His Honor was pleased to make the following answer:  
Gentlemen of the Commons House of Assembly,—

I learn with regret from your Address of the first March that a degree of dissatisfaction prevails in the Commons House of Assembly with respect to the application of a sum of money stated to amount to Six Hundred and Seventeen Pounds Thirteen Shillings and Seven Pence.

At the time of my accession to the administration of the Government I found that various items similar to those in the Schedule accompanying your Address had been charged against the Provincial Government and acquiesced in for two years preceding, and I directed the usual mode to be followed in making up the accounts which I ordered to be laid before you during the present session.

The money in question has been undoubtedly applied to purposes useful and necessary for the general concerns of the Province.

I am, however, desirous to give every reasonable satisfaction to the House of

Assembly; I shall direct the matter to be immediately investigated, and, if there has been error in stating the account, take measures to have it corrected and obviated for the time to come.

York, Upper Canada,  
3rd March, 1806.

(Signed) Alexander Grant,  
President.

Mr. Weekes then moved, seconded by Mr. Rogers, that the House do resolve itself into a Committee to take into consideration the answer of His Honor, the President, to our Address of this day.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had passed a Resolution which he was directed to report whenever the House shall be pleased to receive the same.

On the question being put for the Report being received, the House being divided,

Mr. Speaker then gave his vote for the Report not being received.

A Message from His Honor, the president, by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Honor, the President, to acquaint this Honorable House that it is His Honor's pleasure that the Members thereof do forthwith attend upon His Honor in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Honor, when His Honor was pleased to give in His Majesty's name the Royal assent to the following Public and Private Bills.

An Act to alter and amend an Act passed in the Thirty-third year of His present Majesty's Reign, entitled "An Act to provide for the nomination and appointment of Parish and Town Officers, and also to repeal certain parts of an Act passed in the Thirty-third year of His present Majesty's Reign, entitled 'An Act to authorize and direct the laying and Collection of Assessments and Rates in every District in this province, and to provide for the payment of wages to the Members of the House of Assembly.'"

An Act to repeal an Act passed in the Thirty-fifth year of His Majesty's Reign, entitled "An Act to regulate the practice of Physic and Surgery."

His Honor was pleased to reserve the following Bill for the signification of His Majesty's pleasure thereon.

An Act to authorize the Sheriff to levy all necessary costs incurred in any suit brought in any of His Majesty's Courts of Law in this Province.

Mr. Speaker then said,

May it please Your Honor to approve of the five Bills which the Assembly, with the concurrence of the Legislative Council, have passed for aid to His Majesty.

An Act to make provision for certain Sheriffs in this province.

An Act to procure certain Apparatus for the promotion of Science.

An Act to repeal an Act passed in the Forty-fourth year of His Majesty's Reign, entitled "An Act for granting to His Majesty a certain sum of money out of the fund applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new Roads, and building Bridges in the Several Districts thereof, and to make further provisions for the opening and amending new Roads."

An Act to continue an Act passed in the Forty-third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain Duties therein mentioned."

An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant-Governor in pursuance of several Addresses.

To which His Honor was also pleased to give the Royal assent in His Majesty's name.

His Honor, the president, was then pleased to make the following Speech to both Houses of Parliament.

Honorable Gentlemen of the Legislative Council,  
and

Gentlemen of the House of Assembly.

Having dedicated a considerable portion of your time to the service of the Public, I think it proper to close this session of the Legislature.

The Bills to which I have now given the Royal assent contain, some of them, objects of the highest importance to the public.

By the opening of Roads and construction of Bridges, while the safety and comfort of the individual will be promoted, the commerce and riches of this Province will necessarily be extended and increased.

The encouragement which you have given for the procuring of the means necessary for communicating of useful and ornamental knowledge to the rising generation meets with my approbation, and I have no doubt will produce the most salutary effects.

The other Bills which have now passed will, I trust, effectuate the beneficial purpose for which they were intended.

I dismiss you with the pleasing hope that the Laws enacted for the good of this province will derive additional strength and energy from your exertions, influence and example.

(Signed) Alexander Grant,

York, Upper Canada, 3rd March, 1806.

President.

After which the Honorable Speaker of the Legislative Council said,  
Gentlemen of the Legislative Council,  
and

Gentlemen of the House of Assembly.

It is His Honor, the president's will and pleasure that this provincial Parliament be prorogued until Saturday, the Twelfth day of April next, to be then here held, and this provincial Parliament is accordingly prorogued until Saturday, the Twelfth day of April next.

[I do hereby certify that the above and what is written on the foregoing pages is a true copy of the Journal of the House of Assembly in Upper Canada, being of the Second Session of the Fourth Provincial parliament assembled in the Town of York on the Fourth day of February last agreeably to the Proclamation of His

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Honor, Alexander Grant, Esquire, President administering the Government of Upper Canada, and prorogued by His Honor the Third day of March last.

York, Upper Canada,  
16th April, 1806.]

Donald McLean,  
Clerk Assembly.

[Certified to be true copies from the original records in the Colonial Office.

Colonial Office, Downing Street,  
8th September, 1850.]

Geo. Mayer,  
Librarian and Keeper of the Records.

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**JOURNAL**  
OF THE  
**HOUSE OF ASSEMBLY**  
OF  
**UPPER CANADA**

From the second day of February to the  
ninth day of March,  
1807.

Both days inclusive.

In the forty-seventh year of the Reign of  
**KING GEORGE THE THIRD.**

Being the third session of the fourth provincial parliament of  
this province.

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JOURNAL  
OF THE  
HOUSE OF ASSEMBLY  
OF  
UPPER CANADA  
1807.

ALEXANDER GRANT, President.

PROCLAMATION.

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

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province, to the Provincial Parliament at our Town of York on the Twelfth Day of April, to be commenced, held, called and elected, and to every of you GREETING.

Whereas by Our Proclamation bearing date the Third day of March last, we thought fit, by and with the advice of Our Executive Council, to prorogue Our said Provincial Parliament until the Twelfth day of April next ensuing, at which time, in Our Town of York, you are held and constrained to appear; but we, taking into our Royal consideration the ease and convenience of our loving subjects, have thought fit, by and with the advice and consent 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 the Twentieth day of May next ensuing you meet us in Our Provincial Parliament in Our Town of York, there to take into consideration the state and welfare of Our said Province of Upper Canada, and there 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 well beloved Alexander Grant, Esquire, Our President administering the Government of Our said Province of Upper Canada, at York, this Eighth day of April, in the Year of Our Lord, One thousand eight hundred and six, and in the Forty-sixth year of Our Reign.

WM. JARVIS, Secretary.

A. G.

By a further proclamation of His Honor, Alexander Grant, Esquire, President administering the Government of the Province of Upper Canada, &c., &c., dated at York the Fifteenth day of May, One thousand eight hundred and six, the meeting of the Legislative Council and House of Assembly stands prorogued to the Twenty-seventh day of June next.

By a further Proclamation of His Honor, Alexander Grant, Esquire, President administering the Government of the Province of Upper Canada, &c., &c., dated at York, the twentieth day of June One Thousand Eight Hundred and Six, the Meeting of the Legislative Council and House of Assembly stands prorogued to the fourth day of August next.

By a further proclamation of His Honor Alexander Grant, President administering the Government of the Province of Upper Canada &c., dated at York the first day of August One Thousand Eight Hundred and Six, the Meeting of the Legislative Council and House of Assembly stands prorogued to the eleventh day of September next.

PROCLAMATION.

FRANCIS GORE, Lieutenant-Governor.

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

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

Whereas by Our Proclamation bearing date the first day of August, we thought fit, by and with the advice of Our Executive Council, to prorogue Our said Provincial Parliament until the eleventh day of September next, at which time in Our Town of York you were held and constrained to appear; but we, taking into Our Royal consideration the ease and convenience of Our loving subjects, have thought fit, by and with the advice and consent 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 the thirteenth day of October next ensuing you meet us in Our Provincial Parliament in Our Town of York, there to take into consideration the state and welfare of Our said Province of Upper Canada, and there 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 Francis Gore, Esquire, Our Lieutenant-Governor of Our said Province of Upper Canada, at York, this twenty-ninth day of August, in the Year of Our Lord One Thousand Eight Hundred and Six, and Forty Sixth Year of Our Reign.

WM. JARVIS, Secy.

F. G.

By a further Proclamation of His Excellency Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., dated at York, the sixth day of October One Thousand Eight Hundred and Six, the Meeting of the Legislative Council and House of Assembly stands prorogued to the twentieth day of November next.

By a further Proclamation of His Excellency Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., dated at York the fourteenth day of November, One Thousand Eight Hundred and Six, the Meeting of the Legislative Council and House of Assembly stands prorogued to the twenty-sixth day of December next.

PROCLAMATION.

FRANCIS GORE, Lieutenant-Governor.

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

To Our beloved and faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province, to the Provincial Parliament at Our Town of York on the twenty-sixth day of December, to be commenced, held, called and elected, and to every of you, GREETING.

Whereas by Our Proclamation bearing date this fourteenth day of November, we have thought fit, by and with the advice of Our Executive Council, to prorogue Our said Provincial Parliament until the twenty-sixth day of December instant, at which time in Our Town of York you were held and constrained to appear; but we, taking into Our Royal consideration the ease and convenience of Our Loving subjects, have thought fit, by and with the advice and consent 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 the second day of February next, which will be in the Year of Our Lord One Thousand Eight Hundred and Seven, you meet us in Our Provincial Parliament in Our Town of York, for the actual dispatch of public business, there to take into consideration the state and welfare of Our said Province of Upper Canada, and there to do as may seem necessary. Herein fail not.

In testimony whereof we have commanded 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 Francis Gore, Esquire, Our Lieutenant-Governor of Our said Province of Upper Canada, at York this nineteenth day of December, in the Year of Our Lord One Thousand Eight Hundred and Six, and Forty-seventh year of Our Reign.

WM. JARVIS, Sec.

F. G.

### HOUSE OF ASSEMBLY, UPPER CANADA.

York, 2nd February, 1807.

At the third Session of the Fourth Parliament of Upper Canada, begun and held in the Town of York, on Monday, the second day of February, in the forty-seventh year of the Reign of Our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and in the Year of Our Lord One Thousand Eight Hundred and Seven.

His Honor Alexander Grant, Esquire, late President administering the Government of Upper Canada, and His Excellency Francis Gore Esquire, Lieutenant-Governor, having by their several proclamations as annexed prorogued the meeting of the Provincial Parliament until this day,

The House being met, Prayers were read.

A Message from His Excellency the Lieutenant-Governor by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker:—

—It is His Excellency the Lieutenant-Governor's pleasure that this Honorable House do immediately attend him in the Legislative Council Chamber.

The House went up accordingly, and being returned, Mr. Speaker reported that the House had attended His Excellency the Lieutenant-Governor in the Legislative Council Chamber, where His Excellency had been pleased to open the present session by a Speech to both Houses; and that to prevent any mistakes he had obtained for the information of the House a copy of His Excellency's Speech, which was read as follows:

Honorable Gentlemen of the Legislative Council,  
and

Gentlemen of the Assembly:—

It is with great satisfaction I now meet you for the first time in Parliament.

From the very short period of my residence in this Province I shall not take upon myself to call your attention to any particular object of legislation, convinced that your experience and knowledge of this Colony will fully enable you to enact such salutary laws as will tend to its prosperity, and I have no doubt of your attention being directed to such Acts of the Provincial Parliament as will necessarily expire unless continued by the Legislature.

Gentlemen of the House of Assembly:—

I have ordered the proper Officer to lay the Provincial Accounts before you, and have given instructions that the unappropriated sums of money raised under the authority of this Parliament, taken out of the Provincial Treasury, and applied to the payment of certain public contingent expenses in the year 1805, as stated in the accounts laid before you during the last session of this Legislature, shall be replaced. I am, however, fully confident that you will unite with me in sentiments of loyalty and gratitude, while reflecting on the very liberal supplies annually afforded to this Province by the bounty of Our Parent State for its necessary expenditures. And it will be for the House of Assembly to consider whether some appropriation of the Revenue ought not to be made on its part to relieve (as far as its resources will permit) the Mother Country from the Burthen of the Contingent Expenses incidental to the support of the Civil Government, and the administration of Justice in this Province.

Honorable Gentlemen and Gentlemen:—

I trust that your zeal for the public good will induce you to occupy your time in the faithful discharge of your duty, and be assured of my cordial co-operation when you direct your attention to the welfare and happiness of His Majesty's subjects.

William Jarvis, Esquire, one of the Commissioners appointed by *Dedimus Potestatem*, to administer the Oaths to the members of the House of Assembly, came to the Bar, and did inform Mr. Speaker that Robert Thorpe, Esquire, had taken the Oath as prescribed by the Statute, and did sign the Roll.

Then Ralph Clench and Robert Nellis, Esquires, introduced Robert Thorpe, Esquire, Knight representing the Counties of Durham and Simcoe, and the East Riding of the County of York, who took his seat accordingly.

At three o'clock p.m. Mr. Speaker adjourned the House for want of a Quorum.

Members present, Mr. Speaker, Messrs. McGregor, Cowan, Clench, Nellis, Swayze, Mallory, Justice Thorpe and Solicitor General.

*Tuesday, 3rd February, 1807.*

Prayers were read.

Mr. Clench moved, seconded by Mr. Dorland, that Messrs. Solicitor General, McLean and Swayze be a Committee to prepare an Address to His Excellency the Lieutenant-Governor in answer to His Speech.

Ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Hill, the House adjourned.

*Wednesday, 4th February, 1807.*

Prayers were read.

Agreeably to the Order of the Day at one o'clock the House took up the consideration of Samuel Ryerse's Petition, which laid over since the last Session, complaining of the undue return of Benajah Mallory, a sitting Member in this House.

In conformity to an Act passed in the first session of the fourth Provincial Parliament entitled "An Act to regulate the trial of controverted elections," the Speaker and Members then present were then sworn at the Table by the Clerk.

Members present,—Mr. Speaker, Mr. Justice Thorpe, Messrs. Dorland, Swayze, Hill, McLean, Clench, Nellis, Solicitor General, Cowan and McGregor.

Mr. Stewart, Counsel for Mr. Ryerse, was heard at the Bar of the House in support of the allegations set forth in Mr. Ryerse's Petition, complaining of the undue return of Benajah Mallory, Esquire, and concluded by addressing the House as follows, viz:

To the Honorable the Speaker and the Members of the House of Assembly.

Gentlemen:—

In the case of the controverted election of Benajah Mallory, Esquire, on the Petition of Samuel Ryerse,

I humbly beg leave to state that due exertions have been used to serve the subpoenas commanding the attendance of several material and necessary witnesses in support of the petition; but the said witnesses have not as yet attended Your Honorable House, they having the whole of this day. I, therefore, humbly beg leave to state on the part of the Petitioner that I am unable to proceed at present in the trial with safety to the Petitioner.

Mr. Solicitor General moved, seconded by Mr. Clench, that the further consideration of the Petition of Samuel Ryerse, complaining of an undue election, be deferred until to-morrow morning at ten o'clock, in consequence of the representations of the Petitioner's Counsel respecting the summons.

Which was ordered accordingly.

Mr. McLean moved, seconded by Mr. McGregor, for leave to bring in a Bill on Saturday next for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen.

Leave was accordingly granted.

On motion of Capt. Cowan, seconded by Mr. Nellis, the House adjourned.

*Thursday, 5th February, 1807.*

Prayers were read.

Agreeably to the Order of the Day the House went into the further consideration of the contested election of Ryerse and Mallory.

Mr. Stewart, Counsel for Mr. Ryerse, delivered in at the Bar the following affidavit, which was read at the Table by the Clerk, and is as follows:

Niagara } Before me, Samuel Hatt, Esquire, one of His Majesty's Justices of the  
District } Peace in and for the District aforesaid personally appeared John  
Baptiste Rousseau of Ancaster in the aforesaid District, Gent, who,  
being duly sworn, deposes and saith that on the sixteenth day of January last he saw Adrian Marlett of Barton, Surveyor, receive a subpoena requiring him to appear before the Provincial Parliament to be holden at York in this present month of February.

Sworn before me at Ancaster,

2nd February, 1807.

S. Hatt, J. P.

(Sd.) B. Rousseau.

Mr. Stewart then prayed the House for further delay as follows:  
To the Honorable the Speaker and the Members of the House of Assembly.  
Gentlemen:—

Two material and necessary witnesses having refused to obey your commands to attend your Honorable House as evidence on the part of Samuel Ryerse, Esquire, the petitioner against the sitting Member, Benajah Mallory, Esquire, I have been under the necessity of summoning other evidences, which I trust will arrive in the course of the day, and therefore, humbly pray your indulgence in adjourning the trial until to-morrow.

Which the House rejected.

Four witness were then sworn at the Bar in support of Mr. Ryerse's petition, viz.: Andrew VanEvery, John Galbreath, Joseph Baker and John Detter.\*

Mr. Solicitor-General moved, seconded by Captain Cowan, that no further proceedings take place in the trial of the Contested Election now before this House until to-morrow morning at ten o'clock.

The House accordingly resolved the same.

On motion of Captain Cowan, seconded by Mr. Nellis, the House adjourned.

*Friday, 6th February, 1807.*

Prayers were read.

Agreeable to the Order of the Day the House went into the further consideration of Mr. Mallory's contested Election.

Mr. Solicitor General moved, seconded by Mr. Nellis, that the Petition be dismissed, the allegations therein being unsupported by evidence.

A division ensued; the names were called for and taken down as follows:

Yeas	Nays
MESSRS. NELLIS.	MESSRS. COWAN
SOL'R-GENERAL	MCLEAN
HILL	DORLAND
THORPE	MCGREGOR
CLENCH	
SWAYZE	

Majority of two in the affirmative.

The Petition was accordingly dismissed.

Mr. Solicitor General, from the Committee appointed to draft an Address of thanks to His Excellency, the Lieutenant Governor, for his Speech to both Houses at the opening of the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same.

It was then Ordered that the Report be now received.

Which Report he read in his place, and then delivered the same in at the Table, where it was again read by the Clerk.

Mr. Rogers, seconded by Mr. Swayze, moved that this House do now resolve itself into a Committee to take into their consideration the draft of the Address to His Excellency, the Lieutenant Governor.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Detlor.

Mr. Dorland was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported that the Committee had gone through the consideration of the draft of an Address to His Excellency the Lieutenant Governor, to which they had made no amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was accepted, and the Address is as follows :

To His Excellency, Francis Gore, Esquire,  
Lieutenant Governor of the Province of Upper  
Canada, &c., &c., &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, beg leave to express to Your Excellency our most sincere satisfaction on meeting you at this time in Parliament.

And although Your Excellency hath only generally directed our attention to the welfare of the Province, we trust every exertion on our part will be used in framing such laws as will tend to advance the agricultural and commercial interests of this Province, as well as the prosperity of His Majesty's subjects of every description.

We shall review carefully the expiring laws, and adopt such as appear expedient to continue.

As soon as the Public Accounts, which we have no doubt will be exhibited in the most full and ample manner, are laid before us, our time shall be devoted to the investigation of them.

We cheerfully embrace the present occasion to express our full satisfaction of Your Excellency's directions relative to certain moneys that have been taken from the Provincial Treasury without either the authority or concurrence of Parliament.

It has at all times been our earnest desire to offer to our most gracious Sovereign any money that could be spared from the Provincial Treasury, but our fears are, from the unimproved state of this Province, that our resources must be appropriated to the internal improvement of itself. Should it still appear to us, on examination of the Public Accounts, that any sum of consequence remains in the Treasury worthy of being appropriated to His Majesty to relieve the Parent Country from the burden and support of this Province, we shall consider it our first duty to crave our Most Gracious Sovereign's acceptance of it.

If zeal to discharge the important trusts delegated to us were the only circumstance that impressed itself forcibly on our minds, our task would be easy, but when we consider that the welfare and happiness of His Majesty's subjects in this Province depend on the salutary laws that may be passed, no sacrifice can be too great on our parts to effect this purpose.

Confiding in Your Excellency's support and co-operation wherever the welfare and happiness of His Majesty's subjects in this Province are concerned, no effort of ours shall be wanting in the faithful discharge of our duty.

House of Assembly,

6th Feb'y, 1807.

(Signed) Alexander McDonell,

Speaker.

Mr. Rogers moved, seconded by Mr. Swayze, that the Address to the Lieutenant Governor be engrossed, and that Messengers be named to wait upon His Excellency to know when he will be pleased to receive the same.



The Address as engrossed was then read, passed, and signed by the Speaker.

Mr. Clench, seconded by Mr. Mallory, moved that Messrs. Rogers and McGregor do wait upon His Excellency, the Lieutenant Governor, to know when he will be pleased to receive this House with its Address in answer to His Excellency's Speech.

Which was ordered accordingly.

Mr. Justice Thorpe gave notice that he will on to-morrow move that this House do resolve itself into a Committee to take into their consideration the state of the Roads in this Province.

Mr. Nellis, seconded by Mr. Cowan, moved that Messrs. Solicitor General and McLean be a Committee to report to the House the laws about to expire.

Which was ordered accordingly.

Mr. Nellis again moved, seconded by Captain Cowan, that leave of absence be granted to Ralph Clench, Esquire, for eight days.

Leave was accordingly granted.

The Solicitor General moved, seconded by Mr. Nellis, for leave to bring in a Bill to amend an Act for the regulation of Special Juries.

Leave was accordingly granted.

On motion of Mr. Rogers, seconded by Mr. Hill, the House adjourned.

*Saturday, 7th February, 1807.*

Prayers were read.

Mr. Rogers, accompanied by the other Messengers, reported that in obedience to the Order of this House they had waited upon His Excellency's Lieutenant Governor, to know His Excellency's pleasure when he would receive the House with its Address, and that His Excellency was pleased to appoint this day at half past twelve o'clock to receive the House with its Address.

Agreeably to the Order of the Day Mr. McLean brought in a Bill for licensing Hawkers, Pedlars and Petty Chapmen, which was read for the first time by the Clerk at the Table.

Mr. McLean moved, seconded by Mr. McGregor, that the Bill entitled "An Act for licensing Hawkers, Pedlars and Petty Chapmen" be read for the second time on Monday next. Ordered accordingly.

At the hour appointed Mr. Speaker and the House went up with the Address of this House in answer to His Excellency the Lieutenant Governor's Speech to both Houses of Parliament at the opening of the present Session, and being returned,

Mr. Speaker reported that the House had attended upon His Excellency the Lieutenant Governor with its Address, to which His Excellency had been pleased to return the following answer.

Gentlemen of the House of Assembly:—

Accept my thanks for this Address, and for the satisfaction you express at meeting me at this time in Parliament.

I rely upon your assurances that you will direct your attention to the welfare and interest of this Province.

It will be a source of the highest satisfaction to me to co-operate with you in every measure conducive to the happiness and prosperity of His Majesty's subjects.

The Speaker having reminded the House that two men who had been summoned by him to attend this House to give evidence in the controverted election of Ryerse and Mallory had refused obedience to his summons.

Debates than ensued on points of privilege.

Noel DeL'Isle was then examined at the Bar of the House, and being asked whether within his knowledge Adrian Marlett had received a summons signed by the Speaker, requiring his attendance as a witness on the trial of the contested election between Ryerse and Mallory,

Answered that Marlett told him that he had been summoned, but that he would not attend, and doubted whether he was obliged to attend, not having been summoned in a regular manner.

Mr. Solicitor General moved, seconded by Mr. Rogers, that the Speaker may issue his Warrant to apprehend Adrian Martell and bring him before this House for a contempt in not obeying the summons of the Speaker to attend this House.

Which was ordered accordingly.

Mr. Solicitor General again moved, seconded by Mr. Clench, that the Speaker do issue his Warrant to apprehend Levi Lawrence, and bring him before the House for a contempt in not obeying a summons of the Speaker to attend this House. Ordered accordingly.

Mr. Justice Thorpe, seconded by Mr. Nellis, moved that this House do now resolve itself into a Committee of the Whole House, to take into consideration the state of the Roads in this Province.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had made a progress, and had desired him to ask for leave to sit again on Monday next.

Leave was accordingly given.

On motion of Mr. Swazey, seconded by Mr. Hill, the House adjourned.

*Monday, 9th February, 1806.*

Prayers were read.

Mr. Speaker reported that in obedience to the commands of this House he had issued his Warrants to apprehend and bring to the bar of this House Adrian Marlett and Levi Lawrence, to answer to the contempt shewn by them to the Speaker's summons.

Read for the first time, a Bill relative to Special Juries.

Mr. Solicitor General moved, seconded by Mr. Clench, that the Special Jury Bill be read a second time to-morrow. Ordered accordingly.

Read, the Petition of Duncan Cameron, John Birkier, Alexander Wood, George Playter and sundry other Freeholders of the Counties of Durham and Simcoe and the East Riding of the County of York, setting forth the ineligibility of Mr. Justice Thorpe as a Member in this Honorable House, for the aforesaid Counties and Riding, which is as follows.

To The Honorable the Representatives of the Commons of Upper Canada in Parliament assembled.

The Petition of the undersigned Freeholders of the East Riding of the County of York and Counties of Durham and Simcoe.

Most Respectfully Sheweth:—

That His Majesty's Writ, bearing date the Twenty-first of November now last past, did issue for the election of a Knight to represent the East Riding of the

County of York and the Counties of Durham and Simcoe in the Assembly of this Province in the place of William Weekes, Esquire, deceased.

That William Allan, of York, Esquire, was duly appointed Returning Officer for the said Riding and Counties, and did, on the Twenty-ninth day of December, proceed to such election.

That Robert Thorpe, Esquire, one of His Majesty's Judges in the Court of his Bench in this Province, and Thomas Barnes Gough, of York, Esquire, were the only candidates nominated by the respective Freeholders then and there present.

That Your petitioners previous to the closing of the poll, the election not being determined on view, did protest against the return of the said Robert Thorpe for the reason and causes hereafter set forth.

That the said Robert Thorpe has been returned as a Member for the said Riding and Counties, he having a majority of votes, to wit, two hundred and sixty-eight, and the said Thomas Barnes Gough only one hundred and fifty-nine votes, whereas Your Petitioners humbly conceive that the said Thomas Barnes Gough should have been returned Member of the said Riding and Counties for the reasons and causes following to wit.

That the said Robert Thorpe, at the time of such election, was, and still is one of His Majesty's Judges of the Court of his Bench in this Province.

That in England none of the Judges of the Court of King's Bench, Common Pleas, Barrons of the Exchequer who have judicial places, can be chosen Knight, Citizen or Burgess in Parliament.

That having adopted in this Province the law of England as a rule of decision, the said Robert Thorpe was not then and now is not eligible in this Province to sit as a Member in Your Honorable House of Assembly, that in the attainment of such an object as Judge, who decides on the life, liberty and property of His Majesty's subjects, must necessarily be liable to the frailties and passions incident to human nature, and may therefrom imbibe partialities, prejudices or prepossessions repugnant to and at war with the purity of the unsullied ermine, inimical to the independence and dignified administration of the law, and subversive of the free and constitutional liberties of His Majesty's subjects.

That Your Petitioners have further to state with great deference to Your Honorable House that this procedure is unconstitutional, inasmuch as being an attempt to clothe, arm and blend in one person, the conflicting powers, authorities and jurisdiction of the Legislature and Judicial functions contrary to the spirit of good government and the immemorial usage and custom of the Commons of England, whose rules of conduct Your Honorable House has adopted as the criterion of your decisions, where not otherwise specially provided for,

Wherefore your Petitioners, conceiving that the said Robert Thorpe was not lawfully returned, and that Thomas Barnes Gough was duly elected, pray that the said return may be reformed and amended, and the name of Thomas Barnes Gough be inserted on the roll, and the name of Robert Thorpe erased therefrom.

And as in duty bound your Petitioners will ever pray.

York, 4th February, 1807.

Then read the Petition of Thomas Barnes Gough, Esquire, complaining of the undue return of Mr. Justice Thorpe to represent the County of Durham, the East Riding of the County of York and the County of Simcoe; and praying that the return may be reformed and amended, which is as follows.

To the Honorable House of Assembly of the Province of Upper Canada.

The Petition of Thomas Barnes Gough, of York, in said Province.

Most Respectfully Showeth,

That His Majesty's Writ bearing date the Twenty-first day of November now last past did issue for the election of a Knight to represent the County of Durham, the East Riding of the County of York, and the County of Simcoe, in the Assembly of this Province, in the place of William Weekes, Esquire, deceased.

That William Allan, of York, Esquire, was duly appointed Returning Officer for the said Counties and Riding, and did on the twenty-ninth day of December proceed to such election.

That Robert Thorpe, Esquire, one of His Majesty's Judges in the Court of his Bench in this Province, and Your Petitioner were the only candidates nominated by the respective Freeholders then and there present.

That Your Petitioner, previous to the commencement of a poll, the election not being determined on view, did protest against the nomination of the said Robert Thorpe for the reasons and causes hereafter set forth.

That the said William Allan, notwithstanding, did proceed to take a poll, and did adjourn the same from day to day until the third day of January following, when the said election was determined.

That the said Robert Thorpe has been returned as a Member for the said Counties and Riding, he having a majority of votes, to wit, two hundred and sixty-nine, and Your Petitioner only one hundred and fifty-nine.

Whereas Your petitioner humbly conceives that he should have been returned Member for the said Counties and Riding, for the reasons and causes following, to wit,

That the said Robert Thorpe, at the time of such election, was, and still is, one of His Majesty's Judges of the Court of his Bench in this Province.

That in England none of the Judges of the Court of King's Bench, Common Pleas, or Barrons of the Exchequer, who have judicial places can be chosen Knight, Citizen, or Burgess in Parliament.

That having adopted in this Province the law of England as a rule of decision, the said Robert Thorpe was then, and now is, not eligible in this Province to sit as a Member in Your Honorable House of Assembly.

That Your Petitioner has further to state with great deference to Your Honorable House that the precedent is unconstitutional, inasmuch as being an attempt to clothe, arm and blend in one person the conflicting powers, authorities and jurisdiction of the Legislative and Judicial functions, contrary to the spirit of good government and the immemorial usage and custom of the Commons of England, whose rule or conduct Your Honorable House has adopted as the criterion of your decision when not otherwise specially provided for.

Wherefore, your Petitioner, conceiving that the said Robert Thorpe was not lawfully returned, and that Your Petitioner was duly elected, and ought to have been returned, prays that the said return may be reformed and amended, and the name of your Petitioner be inserted on the roll and the name of Robert Thorpe erased therefrom.

York, 2nd day February, 1807.

(Signed) Thomas Barnes Gough.

Mr. Rogers moved, seconded by Mr. Clench, that the House do now resolve itself into Committee to take into their consideration whether the grounds contained in the Petition of the Inhabitants of the Home District, if true and sufficient to make the election of the sitting Member void.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Captain Cowan was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Captain Cowan reported progress and asked for leave to sit again this day.

Leave was granted accordingly.

William Jarvis, Esquire, Secretary of the Province, came to the Bar of the House, and delivered in, by order of His Excellency, the Lieutenant Governor, the Public Provincial Accounts as per Schedule, which was read by the Clerk at the Table, and are as follows:

#### SCHEDULE OF ACCOUNTS LAID BEFORE THE HOUSE OF ASSEMBLY.

No. 1. The Inspector's list of names and persons licensed as Shop and Inn-keepers in the several Districts of the Province of Upper Canada, between the 5th of April, 1805, and 5th January, 1806. These returns were not received in time to be laid before the Legislature in 1806.

No. 2. The Inspector's list of names of persons licensed as Shop and Inn-keepers in the several Districts of the Province of Upper Canada, from the 5th January, 1806, to the 5th January, 1807.

No. 3. The Inspector's list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada, from the 5th January, 1806, to the 5th January, 1807.

No. 4. Provincial Revenue of the Crown arising from duties collected on Goods imported under authority of Acts of the Provincial Parliament, between the 1st January and 31st December, 1806, including such duties as have not been heretofore stated.

No. 5. Provincial Revenue of the Crown arising from duties collected on Goods imported under authority of Acts of the Parliament of Great Britain, between the 1st January and the 31st December, 1806, including such duties as have not heretofore been stated.

No. 6. Abstract of Warrants issued by His Honor, Mr. President Grant and His Excellency, Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature.

No. 7. Supplementary abstract statement of moneys collected within the several Districts of the Province of Upper Canada on Shop and Inn-Keepers Licenses, issued between the 5th April, 1805, and 5th January, 1806, under authority of Acts of the Provincial Parliament after deducting ten per cent. allowed to the Inspector by the Act of the Forty-third of the King.

No. 8. Supplementary Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada on Shop and Inn-Keepers Licenses issued between the 5th April, 1805, and 5th January, 1806, under authority of Acts of the Parliament of Great Britain, after deducting ten per cent. allowed to the Inspectors.

No. 9. Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada on Shop, Inn-keepers and Still licenses, issued between the 5th January, 1806, and 5th January, 1807, so far as the returns have been received, after deducting ten per cent. allowed to the Inspectors by the Act of the Forty-third of the King.

No. 10. Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada on Shop and Inn-keepers licenses issued between the 5th January, 1806, and 5th January, 1807, under authority of Acts of the Parliament of Great Britain, so far as the returns have been received, after deducting ten per cent. allowed to the Inspectors.

No. 11. General Account of articles on which duties on importation are imposed by the Legislature of Lower Canada which have passed Coteau Du Lac upwards from 1st of January to 30th June, 1806, agreeable to the written account thereof received, or as ascertained on examination of carriages according to the Acts.

No. 12. Account of tonnage Lighthouse duty collected for the year ending 31st December, 1806.

No. 13. Account of cash received by the Honorable Peter Russell, Receiver General, for Fines and Forfeitures, under authority of Acts of the Provincial Parliament, between the 5th February and 31st December, 1806.

No. 14. Account of cash received by the Honorable Peter Russell, Receiver General, for Fines and Forfeitures, under authority of Acts of the Parliament of Great Britain, between the 5th February and 31st December, 1806.

No. 15. General State of Cash received by the Hon. Peter Russell, Receiver General, for Duties and Fines, under authority of Acts of the Parliament of Great Britain, between the 5th February and 31st December, 1806.

No. 16. General State of Receipts and Payments by the Hon. Peter Russell, Receiver General, for Duties and Fines, and likewise Appropriations made under authority of Acts of the Provincial Parliament between the 5th February and 31st December, 1806.

No. 17. General Account of articles on which Duties on Importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards, from 1st July to the 31st December, 1806, agreeable to the written accounts thereof received, or as ascertained on examination of carriages according to the Act.

Inspector General's Office,  
York, 2nd Feb'y, 1807.

(Signed) John McGill,  
Insp. Gen'l Pub. Pro. Accts.

(For Accounts as per Schedule see Appendix.)

The House again resolved itself into a Committee on the Petition of certain Freeholders of the Home District against the eligibility of Mr. Justice Thorpe's sitting as a member of this House.

Mr. Speaker left the Chair.

Capt. Cowan again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Cowan reported progress, and asked for leave to sit again to-morrow.

Leave was accordingly granted.

Mr. McLean moved, seconded by Mr. McGregor, that so much of the Order of this Day as relates to the Hawkers' and Pedlars' Bill be discharged, and that it be read for the second time to-morrow. Ordered accordingly.

The House accordingly resolved itself into Committee on the Public Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported progress, and asked for leave to sit again on Thursday next. Ordered accordingly.

Read, the Petition from the London and Western Districts respecting Highways and Public Roads, which is as follows:

To the Honorable House of Assembly of His Majesty's Province of Upper Canada, in Parliament Assembled.

The petition of sundry Inhabitants of the London and Western Districts of the said Province,

Most Humbly Sheweth,

That by an Act of the Legislature of this Province, passed in the forty-sixth year of His Majesty's Reign relative to Public Highways and Roads in the Province it was among other things enacted, That the Road which should be deemed the Public Highway throughout the Province as far as the same extends through the District of London should be as follows, namely: commencing at the Indian Mill on the Grand River, thence along the road leading through the Township of Burford to the Delaware Town on the River Thames and across the said River, thence down the River to the tract of land commonly known as the Moravian grant.

That your petitioners have from experience found that if the said Road should be opened and followed in its present direction, namely, on the north side of the River Thames, it would be productive of many and great inconveniences to His Majesty's subjects, for the following among other reasons:

First, because that the River Thames at particular seasons is very difficult to cross, and attended with much danger, and sometimes it is for several days together altogether impassable.

Second, because that on the north side of the said River Thames the lands through which the said Road would pass have not yet been purchased by His Majesty, and of course there are no inhabitants settled thereon.

Third, because that it would be attended with great expense and labour, owing to the great depth and number of rivers, to cut out the said road and erect the necessary bridges thereon, and which, without settlers, would be continually out of repair.

That your Petitioners humbly conceive it would be of great benefit and attended with many advantages to His Majesty's subjects, if the said road was laid out from the Township of Oxford on the South side of the River Thames to the Moravian Grant in the London District.

That your Petitioners have every reason to believe that the lands are equally advantageous on the south for the laying out of a road as on the north side, and that it would be thereby considerably shortened, and, as the lands are all located on the south side, it would tend to the more speedy selling and improvement of the lands, and be the means of keeping the road open and in good repair.

Your Petitioners therefore humbly pray that Your Honorable House will take this their prayer into consideration, and upon proper evidence to be adduced to substantiate the facts stated in the present petition, will make such alterations in the said Act as Your Honorable House in your wisdom shall deem meet.

And your Petitioners as in duty bound will ever pray.

(Signed) Wm. Smith,  
Wm. Mills,  
Geo. B. Hale,  
T. McKee,

Sandwich, 13th Jan., 1807.

and several others.

Mr. Rogers moved, seconded by Mr. Clench, that the petitions from the Districts of London and Western District be referred to the Committee of the whole House on the state of the roads in this Province.

Ordered accordingly.

Read, the petition from the District of Niagara, which is as follows:

To the Honorable the Commons of Upper Canada in Parliament assembled.

The petition of a number of His Majesty's subjects residing at or near the River of Niagara,

Humbly Sheweth,

That your Petitioners must of necessity make use of the water of the River Niagara, which contains the carcases of creatures thrown into it by certain persons, and that these carcases are not unfrequently lodged within a few rods of our houses, by which the water is unfit to use.

It is therefore our humble request that you would be pleased to take such measures as may terminate this grievance, and we as in duty bound shall ever pray.

(Signed) Saml. Sheet,  
John Palmer,  
Daniel Abel,

Willoughby, 20th Jany., 1807.

and several others.

Mr. Solicitor-General moved, seconded by Capt. Cowan, for leave to bring in a Bill on Wednesday next, to amend an Act passed in the thirty-third year of His present Majesty's reign, entitled, "An Act to confirm and make valid certain marriages heretofore contracted in the country now comprised within the Province of Upper Canada, and to provide for the future solemnization of marriage within the same." Leave was accordingly granted.

Mr. Washburn moved, seconded by Mr. Mallory, for leave to bring in a Bill on Wednesday next to provide a fund for the support of one Public School in each and every District within this Province. Leave was accordingly granted.

Mr. Solicitor-General moved, seconded by Capt. Cowan, for leave to bring in a Bill on Wednesday next to continue and amend an Act entitled "An Act particularizing the property, real and personal, which during the continuance thereof shall be subject to assessment and rates, and fixing the several valuations at which each and every particular of such property shall be rated and assessed."

Leave was granted accordingly.

Mr. Rogers moved, seconded by Mr. Nellis, that the names of the Members of this House be called over on Thursday next. Ordered accordingly.

On motion of Mr. Mallory, seconded by Mr. Hill, the House adjourned until to-morrow at twelve o'clock at noon.

*Tuesday, 10th February, 1807.*

Prayers were read.

Agreeably to the Order of the Day was read for the second time a Bill to amend an Act passed in the fortieth year of the Reign of His Majesty, entitled, "An Act for the Regulation of Special Juries."

Mr. Solicitor-General moved, seconded by Capt. Cowan, that the House do resolve itself into a Committee on the Special Jury Bill.



The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Hill was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Hill reported that the Committee had made a progress and that he was directed to ask for leave to sit again. Leave was accordingly granted.

Mr. Solicitor General then moved, seconded by Capt. Cowan, that so much of the Order of the Day as applies to the petition from the Home District be discharged, and that the Committee have leave to sit again to-morrow.

Which passed in the negative.

The House then, agreeably to the Order of the Day resolved itself into a Committee to go into the further consideration of the Petition complaining of the undue return of Mr. Justice Thorpe to sit as Member to represent the Counties of Durham, Simcoe, and the East Riding of the County of York.

Mr. Speaker left the Chair.

Mr. Cowan was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A Message from His Excellency the Lieutenant-Governor, signed by His Excellency, was delivered to the Speaker by William Halton, Esq. Secretary to His Excellency, which Message was read, all the members standing up, and the same is as follows, viz:—

Francis Gore, Lieutenant-Governor.

The Lieutenant-Governor thinks it proper to acquaint the House of Assembly that he has received from Mr. President Dunne, administering the Government of Lower Canada, the copy of an Act of the Legislature of that Province, passed in the month of March, One Thousand Eight Hundred and Five, entitled, "An Act to provide for the erection of a Common Gaol in the Districts of Quebec and Montreal, by which additional duties have been imposed on certain goods, etc., imported into the Province from the United States of America," and the Lieutenant-Governor submits it to the consideration of the House of Assembly whether the Legislature of this Province is not called upon, by the existing Agreement with the Province of Lower Canada, to impose similar duties upon the like articles imported into this Province from the United States of America.

Government House, York,

F. G.

10th Feb'y, 1807.

Agreeable to leave given the House then resolved itself into a Committee to go into the further consideration of the petition complaining of the undue return of Mr. Justice Thorpe as Member to represent the Counties of Durham, Simcoe, and the East Riding of the County of York.

Mr. Speaker left the Chair.

Mr. Cowan again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Cowan reported that the Committee had gone through the consideration of the said Petition, which he was directed to report whenever the House should be pleased to receive the same.

The House then resolved that the Report be now received.

The Report was then unanimously received, and read by the Clerk at the Table, which Report is as follows:

Resolved, That it is the opinion of the Committee that the Petition of the Inhabitants of the Home District, complaining of the undue election of Mr. Justice Thorpe, does not contain sufficient grounds, if true, to make the election of the sitting Member for the Counties of Durham and Simcoe and the East Riding of the County of York void.

The House accordingly resolved the same.

Mr. Rogers then moved, seconded by Mr. Clench, that the further consideration of the Petition of Thomas Barnes Gough be deferred for three months, the grounds contained in the Petition being not sufficient to make the return complained of void. Which was ordered accordingly.

Read for the second time, a Bill for granting to His Majesty duties on licenses to Hawkers, Pedlars and Petty Chapmen.

On motion of Mr. McLean, seconded by Mr. McGregor, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow.

Leave was granted accordingly.

On motion of Mr. Rogers, seconded by Mr. Mallory, the House adjourned until twelve o'clock to-morrow at noon.

*Wednesday, 11th February, 1807.*

Prayers were read.

Mr. Solicitor General moved, seconded by Mr. McLean, that the House do now resolve itself into a Committee to take into consideration His Excellency the Lieutenant Governor's Message, delivered by his Secretary yesterday.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported that it was the opinion of the Committee that an humble address should be presented to His Excellency the Lieutenant Governor, thanking him for his communication by message yesterday.

Which Report was accepted.

Mr. Nellis then moved, seconded by Mr. Clench, that Mr. Justice Thorpe and Mr. Rogers be a Committee to draft an Address to His Excellency the Lieutenant Governor in answer to his message yesterday.

Which was ordered accordingly.

Read for the first time, an Act to confirm and make valid certain marriages in this Province.

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

Ordered, That the said Marriage Act be read a second time to-morrow.

Mr. Washburn then moved that so much of the Order of the Day as relates to his bringing in a Bill this day to provide a fund for the support of Public Schools in this Province be discharged, and that he have leave to bring in the same to-morrow. Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. McLean, that so much of the order of the Day as respects the Assessment Bill be discharged, and that the said Bill be read to-morrow. Which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Hawkers and Pedlars' Bill.

Mr. Speaker left the Chair.

Mr. Howard took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had made a progress, and that he was directed to ask for leave to sit again.

Leave was accordingly granted.

Mr. Justice Thorpe, one of the Committee appointed to draft an Address to His Excellency the Lieutenant Governor, in answer to his Message of yesterday, reported that they had done so, which they were ready to submit to the House whenever it should be pleased to receive the same.

The House then resolved that the said Address be now received.

Mr. Justice Thorpe accordingly read the Address in his place and delivered it in at the Table, where it was again read by the Clerk, and is as follows.

To His Excellency, Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc.

May it Please Your Excellency:—

We, His Majesty's faithful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, respectfully return thanks to Your Excellency for your Message of yesterday, communicating your having received from Mr. President Dunn, administering the Government of Lower Canada, the copy of an Act of the Legislature of that Province, passed in One Thousand Eight Hundred and Five, entitled "An Act to provide for the erection of a Common Gaol in the Districts of Montreal and Quebec," by which additional duties have been imposed on certain goods, etc., imported into that Province, and submitting to our consideration whether we are not called upon by the existing Agreement with the Province of Lower Canada to impose similar duties on the like articles imported from the United States into this Province; and we respectfully assure Your Excellency that we will take the same into our most serious consideration.

Commons House of Assembly,  
11th Feby., 1807.

(Signed) Alex. McDonell,  
Speaker.

Then, on motion of Mr. Rogers, seconded by Mr. Hill,

Ordered, That the said Address be now engrossed.

The said Address as engrossed was then read, passed, and signed by the Speaker.

Mr. Solicitor General then moved, seconded by Mr. Clench, that Messrs. McLean, Washburn and McGregor do wait upon His Excellency the Lieutenant Governor to know when it will be his pleasure to receive the Address of this House in answer to his Message of yesterday, and that those gentlemen do present the same.

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Swayze, for leave to bring in a Bill on Friday next, to revive, continue and amend an Act, passed in the forty-second year of His Present Majesty, entitled "An Act to enable the Governor,

Lieutenant Governor or person administering the Government of this Province, to appoint one or more additional Port or Ports of Entry within this Province, and to appoint one or more Collectors at the same respectively.

Leave was granted accordingly.

On motion of Mr. McGregor, seconded by Mr. Nellis, the House adjourned.

*Thursday, 12th February, 1807.*

Prayers were read.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Road Bill.

Mr. Speaker left the Chair.

Mr. Clench took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported progress, and asked for leave to sit again.

Leave was accordingly granted.

Mr. Clench moved, seconded by Mr. Dorland, that the Solicitor General, Mr. Justice Thorpe, Messrs. McLean, Hill and Cowan be a Special Committee to settle a plan to be laid before the House for the improvement of the Roads of this Province.

Ordered accordingly.

The Order of the Day for the call of the House being read,

Ordered, that the House be now called.

The House was accordingly called over, and several of the Members appeared, and the names of such Members as made default to appear were taken down, and are as follows: W. B. Wilkinson, J. Crysler, Samuel Sherwood, Matthew Elliott,—out of the Province.

Read for the second time the Bill entitled “An Act to amend certain parts of an Act passed in the thirty-third year of His Majesty’s Reign, entitled ‘An Act to confirm and make valid certain marriages heretofore contracted in the country now composed within the Province of Upper Canada, and to provide for the future solemnization of marriages within the same.’”

Mr. Rogers then moved, seconded by Mr. Cowan, that this House do now resolve itself into a Committee to go into the consideration of the said Bill.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported progress, and asked for leave to sit again.

Leave was granted accordingly.

Read for the first time, the School Bill.

Mr. Washburn moved, seconded by Mr. Rogers, that the School Bill be read a second time to-morrow. Ordered accordingly.

Read for the first time, the Bill entitled “An Act to continue and amend an Act and to render more effectual an Act passed in the forty-third year of His present Majesty, entitled ‘An Act particularizing the property, real and personal, which, during the continuance thereof, shall be subject to assessments and rates.’”

Mr. Rogers moved, seconded by the Solicitor General, that the Bill to revive and continue the Assessment Bill be read a second time to-morrow.

Ordered accordingly.

Mr. McLean, one of the Messengers named to wait upon His Excellency the Lieutenant Governor with the Address of this House in answer to his Message, reported that they had waited upon the Lieutenant Governor with the said Address, to which he was pleased to make the following answer.

Gentlemen of the House of Assembly:—

I thank you for this Address, and have much satisfaction in observing your readiness to attend to my message of the 10th instant.

Government House, York,

13th Feby, 1807.

Mr. McLean moved, seconded by Mr. Clench, that the House do now resolve itself into Committee to take into consideration the Public Provincial Accounts.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McGregor reported that the Committee do recommend to the House that a Select Committee be appointed to examine the Provincial Public Accounts and report the state of the Provincial Revenue to the House.

Which report was accepted, and ordered accordingly.

Mr. Justice Thorpe then moved, seconded by Mr. Nellis, that Messrs. Rogers, McLean, Clench, McGregor and Howard be a Committee to examine the Public Provincial Accounts and report the state of the Provincial Revenue to the House and that the said Committee have power to send for such persons or papers as they may think necessary for their information. Ordered accordingly.

On motion of Mr. Mallory, seconded by Mr. Hill, the House adjourned.

*Friday, 13th February, 1807.*

Prayers were read.

Read for the first time, an Act for appointing Collectors and Ports of Entry.

Mr. Solicitor General moved, seconded by Mr. Rogers, that the Collectors Bill be read a second time to-morrow.

Which was ordered accordingly.

Read for the second time, the Bill for establishing Public Schools throughout this Province.

Mr. Washburn moved, seconded by Mr. Dorland, that the House do now resolve itself into a Committee to take into consideration the School Bill.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Mallory was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Mallory reported that the Committee had made a progress, and that he was directed to ask for leave to sit again on Monday next.

Resolved, That the Committee have leave to sit again on Monday.

Read for the second time, the Bill laying assessments throughout this Province.

Mr. Solicitor General then moved, seconded by Mr. Cowan, that this House do now resolve itself into a Committee on the Assessment Bill.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Swayze was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayze reported progress, and asked for leave to sit again.

Leave was accordingly granted.

Read, the Petition of William Willcocks, Esquire, which is as follows.

To the Honorable the Speaker and the Honorable the Members of the Commons House of Assembly in Parliament assembled.

The petition of William Willcocks

Humbly Sheweth,

That Your Petitioner has been Judge of the Home District Court for more than seven years, and (he presumes to flatter himself) has discharged his duty therein to the satisfaction of the public.

That his fees having never exceeded Ten Pounds a year, which he is informed is not the case in the other Districts, are entirely unequal to his labours, being obliged to attend four times in a year and at every Quarter Sessions to try causes.

Your Petitioner therefore humbly prays that you will be pleased to take his case into your consideration and grant him such a salary as in your wisdom you may think adequate to his situation as a Judge,

And your petitioner as in duty bound will ever pray.

York, 10th Feb'y, 1807.

(Sd.) William Willcocks.

Then was read the Petition of Charles Willcocks, Gentleman, which is as follows:

To the Honorable the Speaker and the Honorable the Members of the Commons House of Assembly in Parliament assembled.

The Petition of Charles Willcocks, Gentleman, Humbly Sheweth,

That Your Petitioner has attended this Honorable House as its copying Clerk four sessions of Parliament, and he presumes to flatter himself that he has acted in his station to the satisfaction of the Clerk of the House, and of the Honorable Members thereof.

That he was honored with a Commission (under the Seal of the then Speaker, Mr. Beasley) as Special Messenger, and did his duty as such. Your Petitioner depending entirely for support upon his small abilities as Scrivener takes the liberty of requesting that Your Honorable House may be pleased to take his case into consideration and allow him such salary during pleasure for his attendance each session of Parliament, and for bringing up the Journal for the House after its close, as in your wisdom you shall think meet.

And Your Petitioner as in duty bound will ever pray.

York, 10th Feb'y, 1807.

(Sd.) Chas. Willcocks.

Read, the Petition of the Inhabitants of the Townships of Mersia, Gosfield and Colchester, which is as follows.

To the Honorable the Members of the House of Assembly of Upper Canada in Parliament assembled.

The Inhabitants of the Townships of Mersia, Gosfield and Colchester, seeing with regret the insufficiency of their District Gaol in the Town of Sandwich, which in its present state is so confined and incommodious that an unfortunate debtor (although probably an honest, industrious man) must be confined in the same dungeon or cell with the greatest criminal, which is repugnant to human feeling, and unprecedented in civilized society.

They at the same time see the inability of the funds arising from the present taxes in their District to build a new Gaol, or even to make the absolutely necessary additions and repairs to the present one, sensible that such means must be raised within the District, they humbly beg leave to point out to the Honorable House of Assembly a mode of raising the necessary sum in a manner the least injurious to the poorer and most industrious part of the District.

With this view and to obtain so desirable a purpose they humbly recommend to the Honorable House to pass an Act imposing a duty of tax upon all carriages, caleches or other pleasure carriages within the District, which, if it only amounted to two shillings and sixpence currency upon each annually, would, in all probability, raise a sum adequate to the object in view in the course of three or four years.

The Inhabitants of the said Townships trust that the Honorable House of Assembly (studious for the prosperity and welfare of the Province in general) will take their proposition into their serious consideration.

(Signed) Wm. Buchanan,  
Joseph Quick,  
Alex<sup>r</sup> Duff,

and several others.

Colchester, 29th Dec., 1807.

Mr. Clench moved, seconded by Mr. Mallory, for leave to bring in a Bill on Monday to regulate the practice of Physic and Surgery within this Province.

Leave was accordingly granted.

On motion of Mr. Clench, seconded by Capt. Cowan, the House adjourned until Monday at twelve o'clock at noon.

*Monday, 16th February, 1807.*

Prayers were read.

Mr. Speaker informed the House that he had received a letter from Mr. Mallory, a Member of this House, apologizing for the necessity of his being absent from this House for a few days without leave.

Read for the second time an Act to enable the Lieutenant Governor to appoint one or more Ports of Entry, and one or more Collectors within this Province.

Mr. Solicitor General moved, seconded by Mr. Clench, that the House do now resolve itself into Committee to take into consideration the Collectors' Bill.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Nellis was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nellis reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same.

Resolved, That the Report be now received.

The Report was then received and accepted.

Mr. Solicitor General then moved, seconded by Mr. Rogers, that the Collectors' Bill be engrossed and read a third time to-morrow.

Which was ordered accordingly.

Agreeable to the Order of the Day, the House resolved itself into Committee to go into the further consideration of the Bill for establishing Public Schools throughout this Province.

Mr. Speaker left the Chair.

Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Leave was accordingly given.

Mr. Clench moved, seconded by Mr. Howard, that so much of the Order of the Day as relates to the bringing in a Bill for regulating the Practice of Physic and Surgery be discharged, and that leave be given him to bring in the same on Thursday next. Leave was accordingly granted.

Mr. Washburn then moved, seconded by Mr. Swayze, for leave to bring in a Bill on Wednesday next to alter the present mode of collecting the Duty on Shop and Tavern Keepers Licenses within this Province. Leave was accordingly given.

Mr. Rogers moved, seconded by Mr. Dorland, that this House do now resolve itself into Committee to take into their further consideration the Bill for Licensing Hawkers, Pedlars, and Petty Chapmen.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported progress, and asked for leave to sit again this day. Leave was accordingly given.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master-in-Chancery:

Mr. Speaker,—

I am commanded by the Legislative Council to inform this House that they have passed an Act to extend the benefits of an Act, passed in the thirty-seventh year of His Majesty's reign, entitled "An Act for the more easy barring of Dower and to repeal certain parts of the same," and then he withdrew.

According to leave given the House again resolved itself into Committee to go into the further consideration of the Act for licensing Hawkers and Pedlars.

Mr. Speaker left the Chair.

Mr. Howard again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported a progress and asked for leave to sit again to-morrow. Leave was accordingly granted.

Mr. Rogers then moved, seconded by Mr. Justice Thorpe, that Messrs. Sherwood, Dorland and Capt. Elliott be added to the Committee appointed by the House to report the most eligible means of repairing the roads in this Province. Ordered accordingly.

Read for the first time, an Act sent down from the Honorable Legislative Council for the more easy receiving of Dower.

Mr. Solicitor General then moved, seconded by Mr. Sherwood, that the Bill for the more easy barring of Dower be read a second time to-morrow.

Which was ordered accordingly.

On motion of Mr. Solicitor General, seconded by Capt. Elliott, the House resolved itself into a committee to go into the consideration of His Excellency the



Lieutenant-Governor's message, respecting Duties laid by the Province of Lower Canada on goods imported from the United States of America.

Mr. Speaker left the chair.

Mr. Elliott was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Elliott reported that the Committee had made a progress, and that he was directed to ask for leave to sit again. Leave was accordingly granted.

On motion of Mr. Swayze, seconded by Mr. Hill, the House adjourned until twelve o'clock to-morrow at noon.

*Tuesday, 17th February, 1807.*

Prayers were read.

Agreeably to the Order of the Day was read for the third time, an engrossed Act for appointing Collectors and Ports of Entry.

The Solicitor General moved, seconded by Capt. Elliott, that the Bill do pass, and that the title be "An Act to revive and continue an Act passed in the forty-second year of His present Majesty, entitled 'An Act to enable the Governor, Lieutenant Governor, or person administering the Government of the Province to appoint one or more additional Port or Ports of Entry, Place or Places of Entry within this Province, and to appoint one or more Collector or Collectors at the same respectively.'"

The House resolved the same.

The Bill then passed, and was signed by the Speaker.

Mr. Solicitor General then moved, seconded by Capt. Elliott, that Messrs. McLean and Dorland do carry up to the Honorable Legislative Council the said Act, and do request their concurrence thereto, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into Committee on the Hawkers and Pedlars Bill.

Mr. Speaker left the Chair.

Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same.

The Report was then received and accepted.

Mr. McLean moved, seconded by Mr. Washburn, that the Hawkers and Pedlars Bill be engrossed and read a third time to-morrow, which was ordered accordingly.

On motion of Mr. Hill, seconded by Mr. Washburn, the House adjourned until ten o'clock to-morrow.

*Wednesday, 18th February, 1807.*

Prayers were read.

Read for the first time, the Bill to alter the mode of collecting Duties upon Licenses.

Mr. Washburn moved, seconded by Mr. Howard, that the License Bill be read a second time to-morrow. Ordered accordingly.

Read the second time, the Bill for Barring Dower.

The House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported progress, and asked for leave to sit again to-morrow.

Leave was granted accordingly.

The House resolved itself into Committee on the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Swazey was called to the chair of the Committee.

The Speaker resumed the Chair.

Mr. Swazey reported progress and asked for leave to sit again on Monday next. Leave was granted accordingly.

Mr. Rogers, from the Select Committee to whom was referred the Provincial Public Accounts, reported the proceedings of the Committee thereon, and he read the Report in his place, and afterwards delivered the same in at the Table, where it was again read by the Clerk, and is as follows, viz. :—

Report of the Select Committee appointed to examine the Public Accounts, Third Session, Fourth Provincial Parliament:—

The Committee took into their consideration the Accounts marked Nos. 1 and 7, and find that there has been collected upon Shop and Innkeepers Licenses between the 5th April, 1805, and the 5th January, 1806, not brought into the accounts of that year .....

£4 14 6

Upon examining the Accounts Nos. 2, 3, and 9 the Committee find that the Duties arising from Licenses on Shop, Innkeepers and Stills, issued between the 5th January, 1806, and the 5th January, 1807, as far as the accounts have come to hand, after deducting ten per cent. for Inspectors, amount to.....

1074 9 2½

Your Committee understand that not any of the Duties collected under the authority of British Acts of Parliament are credited to the Provincial Treasury. They beg leave to submit to the House whether all moneys raised in this Province under any authority whatsoever is or is not at the disposal of the Provincial Legislature.

The Committee observe that in the Accounts laid before the House of Assembly, Two Pounds Provincial Currency on each Shop and Tavern License is supposed to be collected under authority of a British Act of Parliament, they submit to the House whether the said sum of Two Pounds is not levied under the authority of an Act of the Provincial Legislature passed in the thirty-third year of His Present Majesty's Reign, and whether the said sum is not appropriated by the last-mentioned Act for the payment of the salaries of the Officers of the Legislative Council and House of Assembly.

The Committee next took into their consideration the account of Duties collected on Goods imported from the United States between the 1st January and the 31st December, 1806, No. 4, and find the amount of the same, after deducting the expense of collection .....

528 5 25/8

Upon examining the Account of Fines and Forfeitures, No. 13, we find that the sum received on account of the same

between the 5th February, 1806, and the 1st February, 1807, amounts to ..... 14 15 6

The Committee took into consideration the Account marked No. 12, and find that there has been collected on account of Tonnage and Lighthouse Duty for the year ending 31st December, 1806 ..... 90 14 6

Your Committee find that the sum of £31 0s. 11¾d. has been received from the Collectors on account of Lighthouse Duties collected for the year 1805, stated as outstanding 5th February, 1806, including the sum of £24 5s. 3d. due to the Collector of the Port of Kingston for duties to the said period which was omitted to be stated as outstanding the 5th February, 1806 ..... 31 0 11¾

Your Committee upon examining the account of articles upon which Duties upon importation are imposed by the Legislature of Lower Canada, and which have passed Coteau du Lac upwards, from the 1st January to the 30th June, 1806, No. 11, and also the account of the same nature from the 1st of July to the 31st December, 1806, marked No. 17, find the money to be received by this Province according to the Duties heretofore accounted for to this Province, will probably amount to about.. 1694 0 0

Your Committee beg leave to observe that the Province of Lower Canada do not account to this Province for any duties which they collect under the authority of British Acts of Parliament.

The Committee next proceeded to take into their consideration the supplementary account marked No. 8, and find that there has been collected on Shop and Innkeepers Licenses between the 5th April, 1805, and the 5th January, 1806, and not before accounted for ..... 8 10 12/10

Upon examining the Account No. 10 we find that the amount of Duties upon Licenses to Shop and Innkeepers between 5th January, 1806, and 5th January, 1807, supposed to be levied under a British Act of Parliament, amounts to ..... 424 8 9 6/10

Your Committee, upon examining the Account of Duties collected upon goods imported from the United States between the 1st January and the 31st December, 1806, under British Acts of parliament, according to No. 5 amounts to ..... 240 18 4½

The sums received for Fines and Forfeitures under British Acts of Parliament between the 5th February and 31st December, 1806, marked No. 14, amounts to ..... 116 19 8½

The Committee do not observe in any of the Public Accounts that the sum taken from the Provincial Treasury last year without any authority has been replaced.

Your Committee observe that the Province of Lower Canada have not paid to this Province any sum on account of the additional Duties laid by them in 1805, and that the probable amount of such Duties will be for the period commencing 25th March, and ending 31st December, 1805, £1,000, and that the probable amount of the said Duties from the 1st January to the 31st December, 1806 will be £1,280.

The Committee have it not in their power to state correctly what the amount of Duties levied in Lower Canada upon articles passing into Upper Canada under British Acts of Parliament are, the amount of articles liable to Duty passing Coteau du Lac not mentioning from what part the same are imported.

The Committee beg leave to submit the following Account to the House.

General Account of Duties collected in Upper Canada under Acts of the Provincial Parliament including this Province's proportion of Duties collected in Lower Canada to the 31st December, 1805, between the 5th January, 1806, and the 5th January, 1807, including all the sums outstanding the 5th February, 1806, and the 2nd February, 1807.

Cash received by the Receiver General for duties on Shop, Innkeepers and Still Licenses outstanding the 5th of February, 1806 . . . . .	164	14	9¼
Cash received by the Receiver General for duties on goods imported, outstanding the 5th February, 1806 . . . . .	61	12	8⅞
Amount of Duty on Shop and Tavern Licenses not accounted for the 5th February, 1806. . . . .	4	14	6
Amount of duties on Shop, Innkeepers' and Still licenses issued between 5th January, 1806, and 5th January, 1807, net Revenue. . . . .	1074	9	2½
Amount of duties on goods imported from the United States up to the 31st Decr., 1806, after deducting expense of collection. . . . .	528	5	2⅝
The sum received for Fines and Forfeitures between 1st Jan. and 31st Dec., 1806. . . . .	14	15	6
This Province's proportion of Duties received from Lower Canada for the year ending the 31st December, 1805. . . . .	1364	13	10½
Cash received from Wm. Springer and J. Ward, Inspectors, for Duties on Still worked in 1802 and 1803 without License. . . . .	17	14	1½
Amount of duties collected for the purpose of erecting Lighthouses; &c. . . . .	90	14	6
Cash received on account of Lighthouse Duties collected for the year ending 31st December, 1805, stated as outstanding on 5th February, 1806, also the sum of £24. 5. 3. due by the Collector of the Port of Kingston for Duties collected to said period omitted to be stated as outstanding 5th February, 1806. . . . .	31	0	11¾
Due from Joseph Anderson, Esq., Collector of Customs, to the 31st December, 1806 . . . . .	11		7½
Due from Colin McNabb, late Collector of Customs at Niagara, since 1802. . . . .	87	0	10¾
Amount of Cash remaining in the Receiver General's hands the 4th February, 1806. . . . .	933	9	10¼
	<hr/>		
	£4373	17	9½

Paid by the Receiver General last year, Mr. Pres. Grant's and Lieut. Gov. Gore's Warrants .....			£3137	1	2½		
For Public Buildings .....			400	0	0		
Receiver General's allowance on all the money collected .....			90	3	10		
						3627	5 0½
Remaining of last year's Revenue.....						746	12 9
Cash expected from Lower Canada.....						1694	0 0
						2440	12 9
Deduct the Balance of Lighthouse Duty appropriated....						59	18 11
						Provincial Currency	£2380 13 10

General Account of all the Duties collected under British Acts of Parliament between the 5th January, 1806, and the 5th January, 1807, including all sums outstanding to the 5th January 1807.

Cash received by the Receiver General on Shop and Tavern Licenses, not accounted for 5th February, 1806 .....						8	10 12/10
Amount of duties upon Shop and Innkeepers Licenses between 5th January, 1806, and 5th Jan'y, 1807 .....						424	8 9 6/10
Amount of duties on goods imported from the United States between 1st January and 31st December, 1806.....						240	18 4½
The sum arising from Fines and Forfeitures between the 5th February and 31st December, 1806. ....						116	19 8½
						Sterling	£790 16 11 8/10

Account of sums appropriated by law to  
be paid.

To Six Sheriffs annually £50 each .....	£300	0	0
For Public Buildings. ....	400	0	0
Officers of the two Houses of Parliament. ....	790	0	0
Copying Clerks. ....	50	0	0
Printing the Laws. ....	80	0	0

Provincial Curr'y. £1620 0 0

Account of Money in the Receiver  
General's Office.

To support the War. ....	500	0	0
Of the sums of money appropriated for Hemp, but not applied. ....	1423	11	0
Buildings appropriated, but not applied For purchasing the British Statutes, but not applied. ....	1200	0	0
	175	0	0

£3298 11 0

All which is humbly submitted,

By Order of the Committee.

(Signed) D. MCG. ROGERS, Chairman.

The 18th February, 1807.

Mr. Rogers then moved, seconded by Mr. Swazey, that this House do now resolve itself into Committee to take into their further consideration the Public Accounts of this Province. The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McGregor reported progress, and asked for leave to sit again on Monday next. Leave was granted accordingly.

Mr. McLean, one of the Messengers named to carry up to the Honorable Legislative Council the Bill for allowing the Governor, Lieutenant Governor, or person administering the Government of this Province, to appoint Ports of Entry and Collectors therein, reported that they had carried up the said Bill and did request their concurrence thereto.

On motion of Capt. Cowan, seconded by Capt. Elliott, the House adjourned until to-morrow at twelve o'clock at noon.

*Thursday, 19th February, 1807.*

Prayers were read.

Mr. Clench moved, seconded by Mr. Rogers, that so much of the Order of the Day as relates to the bringing in a Bill for regulating the practice of Physic and Surgery be discharged. The same was discharged accordingly.

Read for the second time, the Bill for regulating the issuing of tavern and shop licenses.

Mr. Washburn then moved, seconded by Mr. Rogers, that this House do now resolve itself into a Committee to take into consideration the License Bill.

The House accordingly resolved itself into Committee to take the said Bill into consideration.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported that he was directed to report to the House, whenever it should be pleased to receive the same, that it was the opinion of the Committee that the further consideration of the said Bill be deferred for three months, which report was accepted, and ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into Committee to go into the consideration of the Bill sent down by the Honorable Legislative Council for barring dower.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received.

The Report was accordingly received.

Mr. Rogers then moved, seconded by the Solicitor General, that the amendments made by this House to the Act entitled "An Act to extend the provisions

of an Act for the more easy barring of dower" be engrossed, and that the said amendments be read a third time to-morrow. Ordered accordingly.

Mr. Justice Thorpe, Chairman of the Special Committee appointed to inquire into the state of the Public Roads and Highways throughout this Province, reported as follows:

Commissioners to be appointed in each District to establish from one end of this Province to the other a Road, upon which such moneys as the House shall think fit are to be expended, which Commissioners shall be invested with power to employ a surveyor whenever they shall think it necessary.

The Roads to begin at Point Au Boudet, and proceed to Cornwall. The Road from the Western line of Cornwall to Kingstown to be established where it was laid out by the surveyor Pennoyer, under the authority of Lord Dorchester, the Road through the Midland District to lead through Kingston, Ernesttown, Richmond, the Mohawk tract, Thurlow, and Sidney, where it is now laid out, and usually wrought by the Statute Labour Commissioner, to be appointed in the Newcastle, Home, District of Niagara, District of London, and in the Western District. The road from Sidney through Murray, Cramatha, Haldimand, Hamilton, Hope, Clark and Darlington, from thence through Whitby, Pickering, and Scarborough to the Town of York, thence through the Mississugua tract to the head of the Lake, from thence pursue Dundas Street until you arrive at the Indian Mohawk lands on the Grand River, then in a direct course to an old Indian village on the River Thames, passing through the Indian Lands, Burford, Norwich, Durham, Dorchester, Westminster, Southwold, Dunwich, Aldborough, Orford, Howard and Chatham, from thence to Sandwich and Amherstburgh as at present laid out.

The Commissioners to be empowered to alter the prescribed road in the event of their finding it necessary on survey.

Six Commissioners for each District who shall have power to call in the aid of a surveyor.

The Commissioners to act for the upper part of the district to be appointed from the lower part, and *vice versa*.

The road established by the Commissioners not to be altered but by the authority of Parliament. A sum of money to be appropriated and divided in each district.

The Act passed last year entitled, etc., to be repeated.

The proceedings of the Commissioners to be reduced to writing with courses, and one copy to be filed with the Clerk of the Peace and another to be transmitted to the Clerk of the House of Assembly.

The lands on the affected roads belonging to individuals not resident in the district to be liable to a tax, and in default of payment to be sold. The money to be applied on the highway.

An Address to be presented to the Lieutenant Governor representing the propriety and necessity of raising a fund from the waste lands of the Crown, to be at the disposal of Parliament for the purpose of accomplishing this most desirable end, and on completing a great highway throughout this Province.

The House then resolved itself into Committee on the said Report.

Mr. Speaker left the Chair.

Mr. Clench took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Leave was accordingly granted.

Mr. Washburn moved, seconded by Mr. Dorland, that the House do now resolve itself into Committee to take into consideration the School Bill.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had made a progress, and that he was directed to ask for leave to sit again to-morrow. Leave was given accordingly.

On motion of Mr. Sherwood, seconded by Captain Elliott, the House adjourned till twelve o'clock to-morrow at noon.

*Friday, 20th February, 1807.*

Prayers were read.

Read, the Affidavit of Thomas Horner, which is as follows:

(Niagara District.)

Personally came before me, Samuel Hatt, Esquire, one of His Majesty's Justices of the Peace for the said District, Thomas Horner, of the Township of Blenheim and District of London, Esquire, who, being duly sworn, deposeth and saith, That he did, on or about the twenty-second day of January last past, serve a subpoena on Levi Lawrence, of Burford, in the District of London, Yeoman, the contents of which was as follows, viz.:

To Levi Lawrence, of Burford, Yeoman,

By virtue of the authority to me given by the Honorable the Commons House of Assembly, I hereby summon and require you to attend in your proper person at York on the third day of the next Session of Parliament to give testimony in the controverted Election of Benajah Mallory, Esquire, the sitting Member for Norfolk, Oxford and Middlesex, on the Petition of Samuel Ryerse, Esquire.

(Signed) Alex'r. McDonell,

Speaker.

And further this deponent saith not.

(Signed) THOMAS HORNER.

Sworn before me at Ancaster,

11th of February, 1807.

(Signed) S. HATT, J.P.

Mr. Sherwood moved, seconded by Captain Elliott, that the prisoners be called to the Bar and stand there without the Serjeant-at-Arms, and that questions put by any member shall be proposed to the Speaker, and by him put to the Prisoner. Ordered accordingly.

Adrian Morlot was then brought to the Bar, and there did answer such questions as were put to him.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master-in-Chancery:

Mr. Speaker,—I am commanded by the Honorable Legislative Council to inform this House that they have concurred in passing an Act to revise an Act passed in the forty-second year of His present Majesty, entitled, "An Act to enable the Governor, Lieutenant-Governor, or person administering the Government of this Province to appoint one or more additional Port or Ports, Place or Places of



Entry within this Province, and to appoint one or more Collector or Collectors at the same respectively.

And then he withdrew.

Mr. Sherwood moved, seconded by Mr. Swazey, that the prisoner be discharged and that the Speaker do inform him that he is discharged from the insufficiency of the summons, the irregularity of the service, and the want of providing means for his support; but that had no other reason appeared to the House than an injury to his private concerns he would have been severely punished.

The Speaker accordingly informed him of the same, and then the prisoner was discharged from the Bar.

Levi Lawrence was then brought to the Bar, and after answering divers questions put to him, he was, by Order of the House, discharged from the Bar.

Mr. Justice Thorpe moved, seconded by Mr. Washburn, that so much of the Order of the day as regards the Barring Dower Bill be dispensed with, and that the third reading be deferred until Monday next. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for establishing Public Schools in the several districts throughout this province.

Mr. Speaker left the Chair.

Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted.

Then was read for the third time as engrossed the Bill for granting to His Majesty duties on licenses to Hawkers, Pedlars and Petty Chapmen, and for regulating their trade.

Mr. McLean then moved, seconded by Mr. Clench, that the Bill do pass, and that the title be "An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars, and Petty Chapmen, and other trading persons therein mentioned."

The Bill then passed, and was signed by Mr. Speaker.

Mr. Sherwood then moved, seconded by Mr. Swazey, that Messrs. Clench and McLean do carry up the Bill for Licensing Hawkers, Pedlars, and Petty Chapmen to the Honorable Legislative Council and request their concurrence thereto. Ordered accordingly.

The House then ordered that the reasonable expense of Levi Lawrence be paid him, and that the Special Messenger do charge the same in his account of disbursements.

Thereafter the House resolved that Adrian Marlet should not be allowed his expenses, he being reprimanded for showing contempt to the order of this House.

On motion of Mr. Clench, seconded by Mr. Howard, the House adjourned until Monday next at twelve o'clock noon.

*Monday, 23rd February, 1807.*

Prayers were read.

Mr. Speaker informed the House that the Serjeant-at-Arms had requested the indulgence of this House in granting him permission to be absent for a short time from his attendance on this House, and that he be permitted to appoint Joseph Cenequy, Gentleman, as his deputy.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill particularizing the property which shall be subject to assessment and rates throughout this Province.

Mr. Speaker left the Chair.

Mr. Swazey was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swazey reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Mr. Sherwood moved, seconded by the Solicitor General, for leave to bring in a Bill to-morrow to alter and amend the existing laws relative to the Court of King's Bench in this Province. Leave was granted accordingly.

Mr. Sherwood again moved, seconded by the Solicitor General, for leave to bring in a Bill to-morrow to provide a salary for another Judge of the Court of King's Bench in this Province, and to repeal an Act appropriating money for Public Buildings at York. Leave was accordingly given.

Mr. McGregor moved, seconded by Mr. Sherwood, for leave to bring in a Bill to-morrow to repeal the several Acts now in force giving bounties for killing wolves. Leave was granted accordingly.

On motion of Mr. Rogers, seconded by Mr. Clench, ordered, that what had not been gone through of the Order of the Day be taken into consideration to-morrow.

On motion of the Solicitor General, seconded by Captain Elliott, the House adjourned.

*Tuesday, 24th February, 1807.*

Prayers were read.

Read for the first time, the Judicature Bill.

Mr. Clench, one of the Messengers named to carry up to the Honorable Legislative Council the Bill for Licensing Hawkers, Pedlars, and Petty Chapmen, reported that they did carry up the said Bill, and did request their concurrence thereto.

Mr. Sherwood then moved, seconded by Mr. Nellis, that the Judicature Bill be read a second time on Saturday next. Ordered accordingly.

Read for the first time, an Act to repeal the Appropriation for Public Buildings.

Mr. Sherwood moved, seconded by Mr. Nellis, that the Bill for repealing the Appropriation of money for erecting Public Buildings be read a second time on Saturday next. The same was ordered accordingly.

Read for the first time, an Act to repeal the Bounty for Destroying Wolves.

Mr. McGregor moved, seconded by Mr. Sherwood, that the Bill for repealing the Bounty for Destroying Wolves be read a second time to-morrow. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Assessment Act.

Mr. Speaker left the Chair.

Mr. Swazey was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swazey reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read, the petition of Isaac Swazey, Esquire, which is as follows:

To the Honorable the Commons House of Assembly of the Province of Upper Canada in Parliament assembled.

The Petition of Isaac Swazey, Inspector for the District of Niagara,  
Humbly Sheweth,

That Your Petitioner has been commissioned Inspector of Licenses for the District of Niagara. That in consequence of the power vested in him by law he collected a considerable sum of money for Duties on Licenses issued 5th January, 1806.

That on the night of the twenty eighth day of January, 1806, his House was broken open and he was robbed of large sums of money of his own private property and the public. That amongst the said money was the sum of One Hundred and Seventy Eight Pounds, Five Shillings and Eightpence Farthing, Provincial currency, collected on account of Duties on Shop, Tavern and Still Licenses issued the said 5th January, 1806.

Your Petitioner presumes he has always been punctual in his payments, and diligent in the discharge of his duty as Inspector, and he believes that he will be able to prove to the Honorable House that the said sum was not lost by any negligence or inattention on his part.

Wherefore, Your Petitioner prays that the House will take his case into consideration, and grant him such relief as they in their wisdom shall think meet; and Your Petitioner, as in duty bound, will ever pray.

(Signed) ISAAC SWAZEY.

York, 19th February, 1807.

Mr. Rogers moved, seconded by Mr. Solicitor General, that the petition of Isaac Swazey be referred to the Committee of the Whole House on the Public Accounts. Ordered accordingly.

The Clerk of the House has the honor of informing Mr. Speaker and the House that the Clerks of the Peace for the different Districts in this Province did send him returns of all the rateable property in their respective Districts, in compliance with the eighth section of the Act for the more uniform laying of Assessments throughout this Province.

The Speaker then ordered the different returns received from the Clerks of the Peace to be laid upon the Table, and to be entered in a Book, to be of record in this House.

The House then resolved itself into a Committee to go into the further consideration of the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McGregor reported that the Committee had made a progress, and did request him to ask for leave to sit again. Leave was accordingly granted.

Mr. Rogers then moved, seconded by Mr. Washburn, that he may have leave to bring in a Bill for the relief of Isaac Swazey, Inspector for the District of Niagara, to-morrow. Leave was accordingly granted.

On motion of Mr. Rogers, seconded by Mr. Washburn,

Ordered, That what had not been gone through of the Order of this Day be taken into consideration, to-morrow.

On motion of the Solicitor General, seconded by Capt. Cowan, the House adjourned.

*Wednesday, 25th February, 1807.*

Prayers were read.

Read for the second time, The Bill to repeal the Bounty for destroying Wolves.

On motion of Mr. Rogers, seconded by Mr. Dorland, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Justice Thorpe was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Justice Thorpe reported that the Committee had gone through the consideration of the said Bill, to which they had made an amendment, which he was directed to report to the House when it should be pleased to receive the same.

The House then resolved that the said Report be now received.

The Report was accordingly received, and is as follows:

Be repealed so far as respects the Western District, the District of London, the Home District, the District of Newcastle, the District of Johnstown and the Eastern District.

On motion of Mr. Rogers, seconded by Mr. Sherwood, the House again resolved itself into a Committee to reconsider the amendment made to the said Bill.

Mr. Speaker left the Chair.

Mr. Justice Thorpe again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Justice Thorpe reported that it is the opinion of the Committee that the former amendment made to the said Bill be withdrawn. Which Report was accepted, and ordered accordingly.

Mr. McGregor then moved, seconded by Capt. Cowan, that the said Bill be engrossed and read a third time to-morrow. Ordered accordingly.

Then read for the third time, as amended, and engrossed, The Act for Barring Dower, which then passed and was signed by the Speaker.

Mr. Justice Thorpe moved, seconded by Mr. Rogers, that Messrs. Sherwood and McLean do go up and inform the Legislative Council that this House has passed the Bill for Barring Dower, as amended, to which amendments they request their concurrence. Ordered accordingly.

Read for the first time, An Act for the relief of Isaac Swazey, Esquire.

Mr. Rogers moved, seconded by Mr. Nellis, that the Bill for the relief of Isaac Swazey be read a second time on Friday next. Which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Assessment Act.

Mr. Speaker left the Chair.

Mr. Swazey was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swazey reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made several amendments, which he was directed to report whenever the House should be pleased to receive the same.

The Report was then received, and accepted.

Mr. Howard moved, seconded by Mr. Swazey, that the Assessment Bill be engrossed and read a third time to-morrow. Ordered accordingly.

The House then resolved itself into a Committee on the School Bill.

Mr. Speaker left the Chair.

Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. The Report was then received and accepted.

The Solicitor General then moved, seconded by Mr. Sherwood, for leave to bring in a Bill on Friday next, granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like Duties on goods and merchandize brought into this Province from the United States of America as are now imposed and levied on similar articles brought from the United States and Lower Canada. Leave was accordingly granted.

On motion of Mr. Justice Thorpe, seconded by Mr. Clench, was read the petition of Thomas Barnes Gough, and is as follows:

To the Honorable House of Assembly of the Province of Upper Canada in Parliament assembled.

The Petition of Thomas Barnes Gough, of York, in said Province,  
Most Respectfully Sheweth,

That Your Petitioner did respectfully petition Your Honorable House on the first day of the present session against the election and return of Robert Thorpe, Esquire, as a Knight to represent the County of Durham, the East Riding of the County of York, and the County of Simcoe in Your Honorable House in the place of the late William Weekes, Esq.

That Your Petitioner has at a great expense procured a Counsel from a distant part of this Province to support the grounds and prayer of his Petition.

That Your Petitioner has learned, with regret, that Your Honorable House has postponed the consideration thereof for three months.

Your petitioner, throwing himself on the justice and liberality of Your Honorable House, prays that you will be pleased to take the same into your consideration, and permit him to be heard by his Counsel in support of the allegations thereof at as early a period of this Session as Your Honorable House shall deem meet.

(Signed) THOS. BARNES GOUGH.

York, 18th February, 1807.

Mr. Rogers then moved, seconded by Mr. Dorland, that the petition of Thomas Barnes Gough be taken into consideration this day three months.

Which was carried in the negative.

On motion of Mr. Clench, seconded by Mr. McGregor, the House resolved itself into a Committee to go into the consideration of the Petition of Thos. Barnes Gough.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported that it was the opinion of the Committee that the further consideration of the said Petition be deferred for three months.

Mr. Solicitor General then moved, seconded by Capt. Cowan, that the Report be not received.

A division took place, the names being called for were taken down, and are as follows:

Yeas  
 MESSRS. SOL'R. GEN.  
 SHERWOOD  
 COWAN  
 McLEAN  
 NELLIS  
 CRYSLER

Nays  
 MESSRS. MCGREGOR  
 CLENCH  
 MALLORY  
 ROGERS  
 HILL  
 DORLAND  
 HOWARD  
 WASHBURN

The same passed in the negative by a majority of two.

The Report was then received and accepted, and ordered accordingly.

Mr. Washburn then moved, seconded by Mr. Crysler, that the School Bill be engrossed and read a third time on Friday next. Ordered accordingly.

Mr. Rogers moved, seconded by Mr. Hill, that leave be given him to bring in a Bill to establish the fees of the Clerks of the Peace, and to provide for certain costs, to-morrow. Leave was accordingly granted.

On motion of Mr. Clench, seconded by Mr. Nellis, the House adjourned.

*Thursday, 26th February, 1807.*

Prayers were read.

Read for the third time, as engrossed, The Act to repeal several Acts granting Bounties for destroying Wolves.

Mr. McGregor then moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act to repeal the several Acts now in force, giving bounties for destroying Wolves."

Mr. Speaker having put the question for the Bill passing, a division took place, the names being called for they were taken down, and are as follows:

Yeas  
 MESSRS. SOL'R. GEN.  
 SHERWOOD  
 MCGREGOR  
 COWAN  
 NELLIS  
 ROGERS  
 HOWARD  
 THORPE  
 CRYSLER

Nays  
 MESSRS. CLENCH  
 McLEAN  
 WASHBURN  
 SWAZEY  
 HILL  
 MALLORY

The same was carried in the affirmative by a majority of three.

The Bill then passed, and was signed by the Speaker.

Then was read for the third time, as engrossed, the Assessment Act.

Mr. Rogers moved, seconded by Mr. Swazey, that the further consideration of the Assessment Bill be postponed for three months, and that the Speaker do direct that copies be printed for the use of the Members, which passed in the negative.

Mr. Clench then moved, seconded by Mr. Justice Thorpe, that the Assessment Bill be recommitted.

On the question being put a division took place; the names being called for, they were taken down, and are as follows:

Yeas  
 MESSRS. CLENCH  
 McLEAN  
 SWAZEY  
 ROGERS  
 WASHBURN  
 THORPE  
 DORLAND

Nays  
 MESSRS. SOL'R. GEN.  
 SHERWOOD  
 COWAN  
 McGREGOR  
 NELLIS  
 HOWARD  
 HILL  
 MALLORY  
 CRYSLER

The same passed in the negative by a majority of two.

The Solicitor General then moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act to repeal the several Acts now in force in this Province, relative to Rates and Assessments, and also to particularize the property, real and personal, which, during the continuance thereof, shall be subject to Assessments and Rates, and fixing the several valuations at which each and every particular of such property shall be rated and assessed."

The Bill then passed, and was signed by the Speaker.

The Solicitor General then moved, seconded by Capt. Cowan, that Messrs. Howard and Sherwood do carry up the Assessment Act to the Legislative Council, and do inform them that the House of Assembly have passed the same, and request their concurrence thereto. Ordered accordingly.

Read for the first time, The Fee Bill.

Mr. Rogers then moved, seconded by Mr. Swazey, that the Bill for establishing the Fees of the Clerk of the Peace be read a second time to-morrow. Ordered accordingly.

By order of the House was read the Petition of sundry Inhabitants of the District of Johnstown, which is as follows:

To the Honorable House of Assembly for the Province of Upper Canada.

The petition of the Subscribers, Inhabitants of the District of Johnstown, Humbly Represents,

That the District of Johnstown extends about fifty six miles on the River St. Lawrence. That the Counties of Grenville and Leeds are the only inhabited Counties in said District, That the County of Leeds originally contained ten Townships, two of which, Escott and Yonge, are now comprised in one, that the County of Grenville contains only seven Townships, whose population is not more than half as great as that of the County of Leeds. That the Court House and Gaol in the District of Johnstown is situated in the Town of Johnstown in the County of Grenville, within seven miles of the division line between the said District and the Eastern District; that the said Court House and Gaol were erected in pursuance of an Act passed in the thirty second year of the King, for the express purpose of accommodating the Inhabitants of that part of the Province, then known by the name of the Eastern District, conformably to an Act passed in the thirty eighth year of the King, entitled, "An Act for the better division of this Province." That the remote situation of the Court House and Gaol from the centre of the said District of Johnstown precludes in a great degree the inhabitants of the said

District from enjoying the conveniences which the Legislature undoubtedly had in view when the last mentioned Act was passed. That previous to the division of the Eastern District aforementioned the General Quarter Sessions of the Peace were alternately holden at Cornwall and Johnstown, and the Inhabitants of the said District of Johnstown attended the said sessions as Jury men only twice a year at the said Court House in Johnstown. That since the said division the said inhabitants were obliged to attend the General Quarter Sessions of the Peace to serve on juries four times in each year, and to travel the same distance for that purpose as formerly. That if the Court House and Gaol were placed in a more central situation, the expense and trouble of attending the Courts to serve on juries would be more equally divided, and the benefits intended to be granted by the said Act of the thirty eighth year of the King, would be more effectually experienced. That the said court House and Gaol in the Town of Johnstown is in a ruinous and almost irreparable state.

Your Petitioners, therefore, humbly pray the Honorable House of Assembly to frame a Bill calculated to enable the inhabitants of the said District of Johnstown to build a new Gaol and Court House on the front end of lots Nos. 10, 11, or 12, in the first Concession of the Township of Elizabethtown, in the County of Leeds aforesaid.

Your Petitioners humbly conceive that the said situation is the most eligible of any in said District of Johnstown for the purposes aforesaid, being at the distance of twenty three miles from the lower extremity of said District, as far towards the centre of the same as convenience will allow,

And Your Petitioners, as in duty bound, will ever pray.

We, the subscribers, hereby authorize Mr. Charles Jones to insert our names to any general petition which may be addressed to the Honorable House of Assembly for the purposes mentioned in the body of the foregoing Petition.

(Signed): Matthew Howard, Stephen Howard, Alex<sup>r</sup> McLean, Jr., Samuel Wright, and several others.

District of Johnstown,  
Decr. 1806.

On motion of Mr. Clench, seconded by Mr. Swazey, was read the Petition of sundry inhabitants of the District of Niagara, and is as follows.

To the Honorable the Speaker and Members of the House of Assembly at York:—

The Petition of the Magistrates and principal Inhabitants living on the road along the road between the Lakes Ontario and Erie and its vicinity:—

Sheweth,—

That the Bridge crossing the mouth of the Chippewa Creek, upwards of three hundred feet in length, is so much decayed as to render the passing unsafe, and has twice endangered the lives of passengers and teams by breaking down.

Your Petitioners deem it necessary to enlarge on the utility (and, indeed, necessity) of a bridge. Then, since it is so well known to many of the Gentlemen in Your House, particularly those representing this part of the Province, but presume to say that no road in this district is more travelled than the road above mentioned.

The law authorizing the Magistrates in Quarter Sessions to draw on the County Treasurer for the repair of highways and bridges does not allow them to exceed the sum of Fifty Pounds for any one bridge, which, in the present exigence is far too small a sum.



Your Petitioners, therefore, pray that the Legislative Body will be pleased to authorize the Magistrates of Niagara District in Quarter Sessions assembled, to apply an additional sum of Two Hundred Pounds of the County money to defray the expense of building a bridge across the mouth of Chippewa Creek, or make such other provisions as the necessity of the case requires, and which in your wisdom shall seem meet.

And Your petitioners will pray.

John Warren, Sr., Thomas Cummings, Sam'l Street, Sr., Douglas, and several others.

Mr. Solicitor General then moved, seconded by Captain Cowan, for leave to bring in a Bill on Saturday next for building a Gaol and Court House in Elizabethtown, in the District of Johnstown. Leave was accordingly granted.

Mr. Rogers then moved, seconded by Mr. Swazey, that this House do now resolve itself into a Committee to take into their further consideration the Public Accounts.

Accordingly the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. McGregor took the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McGregor reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A Message from the Legislative Council by Mr. Baldwin, Master in Chancery: Mr. Speaker,—

I am commanded by the Legislative Council to inform this Honorable House that they have passed a Bill for the relief of Clerks to Attorneys who may have served their Clerkships without being bound by contracts in writing, to which they request the concurrence of this House.

And then he withdrew.

The said Bill was then read for the first time.

On motion of the Solicitor General, seconded by Capt. Cowan, the said Bill was ordered to be read for the second time to-morrow.

The House again resolved itself into a Committee to go into the further consideration of the Public Provincial Accounts.

Mr. Speaker left the Chair.

Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McGregor reported that the Committee had made a progress, and that he was directed to ask for leave to sit again to-morrow. Leave was accordingly granted.

On motion of Mr. McGregor, seconded by Mr. Nellis, ordered, that the House be called over to-morrow.

The House resolved itself into a Committee to go into the further consideration of the Special Jury Bill.

Mr. Speaker left the Chair.

Mr. Hill was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Hill reported that the Committee had made some progress, and that he was directed to ask for leave to sit again on Monday next. Leave was accordingly granted.

The House then resolved itself into a Committee to go into the further consideration of the Marriage Bill.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted to sit again on Monday next.

The House then resolved itself into a Committee to take into their further consideration the state of the roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Clench took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had made a progress, and had asked for leave to sit again this day. Leave was accordingly granted.

Mr. Justice Thorpe moved, seconded by Mr. Rogers, that the Committee of the Whole House on the state of the roads be empowered to examine such persons as they shall think necessary in order to obtain information with respect to the state of the roads in the different districts. Ordered accordingly.

The House again resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Clench again took the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Clench reported that the Committee do recommend to the House that the Select Committee on the Public Highways and Roads throughout this Province, be a Committee to draft a Bill grounded on their Report to this House. The House resolved the same, and ordered accordingly.

On motion of Capt. Cowan, seconded by Capt. Elliott, the House adjourned.

*Friday, 27th February, 1807.*

Prayers were read.

Read for the second time, the Bill for granting relief to Isaac Swazey, Esquire.

Mr. Rogers moved, seconded by Mr. Nellis, that the House do now resolve itself into a Committee to take into their consideration the Bill for the relief of Isaac Swazey, and that the Committee have power to examine such persons as they may think proper. Ordered accordingly.

The House then resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee recommended that the further consideration of the Bill for granting relief to Isaac Swazey, Esquire, be postponed until the first week in the next ensuing Session of the Provincial Parliament.

Mr. Rogers moved, seconded by Mr. Howard, that the Report be not received.

A division thereupon took place; the names being called for, they were taken down, and are as follows:

Yeas.  
 MESSRS. MALLORY,  
 HOWARD.  
 ROGERS.  
 SHERWOOD.  
 CRYSLER.

Nays.  
 MESSRS. ELLIOTT.  
 COWAN.  
 MCGREGOR.  
 McLEAN.  
 NELLIS.  
 WASHBURN.  
 HILL.  
 THORPE.  
 CLENCH.  
 DORLAND.

Which passed in the negative by a majority of five.

The Report was then received and accepted, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Clench, that Isaac Swazey have leave to withdraw his Petition and the affidavits annexed to it. Leave was accordingly granted.

Read for the second time, the Bill to regulate the Fees to be taken by the Clerks of the Peace throughout this Province.

On motion of Mr. Rogers, seconded by Mr. Mallory, the House resolved itself into a Committee to take into their consideration the said Fee Bill.

Mr. Speaker left the Chair.

Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported a progress, and asked for leave to sit again this day. Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master-in-Chancery:

Mr. Speaker,—

I am commanded by the Honorable Legislative Council to inform this House that the Legislative Council have concurred with the House of Assembly in that part of their amendment to the Bill entitled, "An Act to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's reign, entitled, 'An Act for the more easy Barring of Dower and to repeal certain parts of the same,' " which instead of "Great Britain or Ireland" substitutes the words "The United Kingdom of Great Britain and Ireland," also to that part which declares that no omission which has heretofore occurred in the registry of a Certificate of Dower barred shall vitiate the same, but do not concur with the other amendments, and request a conference thereon.

(Signed) THOMAS SCOTT,  
 Speaker.

Legislative Council Chamber,  
 27th February, 1807.

And also the Legislative Council have passed an Act sent up by this Honorable House entitled "An Act for granting to His Majesty Duties and Licenses to Hawkers, Pedlars and Petty Chapmen, and for regulating their trade," to which they made some amendments, to which amendments they request the concurrence of this House.

And also that they have passed an Act to repeal part of an Act passed in the thirty-seventh year of His present Majesty, entitled, "An Act for regulating the

practice of the Court of King's Bench," to which they request the concurrence of this House, and then he withdrew.

Read for the first time, the amendments made by the Legislative Council to the Act for licensing Hawkers, Pedlars and Petty Chapmen.

Mr. Rogers then moved, seconded by Mr. Howard, that a Committee be appointed to confer with a Committee of the Legislative Council on the amendments made by them to a Bill for extending the provisions of an Act for Barring Dower, which was ordered accordingly.

Mr. Rogers again moved, seconded by Mr. Howard, that Messrs. Sherwood, McLean, Dorland and McGregor be a Committee to confer with a Committee of the Legislative Council on the amendments made to a Bill for extending the provisions of an Act for Barring of Dower. Ordered accordingly.

On Motion of Mr. Sherwood, seconded by Mr. Crysler, ordered, that Messrs. Clench and McGregor do carry up to the Legislative Council the following message:  
Mr. Speaker,

We are directed by the Commons to inform Your Honorable House that they have appointed a Committee to manage on their part a conference upon the subject of their amendments in and to the Bill entitled "An Act for Barring Dower," and that their Managers will attend Your Committee at any time Your Honorable House may think fit to appoint.

(Signed) ALEXANDER McDONELL,  
Speaker,

Commons House of Assembly,  
27th February, 1807.

Mr. Clench, one of the Messengers named to carry up to the Legislative Council the Message from this House, reported that they had carried up the said Message.

Mr. McLean then moved, seconded by Mr. Sherwood, that the amendments made by the Legislative Council to a Bill entitled "An Act for granting to His Majesty Duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and for regulating their trade," be rejected, and that he have leave to bring in a Bill tomorrow granting to His Majesty certain Duties on Licenses to Hawkers, Pedlars, Petty Chapmen and other trading persons. Leave was accordingly granted.

Read for the first time, An Act sent down from the Legislative Council to repeal an Act passed in the thirty-seventh year of His present Majesty entitled "An Act to regulate the practice of the Court of King's Bench."

The House again, agreeably to leave given, resolved itself into a Committee, to go into the further consideration of the Fees to be taken by the Clerks of the Peace.

Mr. Speaker left the Chair.

Mr. Crysler again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported a progress, and asked for leave to sit again this day. Leave was accordingly granted.

A Message from the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

The Committee of conference of the Legislative Council on the amendments to the Bill entitled "An Act to extend the benefits of An Act passed in the thirty-seventh year of His Majesty's Reign, entitled 'An Act for the more easy Barring

of Dower, and to repeal certain parts of the same, are now ready to meet the Committee of the House of Assembly in the Legislative Council Chamber.

(Signed) THOMAS SCOTT,  
Speaker.

Legislative Council Chamber,  
27th February, 1807.

And then he withdrew.

Mr. Sherwood, first named in the conference requested by the Legislative Council in the amendments made by this House to the Act for extending the benefits of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled "An Act for the more easy Barring of Dower and to repeal certain parts of the same," reported that the Committee of the Commons House of Assembly declined withdrawing the amendments made by this House to that Bill.

Agreeably to leave given, the House again resolved itself into Committee to go into the further consideration of the Clerks of the Peace Bill.

Mr. Speaker left the Chair.

Mr. Crysler again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported a progress, and asked for leave to sit again on Monday next. Leave was accordingly granted.

On motion of Mr. Howard, seconded by Mr. Nellis,

Ordered, That what had not been gone through of the Order of this Day be taken into consideration to-morrow.

On motion of Mr. Justice Thorpe, seconded by Mr. Washburn, the House adjourned until to-morrow at twelve o'clock at noon.

*Saturday, 28th February, 1807.*

Prayers were read.

Read for the second time, the Judicature Bill.

On motion of Mr. Sherwood, seconded by Mr. McGregor, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Captain Cowan was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Captain Cowan reported that the Committee had made a progress, and directed him to ask for leave to sit again on Monday next. Leave was accordingly granted.

Read for the second time, the Bill to repeal the Act for Public Buildings.

Read for the third time as engrossed, the Bill for establishing a Public School in each District in this Province.

Mr. Justice Thorpe moved, seconded by Mr. Howard, that the School Bill be recommitted on Monday next. Ordered accordingly.

Then was read for the first time the Bill for Licensing Hawkers, Pedlars and Petty Chapmen.

Mr. McLean then moved, seconded by Mr. Sherwood, that the Hawkers and Pedlars Bill be read for a second time on Monday next. Which was ordered accordingly.

On motion of Mr. Crysler, seconded by Mr. Hill,

Ordered, That so much of the Order of this Day be dispensed with as relates

to the second reading of the Act for granting relief to Attorneys' Clerks, and that the said Bill be read on Monday next.

Mr. Justice Thorpe moved, seconded by Mr. Howard, that the Public Accounts shall be the first business on the Order of the Day until they are finished. Which passed in the negative.

Mr. Rogers moved, seconded by Mr. Sherwood, that the order made yesterday on the Bill for the relief of Isaac Swazey be discharged, and that he have leave to produce further evidence in support of the facts stated in his Petition.

The House divided thereon; the names being called for were taken down as follows:

Yeas	Nays
MESSRS. CRYSLER	MESSRS. DORLAND
MALLORY	CLENCH
MCGREGOR	NELLIS
SHERWOOD	ELLIOTT
ROGERS	THORPE
WASHBURN	McLEAN
COWAN	
HILL	
HOWARD	

Majority of three in the affirmative.

The order was accordingly discharged, and leave was given to produce further evidence in support of the facts stated in his Petition.

On motion of Mr. Howard, seconded by Mr. Hill, ordered, that what had not been gone through of the Order of this Day be taken into consideration on Monday next.

On motion of Captain Cowan, seconded by Captain Elliott, the House adjourned until Monday next.

*Monday, 2nd March, 1807.*

Prayers were read.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Judicature Bill.

Mr. Speaker left the Chair.

Captain Cowan was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Captain Cowan reported that the Committee recommended to the House that the Judicature Bill be printed, and that ten copies be sent to each Member of the House of Assembly, the Legislative Council, to Mr. Justice Powell, the Attorney General (when he arrives) and fifty copies to His Excellency, the Lieutenant Governor; and that a Bill of this nature be brought in at the next session of Parliament. Which Report was received and accepted. And Ordered accordingly.

The House then resolved itself into a Committee to go into the further consideration of the Bill for establishing the Fees to be taken by the Clerks of the Peace throughout this Province.

Mr. Speaker left the Chair.

Mr. Cryslar was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported a progress, and asked for leave to sit again this day. Leave was accordingly granted.

A Message from the Legislative Council by Mr. Baldwin, Master in Chancery.  
Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have passed an Act sent up from this House, entitled "An Act to repeal the several Acts now in force giving bounties for destroying Wolves," to which they have made some amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

The amendments were then read for the first time.

On motion of Mr. Sherwood, seconded by Mr. McGregor, they were ordered to be read a second time to-morrow.

The House again resolved itself into a Committee to go into the further consideration of the Fees to be taken by the Clerks of the peace.

The Speaker left the Chair.

Mr. Crysler again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crysler reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made several amendments, which he was directed to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the Report be now received.

The Report was accordingly received.

The Solicitor General moved, seconded by Mr. Dorland, that the Clerk of the Peace Fee Bill be engrossed and read a third time to-morrow. Ordered accordingly.

Then was read for the third time, as engrossed, the Bill for establishing Schools in this Province.

Mr. McLean moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act to establish Public Schools in each and every District of this Province.

The Speaker then put the question, Shall the Bill pass. A division took place, the names being called for they were taken down, and are as follows:

Yeas	Nays
MESSRS. SOL'R. GEN.	MESSRS. CRYSLER
SHERWOOD	JUS. THORPE
ELLIOTT	HILL
COWAN	ROGERS
McGREGOR	
McLEAN	
CLENCH	
SWAZEY	
NELLIS	
WASHBURN	
MALLORY	

Carried in the affirmative by a majority of seven.

The Bill then passed, and was signed by the Speaker.

Mr. McLean then moved, seconded by Capt. Elliott, that Messrs. Washburn and Swazey be a Committee to carry the School Bill up to the Legislative Council and request their concurrence thereto. Which was ordered accordingly.

Then was read for the second time, the Hawkers and Pedlars Bill.

On motion of Mr. Clench, seconded by Capt. Cowan, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made an amendment, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the Report be now received.

The Report was accordingly received.

Mr. Clench then moved, seconded by Mr. Nellis, that the Bill relating to Hawkers, Pedlars and Petty Chapmen be engrossed, and read a third time this day. Ordered accordingly.

The said Bill was then read for the third time as engrossed.

Mr. McLean then moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other Trading persons therein mentioned.

The Bill then passed, and was signed by the Speaker.

Mr. Clench then moved, seconded by Mr. McGregor that the Messengers named to carry up to the Honorable Legislative Council the Bill for establishing Public Schools do also carry up the Bill entitled "An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons." Which was ordered accordingly.

The Solicitor General, seconded by Mr. Rogers, then moved that the Attorneys Bill be read a second time this day. The said Bill was accordingly read a second time.

Mr. Solicitor General, seconded by Mr. Swazey, moved that this House do now resolve itself into a Committee on the Attorneys Bill. The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Hill was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Hill reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same.

The Report was then received and accepted.

The said Bill was then read for the third time, passed, and signed by the Speaker.

Mr. Sherwood then moved, seconded by Mr. Justice Thorpe, for leave to bring in a Bill to-morrow to enable the Practitioners at the Bar in this Province to take a greater number of Clerks than by law they are now limited to take. Leave was accordingly granted.

Mr. Solicitor General moved, seconded by Mr. McLean, that Mr. Washburn and Mr. Swazey do carry up the Bill entitled "An Act for the relief of Clerks to Attorneys who may have served their clerkship without being bound by contract in writing" to the Legislative Council, and inform them that this House have concurred in passing the same without any amendments. Ordered accordingly.

Read for the first time, The Johnstown Court House Bill.



On motion of the Solicitor General, seconded by Mr. McLean, the said Bill was read for the second time.

The Solicitor General moved, seconded by Mr. Crysler, for leave to bring in a Bill to-morrow to regulate the payment of several orders of Sessions made by the Quarter Sessions in the Eastern District previous to the establishment of the District of Johnstown. Leave was accordingly granted.

Mr. Justice Thorpe again gave notice that he will to-morrow move an Address to the Lieutenant Governor, on the subject of the claims of U. E. Loyalists, their children, and also the claims of the military claimants.

On motion of Mr. Dorland, seconded by Mr. Washburn, the House adjourned.

*Tuesday, 3rd March, 1807.*

Prayers were read.

Mr. Rogers moved, seconded by Mr. Solicitor General, that the House do now resolve itself into a Committee to take into their consideration the Bill for the relief of Isaac Swazey, Esquire.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Speaker was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read for the second time, a Bill entitled "An Act to repeal the several Acts now in force giving bounties for destroying Wolves," as amended.

On motion of Mr. Sherwood, seconded by Mr. Solicitor General, the house resolved itself into a Committee to go into the consideration of the amendments made by the Legislative Council to the Bill entitled "An Act to repeal the several Acts now in force, giving bounties for destroying Wolves."

Mr. Speaker left the Chair.

Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Howard reported that the Committee had concurred in the amendments made by the Legislative Council to the Bill entitled "An Act to repeal the several Acts now in force, giving bounties for destroying Wolves," which he was to report to the House whenever it should be pleased to receive the same.

Ordered, that the said Report be now received.

Ordered, that the Solicitor General and Captain Cowan do carry the following message to the Legislative Council:

Mr. Speaker,—

We are commanded by the House of Assembly to inform this Honorable House that it has concurred in the amendments made by this Honorable House to an Act entitled "An Act to repeal the several Acts now in force, giving bounties for destroying Wolves."

(Signed) Alexr. McDonell,

Speaker.

Commons House of Assembly,  
3rd March, 1807.

Read for the third time, as engrossed, the Bill entitled "An Act to establish the Fees of the Clerks of the Peace, and to regulate the Fees in the several Courts of Quarter Sessions throughout this Province."

Mr. Sherwood then moved, seconded by the Solicitor General, that this Bill do pass, and that the title be "An Act to establish the Fees of the Clerks of the Peace, and to regulate the Fees in the several Courts of Quarter Sessions throughout this Province."

The Bill then passed and was signed by the Speaker.

Read for the first time the Bill entitled, "An Act to authorize the Practitioners at the Bar in this Province to take such number of Clerks as is therein mentioned," and that the said Bill be read a second time to-morrow.

Mr. Rogers moved, seconded by Mr. Mallory, that the Solicitor General and Capt. Cowan do carry up to the Legislative Council the Bill for establishing the Fees of the Clerks of the Peace, and to request their concurrence thereto. Ordered accordingly.

Mr. Washburn, one of the Messengers named to carry up to the Legislative Council the Bill for licensing Hawkers, Pedlars and Petty Chapmen, reported that they had carried up the same, to which they requested their concurrence.

And also an Act for establishing Public Schools in each and every District in this Province to which they also requested their concurrence, and also the message of this House.

Read for the first time, the Bill for paying of money to individuals in the District of Johnstown.

The Solicitor General moved, seconded by Mr. Sherwood, that the Johnstown and Eastern District Bill be read a second time to-morrow. Ordered accordingly.

The Solicitor General then moved, seconded by Mr. Sherwood, that the House do on to-morrow resolve itself into a Committee on the Johnstown Court House Bill, which was accordingly ordered.

Mr. Thorpe gave notice that he would to-morrow move an Address to the Lieutenant Governor on the claims of the U. E. and Military Claimants.

Read for the first time, the Duty Bill.

Mr. Solicitor General, seconded by Mr. Sherwood, moved that the Duty Bill be read a second time to-morrow. Ordered accordingly.

Mr. Justice Thorpe moved, seconded by Mr. Rogers, for leave to bring in a Bill to-morrow for the preservation of Salmon. Leave was accordingly granted.

Mr. Rogers moved, seconded by the Solicitor General, that the names of the members of this House be called over to-morrow. Ordered accordingly.

Mr. Swazey then moved, seconded by Mr. Crysler, for leave to bring in a Bill to-morrow to remove doubts respecting the eligibility of the Judges of His Majesty's Court of King's Bench to sit in the House of Assembly in this Province. Leave was accordingly granted.

On motion of Capt. Cowan, seconded by Mr. Mallory, the House adjourned.

*Wednesday, 4th March, 1807.*

Prayers were read.

Read for the first time, an Act for the better Preservation of Salmon.

On motion of Mr. Justice Thorpe, seconded by Mr. Mallory,

Ordered, that the said Bill be read a second time to-morrow.

Read for the second time, an Act for allowing Practitioners at the Bar in this Province to take such number of Clerks as therein mentioned.

On motion of Mr. Sherwood, seconded by Mr. Clench, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McGregor reported that the Committee had gone through the consideration of the said Bill without any amendment, which report was accepted.

On motion of Mr. Sherwood, seconded by Mr. McGregor,

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

Read for the second time, the Bill for giving relief to those who held orders on the District Treasury of Johnstown.

On motion of the Solicitor General, seconded by Mr. Sherwood, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Hill was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Hill reported that the Committee had gone through the consideration of the said Bill without any amendment, which Report was received and accepted.

On motion of Mr. Solicitor General, seconded by Mr. Sherwood, the said Bill was ordered to be engrossed and read a third time to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the District of Johnstown Court House and Gaol Bill.

Mr. Speaker left the Chair.

Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported that the Committee had made a progress, and directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Mr. Justice Thorpe then moved, seconded by Mr. Washburn, that the House should now resolve itself into a Committee on the claims of the U. E. and Military Claimants.

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

Yeas.	Nays.
MESSRS. CLENCH.	MESSRS. SOL'R GEN.
McGREGOR.	CRYSLER.
DORLAND.	MALLORY.
ROGERS.	ELLIOTT.
HILL.	COWAN.
JUSTICE THORPE.	McLEAN.
WASHBURN.	SHERWOOD.
	NELLIS.
	SWAZEY.

Which was carried in the negative by a majority of one.

Then was read for the second time the Bill for granting duties to His Majesty on Goods and Merchandise imported from the United States of America, as are paid in the Province of Lower Canada.

On motion of Mr. Solicitor General seconded by Mr. Swazey, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the Report be now received: He then read the report in his place, and then delivered the same in at the Table, where it was again read by the Clerk, and is as follows:

That the said Act shall continue to be in force to the first day of March in the year of Our Lord, One Thousand Eight Hundred and Nine, and no longer.

The Report was then received and accepted.

On motion of the Solicitor General, seconded by Capt. Elliott, ordered, that the said Bill be engrossed and read a third time to-morrow.

The Order of the Day for the call of the House being read,

Ordered, that the House be now called over.

The House was accordingly called over, and the only member absent is W. E. Wilkinson.

Read for the first time, the Bill to remove doubts respecting the eligibility of the Judges of His Majesty's Court of King's Bench to sit in the House of Assembly in this Province.

Mr. Washburn then moved, seconded by Mr. Justice Thorpe, that the Bill relative to Judges of the Court of King's Bench be read a second time this day three months.

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

Yeas	Nays
MESSRS. MALLORY	MESSRS. SOL'R. GEN.
CLENCH	CRYSLER
McGREGOR	ELLIOTT
NELLIS	COWAN
ROGERS	McLEAN
HOWARD	SHERWOOD
HILL	SWAZEY
WASHBURN	
THORPE	
DORLAND	

The same was carried in the affirmative by a majority of three. And Ordered accordingly.

Mr. Rogers then moved, seconded by Mr. Sherwood, that this House do now resolve itself into a Committee to take into their further consideration the Bill for the relief of Isaac Swazey. The same passed in the negative.

Mr. Rogers then moved, seconded by Mr. Clench, that the House do now resolve itself into a Committee to take into their further consideration the Provincial Public Accounts.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. McGregor was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McGregor reported that the Committee had made a progress, and directed him to ask for leave to sit again to-morrow. Leave was accordingly granted. On motion of Capt Elliott, seconded by Mr. McGregor, the House adjourned.

*Thursday, 5th March, 1807.*

Prayers were read.

Read for the second time, The Bill entitled "An Act for the better Preservation of Salmon."

Mr. Justice Thorpe then moved, seconded by Mr. Swazey, that the House do now resolve itself into a Committee to go into the consideration of the said Bill.

A division thereupon took place, the names being called for they were taken down, and are as follows:

<p>Yeas</p> <p>MESSRS. SOL'R. GEN. COWAN SHERWOOD McGREGOR McLEAN HOWARD ROGERS SWAZEY THORPE</p>	<p>Nays</p> <p>MESSRS. CLENCH DORLAND HILL</p>
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The same was carried in the affirmative by a majority of six.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

Read for the third time, as engrossed, A Bill to authorize Practitioners in the Law to take a certain number of Clerks.

Mr. Sherwood then moved, seconded by the Solicitor General, That the Bill do pass, and that the title be "An Act to authorize Practitioners in the Law in this Province to take such a number of Clerks as is therein mentioned."

The Bill then passed and was signed by the Speaker.

Mr. Rogers moved, seconded by Mr. Swazey, that Messrs. Sherwood and McLean do carry up to the Legislative Council the Bill for allowing Attornies more Clerks, and to request their concurrence in passing the same. Ordered accordingly.

Read for the third time, as engrossed, a Bill for the payment of certain debts due by the Eastern District.

Mr. Sherwood then moved, seconded by the Solicitor General, that the Bill do pass, and that the title be "An Act to regulate the payment of certain debts due by the Eastern District before the establishment of the District of Johnstown."

The said Bill then passed, and was signed by the Speaker.

A Message from the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am Commanded by the Legislative Council to inform this Honorable House that they have passed a Bill entitled "An Act to establish Public Schools in each and every District of this Province" without any amendment.

And then he withdrew.

Mr. Solicitor General then moved, seconded by Mr. Swazey, that Messrs. Sherwood and McLean do carry up the Eastern District Bill to the Legislative Council, and inform them that the House of Assembly have passed the same, and request the concurrence of the Legislative Council to the same.

And also that Messrs Sherwood and McLean do carry up the Duty Bill to the Legislative Council, and inform them that the House of Assembly have passed the same, and request their concurrence thereto. Ordered accordingly.

Mr. Howard then moved, seconded by Mr. Dorland, that so much of the Order of this Day as relates to the House going into a Committee to go into the consideration of the Johnstown Court House Bill be discharged, and that leave be given for the House to go into Committee to-morrow on the said Bill. Ordered accordingly.

Mr. Sherwood, first named to carry up several Bills to the Legislative Council, reported that they had carried up an Act to Authorize Practitioners in the Law in this Province to take such number of Clerks as is therein mentioned.

And also an Act to regulate the payment of certain debts due by the Eastern District before the establishment of Johnstown.

And also a Bill entitled, "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from the United States of America into the Province of Lower Canada.

On motion of Mr. Solicitor General, seconded by Mr. McLean, the House resolved itself into a Committee on the Marriage Bill.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had made a progress, and directed him to ask leave to sit again this day. Leave was accordingly granted.

A Message from the Legislative Council, by Mr. Baldwin, Master in Chancery.  
Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have passed an Act entitled "An Act to repeal the several Acts now in force in this Province relative to Rates and Assessments, and also to particularize the property, real and personal, which, during the continuance thereof, shall be subject to Assessments and Rates, and fixing the several valuations at which each and every particular of such property shall be rated and assessed," to which they made several amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

The House again resolved itself into a Committee to go into the further consideration of the Marriage Act.

Mr. Speaker left the Chair.

Mr. Rogers again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A Message from the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,—

I am commanded by the Legislative Council to inform this Honorable House that they have passed an Act entitled "An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars and petty Chapmen, and other Trading persons," without any amendment.

And then he withdrew.

The House again resolved itself into a Committee to go into the further consideration of the Marriage Act.

Mr. Speaker left the Chair.

Mr. Rogers again took the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The Report was then accordingly received and accepted.

Mr. Solicitor General then moved, seconded by Mr. McLean, that the Marriage Act be engrossed, and read for the third time to-morrow. Ordered accordingly.

Mr. Rogers then moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee to take into their further consideration the Bill for the relief of Isaac Swazey.

Which passed in the negative.

On motion of Mr. Solicitor General, seconded by Mr. Clench, the House resolved, That it is the opinion of this House that on the night of the 23th day of January One Thousand Eight Hundred and Six, Isaac Swazey, Esquire, Inspector of Revenue for the District of Niagara, was robbed in his house by some persons unknown of the sum of One hundred and seventy-eight Pounds, five Shillings and eight pence currency, being money by him collected as Inspector; and that he was at the same time severely beat and wounded.

The House then resolved itself into a Committee to go into the further consideration of the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. McGregor took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McGregor reported that the Committee had made a progress, and did direct him to ask for leave to sit again. Leave was accordingly granted.

On motion of Mr. Washburn, seconded by Captain Cowan, the House adjourned.

*Friday, 6th March, 1807.*

Prayers were read.

Read for the third time, the Bill for the Preservation of Salmon.

Mr. McLean moved, seconded by Mr. Sherwood, that the words "Midland District" in the first clause of the Bill be expunged. Which was ordered accordingly.

Mr. Justice Thorpe then moved, seconded by Mr. Mallory, that the words "this Province" be expunged, and "the aforesaid District" substituted, and that the words "for and during the aforesaid month of September, October, and November" be expunged. Which was ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. McLean, the House resolved itself into a Committee to go into the consideration of the amendments made by the Honorable Legislative Council to the Act entitled "An Act for laying Assessments throughout this Province."

Mr. Speaker left the Chair.

Mr. Mallory was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Mallory reported that the Committee had gone through the consideration of the amendments made by the Honorable Legislative Council to said Act, to which the Committee concurred; which he was directed to report to the House whenever it should be pleased to receive the same.

The Report was then received, and the House concurred in the said amendments.

On motion of Mr. McLean, seconded by Mr. Howard,

Ordered, That a Message be sent up to the Honorable Legislative Council to acquaint them that this House did concur in the amendments made by them to the Act for laying Assessments and Rates throughout this Province.

Mr. McLean then moved, seconded by the Solicitor General, that the Marriage Act, as engrossed, be recommitted.

The House accordingly resolved itself into a Committee to go into the further consideration of the Marriage Act.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved, That the said Report be now received.

Mr. McLean moved, seconded by the Solicitor General, that the Marriage Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

On motion of the Solicitor General, seconded by Mr. Howard, the House resolved itself into a Committee on the District of Johnstown Court House Bill.

Mr. Speaker left the Chair.

Mr. McLean was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McLean reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to submit to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received.

The Report was accordingly received.

On motion of the Solicitor General, seconded by Mr. Howard, the said Bill as amended was ordered to be engrossed and read a third time to-morrow.

Mr. Solicitor General moved, seconded by Mr. Crysler, for leave to bring in a Bill to-day for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty through His Honor, Mr. President Grant, in pursuance of two addresses of this House. Leave was accordingly granted.

The said Bill was read for the first time.

On motion of Mr. McLean, seconded by Mr. Sherwood, the said Bill was read for the second time.



On motion of Mr. Rogers, seconded by Mr. Clench, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzey was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzey reported that the Committee had gone through the consideration of the said Bill without any amendments.

On motion of the Solicitor General, seconded by Mr. McLean, the said Bill was ordered to be engrossed and read a third time to-morrow.

Mr. Thorpe moved, seconded by Mr. Rogers, that the Bill for the Preservation of Salmon do pass, and that the title be "An Act for the Preservation of Salmon."

The Bill then passed and was signed by the Speaker.

Mr. Solicitor General moved, seconded by Captain Cowan, that Messrs. Rogers and Howard do carry the said Act up to the Legislative Council, and that they do request their concurrence thereto; and also the Message of this House.

Mr. Speaker,

We are commanded by the House of Assembly to inform this Honorable House that they have concurred in the amendments made by the Honorable the Legislative Council to an Act entitled "An Act to repeal the several Acts now in force in this Province relative to Rates and Assessments, and also to particularize the property, real and personal, which, during the continuance thereof, shall be subject to Assessments and Rates; and fixing the several valuation at which each and every particular of such property shall be rated and assessed.

(Signed) Alex'r McDonell,

Speaker.

Commons House of Assembly,  
6th March, 1807.

On motion of Mr. Sherwood, seconded by Mr. Rogers,

Ordered, That the Clerk of the House do lay before the House the account of expenditures incurred for the use thereof since the close of the last session, on Monday next.

On motion of Mr. McGregor, seconded by Captain Elliott, the House adjourned.

*Saturday, 7th March, 1807.*

Prayers were read.

Mr. Rogers, one of the Messengers named, reported that in obedience to the commands of this House they had carried up to the Honorable Legislative Council the Act for the better Preservation of Salmon in several Districts of this Province, to which they requested their concurrence.

And also the Message of this House to the Honorable Legislative Council, acquainting them that this House had concurred in the amendments made by them to the Act for the more uniformly laying Assessments and Rates throughout this Province.

Mr. Sherwood then moved, seconded by Mr. Clench, that this House do resolve that they will relinquish the sum of Six hundred and seventeen Pounds, thirteen Shillings and seven pence, applied by the late Governor Hunter to the use of this Province without the concurrence of the other branches of the Legis-

lature, and that an Address be presented to His Excellency, the Lieutenant Governor, to that effect.

The House divided upon the question: the names being called for, they were taken down, and are as follows.

Yeas.	Nays.
MESSRS. CRYSLER	MESSRS. WASHBURN
SOL'R GENERAL	THORPE
SHERWOOD	
McGREGOR	
ELLIOTT	
McLEAN	
COWAN	
CLENCH	
NELLIS	
HOWARD	
ROGERS	
SWAZEY	
HILL	

The same was carried in the affirmative by a majority of ten. The Address was ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. McLean,

Ordered, That the Solicitor General and Mr. Clench be a Committee to draft an Address to His Excellency, the Lieutenant Governor, for the purpose aforesaid.

Messrs. Solicitor General and Clench informed the House that agreeable to the commands of this House they had drafted an Address to His Excellency, the Lieutenant Governor, which they were ready to submit to the House whenever it should be pleased to receive the same.

The House then resolved, that the said Address be now received, which he read in his place, and afterwards delivered in the same at the Table, where it was again read by the Clerk, and is as follows:

To His Excellency, Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament Assembled, beg leave to inform Your Excellency that we have relinquished the sum of Six hundred and seventeen Pounds, thirteen Shillings and seven pence, paid by the late Lieutenant Governor Hunter without the concurrence of the other branches of the Legislature; as we are convinced that the same was expended for the public use, and for the benefit of this Province.  
Commons House of Assembly, 7th March, 1807.

On motion of Mr. Sherwood, seconded by Captain Cowan, the said Address was ordered to be engrossed.

The Address as engrossed was then read, passed and signed by the Speaker.

On motion of Mr. Sherwood, seconded by Mr. McLean,

Ordered, That the Solicitor General and Mr. Clench do present to His Excellency, the Lieutenant Governor, the said Address at such time as he may be pleased to receive the same.

Read for the third time, as engrossed, an Act for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty through his Honor, Mr. President Grant, in pursuance of two Addresses of this House.

Mr. Rogers then moved, seconded by Mr. Swazey, that the said Bill do pass. The Bill accordingly passed, and was signed by the Speaker.

Mr. Clench then moved, seconded by Mr. McGregor, that Mr. Nellis and Captain Elliott do carry the said Bill to the Honorable the Legislative Council and request their concurrence thereto. Which was ordered accordingly.

Then was read for the third time, as engrossed an Act to make Marriages heretofore contracted in this Province valid.

The Solicitor General then moved, seconded by Mr. Crysler, that the Bill do pass, and that the title be "An Act to conform and make valid certain Marriages heretofore contracted, and to provide for the future solemnization thereof." The other "An Act to extend the provisions of a former Act and to Provide for the future solemnization of Marriage."

The Bill then passed and was signed by the Speaker.

Mr. McLean then moved, seconded by Mr. Solicitor General, that Mr. Nellis and Captain Elliott do carry up to the Legislative Council the Marriage Act, and request their concurrence thereto.

Read for the third time, as engrossed, the Johnstown Court House Bill.

Mr. Howard then moved, seconded by Mr. McLean, that the Bill do pass, and that the title be "An Act to enable the Inhabitants in the District of Johnstown to erect and build a Court House and Gaol in the Township of Elizabethtown.

The Bill accordingly passed and was signed by the Speaker.

Mr. Rogers then moved, seconded by Captain Elliott, that Messrs. Howard and Crysler do carry up to the Honorable the Legislative Council the Bill for erecting a Court House and Gaol in the District of Johnstown, and request their concurrence in passing the same. Ordered accordingly.

Mr. Washburn gave notice that he intends in the course of the next Session of Parliament to move this House to take into its consideration whether it would not be for the public good of the Newcastle District to repeal the Act that formed the same, and make other provision for that part of the Province.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have concurred in passing an Act to authorize Practitioners in the Law in this Province to take such a number of Clerks as therein mentioned, without any amendments.

And also an Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandize brought into this Province from the United States of America as are now paid on Goods and Merchandize imported from the United States of America into the Province of Lower Canada, without any amendment.

And then he withdrew.

Mr. Nellis, first named, reported that they had carried up to the Honorable Legislative Council the Act for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty through His

Honor, Mr. President Grant, in pursuance of two several Addresses, and did request their concurrence thereto.

And also an Act to confirm and make valid certain marriages heretofore contracted in this Province, and did request their concurrence thereto.

A Message from the Legislative Council by Mr. Baldwin, Master in Chancery.  
Mr. Speaker,

I am Commanded by the Legislative Council to inform this Honorable House that they have concurred in passing an Act to regulate the payment of certain debts due by the Eastern District before the establishment of the District of Johnstown, without any amendment.

And also an Act for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty, through His Honor Mr. President Grant, in pursuance of two Addresses, without any amendment.

And then he withdrew.

On motion of Capt. Elliott, seconded by Capt. Cowan the House adjourned until nine o'clock on Monday morning.

*Monday, 9th March, 1807.*

Prayers were read.

Mr. Clench, one of the Messengers named to wait upon His Excellency the Lieutenant Governor with the Address of this House, voted on the 7th inst, reported that they had waited upon His Excellency with the said Address, to which he had been pleased to return the following answer.

Gentlemen:—

Your Address informing me that you have relinquished the sum of Six Hundred and Seven Pounds, thirteen Shillings and seven Pence, paid by the late Lieutenant Governor Hunter without the concurrence of the other branches of the Legislature, gives me the greatest satisfaction. It shows that in the proceedings on this subject the House of Assembly have been actuated by proper motives, and I feel much gratified at the honor which will be reflected on this Colony by the handsome manner in which you have thus put an end to them.  
Government House, York, 8th March, 1807.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have concurred in passing an Act for the better Preservation of Salmon.

And also that they have concurred in passing an Act establishing the Fees of the Clerks of the Peace, and to regulate the Fees in the several Courts of Quarter Sessions throughout this Province to which they have made several amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

The amendments made to the said Bill were then read.

Mr. Sherwood then moved, seconded by the Solicitor General, that the House do now resolve itself into a Committee to go into the consideration of the amendments made by the Honorable Legislative Council to an Act entitled "An Act for regulating the Fees to be taken in the several Courts of Quarter Sessions throughout this Province.

The House divided thereon, the names being called for they were taken down, and are as follows.

Yeas.	Nays.
MESSRS. ELLIOTT	MESSRS. HILL
SOL'R GEN.	CLENCH
SHERWOOD	DORLAND
COWAN	
McGREGOR	
SWAZEY	
NELLIS	
HOWARD	
ROGERS	
CRYSLER	

The same was carried in the affirmative by a majority of seven.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Crysler reported that the Committee had gone through the consideration of the said amendments, and that he was directed to report to the House that it was the opinion of the Committee that the amendments made by the Legislative Council should be adopted.

Which Report the House resolved should be received and accepted.

The Report was accordingly accepted.

On motion of Mr. Sherwood, seconded by Capt. Cowan,

Ordered, That Messrs. Rogers and Dorland do carry up to the Legislative Council the following message.

Mr. Speaker,

We are commanded by the House of Assembly to inform this Honorable House that they have concurred in the amendments made by this House to an Act entitled "An Act to establish the Fees of the Clerks of the Peace, and to regulate the Fees in the several Courts of Quarter Sessions throughout this Province.

(Signed) Alex'r McDonell,

Speaker.

Commons House of Assembly,

9th March, 1807.

On motion of Mr. Sherwood, seconded by the Solicitor General, the House resolved itself into a Committee to take into their consideration the Contingent Accounts of both Houses of Parliament for both Houses of Parliament for the present Session.

Mr. Speaker left the Chair.

Mr. Nellis was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nellis reported that the Committee had gone through the consideration of the Contingent Accounts of the Legislative Council and this House, and that they had come to several Resolutions thereon, which he was directed to submit to the House. And he then read the several Resolutions in his place, and afterwards delivered the same in at the Table, where they were again read by the Clerk.

And the said Resolutions are as follows:

Resolved, That it is the opinion of the Committee that it is expedient to advance the sum of Twenty Pounds to the Clerk of the Legislative Council, to enable him to purchase a supply of stationery for the use of the next Session of Parliament; and the sum of Six Pounds be allowed to him to enable him to complete the business of the present Session, over and above the sum appropriated by law, for the paying of copying clerks, making in all Twenty Six Pounds.

Resolved, That it is the opinion of this Committee that there is due to sundry persons, agreeable to the annexed account sent down from the Hon. Legislative Council and signed by their Speaker, for services performed during the present Session the sum of Fifty-five Pounds, Six Shillings and Eightpence Halfpenny, and that there is due George Lawe, Gentleman Usher of the Black Rod, Twenty-five Pounds for articles furnished and services rendered the two Houses of Parliament previous to the present Session, making in all Eighty Pounds Six Shillings and Eight Pence Halfpenny.

Resolved, That it is the opinion of this Committee that there is due to sundry persons for articles furnished for the use of this House, and services performed during the present Session, One Hundred and Sixteen Pounds Fourteen Shillings.

Resolved, That it is the opinion of this Committee that it is expedient to advance the Clerk of this House thirty Pounds to enable him to purchase a supply of stationary for the use of the ensuing Session of Parliament.

Resolved, That it is the opinion of this Committee, that Hugh Carfrae be allowed for his attendance this Session as Messenger and Firelighter to this House, and for every Session thereafter that he shall be employed in that capacity, the sum of Twenty Pounds.

Resolved, That it is the opinion of this Committee that the sum of Fifty Pounds be paid to the Church or Town Wardens of each of the following Townships, viz: Sandwich, Niagara, York, Newcastle, Augusta and Cornwall, to be expended upon the Church of each of the said Towns or Townships respectively, and also to the Church or Town Wardens of the Township of Adolphustown the sum of Fifty Pounds, to be expended upon the Court House in the said Township, which is used as a Church.

Estimate of a sum of money necessary to procure stationery for the Honorable the Legislative Council for the ensuing Session. £20 0 0

Of sum necessary to pay a Copying Clerk for bringing up the business of the present Session. . . . . 5 0 0

£25 0 0

(Signed) JNO. POWELL, C. L. O.

Approved, (Signed) THOS SCOTT, Speaker.

The Honorable the Legislative Council,

To John Powell, Their Clerk, Dr.

To this sum for the payment of Copying Clerks, exclusive of the £25 appropriated for that purpose . . . . . £1 10 0

Amount of William Allen's Account for Stationery furnished for the Legislative Council. . . . . 10 10 3

£12 0 3

York, 9th March, 1807.

(Signed) JNO. POWELL, C. L. C.

Examined and approved,

(Signed) THOS. SCOTT, Speaker.

Government of Upper Canada,  
to George Lawe, Dr.

To amount of Wm. Allan's Account .....	£17	5	2½
" " John McBeath, Account .....	15	2	0
" " John Bassell's Account .....	14	7	6
" " Ellinor Bazzel's Account .....		9	6
" " Sarah Hay's Account .....	4	15	0
" " Philip Clinger's Account .....	2	5	0
" " John Edgill's Account .....	1	2	6
	<hr/>		
	£55	6	8½

George Lawe, Gentleman Usher of the Black Rod, maketh Oath and saith that the above Account of Fifty-five Pounds, Six Shillings and Eightpence Halfpenny is just and true to the best of his knowledge and belief.

(Signed) GEORGE LAWE.

Sworn before me this 7th day of March, 1807.

(Signed) THOS. SCOTT, C. J.

9th March, 1807, York, Upper Canada.

The Contingent Account of the Commons House of Assembly, for the  
third Session of the Fourth Provincial Parliament.

Due to John McBeath .....	£33	18	6
" Duncan Cameron .....	2	9	2½
" Titus G. Simons .....	4	14	9
" John Bennett .....	11	5	0
" Noel Delisle .....	15	5	0
" Philip Clinger .....	2	12	6
" Thos. Ridout .....	1	0	0
" Quetton St. George .....	15	7½	
" Alex'r. Wood .....	9	4½	
" Thos. R. Johnson .....	9	6	½
" William Allan .....	11	10½	
" The Postmaster at York .....	8	0	
To Cash voted to procure stationery for the use of the ensuing Session of the Prov. Parliament .....	30	0	0
Due the Copying Clerks beyond what is allowed by Law for that purpose .....	32	12	7
To Stationery beyond the sum advanced for that purpose of procuring Stationery for the present Session .....	1	5	2
Allowance to Hugh Carfrae, Messenger and Firelighter to the House of Assembly for services during the present Session .....	20	0	0
	<hr/>		
	£166	14	0

Commons House of Assembly,  
9th March, 1807.

(Signed) ALEX'R. McDONELL, Speaker.

The Honorable the House of Assembly in Account Current with their Clerk.

Dr.

1806. Ap'l 22nd.

To Cash paid Samuel Cozens for copying during the Recess of Parliament as per receipt .....	£5	3	10
To Do. Do. Charles Willcocks, as per receipt. ....	2	10	0
To Do paid Hugh Carfrae as per receipt .....	2	6	3
		10	0
To balance due by Donald McLean .....	4	19	11
	£15	19	11
			Cr.

1806, Ap'l 22nd.

By Cash allowed to complete the business of the Session ....	£15	0	0
	£15	0	0

(Signed) DONALD McLEAN, Clerk Assembly.

The Honorable the House of Assembly in Account for Stationery with their Clerk,  
For the Third Session of the Fourth Provincial Parliament.

Dr.

1807, Jany. 8th.

To Alexander Wood .....	£5	19	0
“ D. Cameron .....	2	4	6
“ William Allan .....	3	15	11½
“ J. Walkers, for Parchment .....	8	2	10
“ H. Drean, for bringing Do .....		2	6
“ 1½ Reams demy paper at 80s. ....	6	0	0
Paper Borrowed and to be returned of the same quality ream, 7 quires at 80s. ....	5	8	0
	£31	12	9½
To Balance due the Clerk .....	1	5	2
			Cr.
By Balance remaining in my hands since last year .....		7	7
By the President's Warrant advanced for Stationery .....	30	0	0
By Balance due the Clerk. ....	1	5	2½
	£31	12	9½

Errors excepted. 9th March, 1807.

(Signed) DONALD McLEAN.

The Honorable House of Assembly in Account Current with their Clerk, for  
Copying Clerks during the Third Session of the Fourth Parliament.

Dr.

To Charles Willcocks .....	£12	0	0
“ Joseph Shaw .....	17	15	0



To Stephen Heward .....	6	2	0
“ Hugh Heward .....	10	0	0
“ John McDonell .....	2	0	0
“ John Higgins .....	14	15	0
	<hr/>		
	£62	12	6

Cr.

By Balance of Cash remaining unexpended by an Allowance made last session for completing the business of that Session during the Recess of Parliament ..... £14 19 11

By the amount of His Excellency the Lieutenant Governor's Warrant in my favour, as by Law appropriated for paying of Copying Clerks ..... 25 0 0

To Balance due to the Clerk ..... 32 12 6

Errors Excepted. 9th March, 1807.

Donald McLean, Clerk Assembly.

Mr. Rogers then moved, seconded by Mr. Hill, that the Resolution of the Committee of the Whole House with regard to churches in York, Niagara, Sandwich, Augusta, Cornwall, and the Court House in Adolphustown be not adopted by this House.

The House divided upon the question.

The names being called for they were taken down as follows, viz.:

<p>Yeas.</p> <p>MESSRS. SWAZEY. ROGERS. COWAN. HILL. THORPE. NELLIS.</p>	<p>Nays.</p> <p>MESSRS. SOL'R GEN. SHERWOOD. ELLIOTT. CLENCH. MCGREGOR. DORLAND. CRYSLER.</p>
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And the same was carried in the negative by a majority of one.

On motion of Mr. Sherwood, seconded by the Solicitor General,

Resolved, that this House do now concur in the foregoing Resolutions reported from the Committee of the Whole House on the Contingent accounts of the two Houses of Parliament.

Resolved, that an Humble Address be presented to His Excellency the Lieutenant Governor, to request His Excellency that he will be pleased to issue his Warrant in favour of George Lawe, Usher of the Black Rod, for the sum of Eighty Pounds Six Shillings and Eightpence Halfpenny, and his warrant in favour of John Powel, Esquire, Clerk of the Legislative Council, for the sum of Twenty-six Pounds, and also his Warrant in favour of Donald McLean, Esq., Clerk of the House of Assembly, for the sum of One Hundred and Sixty-six Pounds Fourteen Shillings; and also the sum of Fifty Pounds to be paid to the Church or Town Wardens of each of the following Townships, viz., Sandwich, Niagara, York and Cornwall, and also to the Church or Town Wardens of the Township of Adolphustown, the sum of Fifty Pounds.

On motion of Mr. Sherwood, seconded by Capt. Elliott,

Ordered, that the Solicitor General and Mr. Clench be a Committee to draft an Address to His Excellency the Lieutenant Governor in conformity to the several Resolutions of the House this day.

Mr. Solicitor General reported that the Committee had drafted an Address to His Excellency the Lieutenant Governor grounded on the several Resolutions of the House this day, which he was ready to submit to the House whenever it should be pleased to receive the same.

Mr. Sherwood then moved, seconded by Capt. Cowan, that the Address be now received.

The House divided upon the question, and the names were taken down, and are as follows:—

Yeas.	Nays.
MESSRS. SOL'R GEN.	MESSRS. SWAZEY.
COWAN.	ROGERS.
SHERWOOD.	HILL.
MCGREGOR.	NELLIS.
CLENCH.	
DORLAND.	
CRYSLER.	

Majority of three in the affirmative.

Mr. Solicitor General then read the Address in his place, and afterwards delivered the same in at the table, where it was again read by the Clerk, and is as follows:

To His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc.

May it Please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that it may please Your Excellency to issue your Warrant directed to the Receiver General requiring him to pay to Mr. George Lawe, Usher of the Black Rod, the sum of Eighty Pounds Six Shillings and Eightpence Halfpenny; to John Powell, Esquire, Clerk of the Legislative Council, the sum of One Hundred and Sixty-six Pounds Fourteen Shillings. And whereas we have resolved that the sum of Fifty Pounds be paid to the Church or Town Wardens of each of the following Townships, viz.: Sandwich, Niagara, York, Augusta, and Cornwall, to be expended upon the Church of each of the said Towns or Townships respectively; and also to the Church or Town Wardens of the Township of Adolphustown the sum of Fifty Pounds, to be expended upon the Court House in said Township, which is used as a Church.

We therefore do most humbly pray that Your Excellency will be pleased to issue your Warrants to carry the said Resolution into effect, and the Commons will make good the several sums of money to Your Excellency at the next Session of Parliament.

Commons House of Assembly, 9th March, 1807.

The Address then passed and was signed by the Speaker.

On motion of Mr. Sherwood, seconded by Mr. Dorland,

Ordered, that the Solicitor General and Mr. Clench do present the said Address to His Excellency the Lieutenant Governor at such time as he may be pleased to receive the same.

On motion of Mr. Hill, seconded by Mr. Nellis, the House adjourned.

*Tuesday, 10th March, 1807.*

Prayers were read.

Mr. Solicitor General reported that the Messengers had waited upon His Excellency, the Lieutenant Governor, with the Address of this House of yesterday, and that His Excellency had been pleased to return the following answer: Gentlemen,—

I shall, in compliance with this Address, issue my Warrants to the Receiver General to pay the several sums mentioned therein to the Usher of the Black Rod, Clerk of the Legislative Council, and Clerk of the House of Assembly.

I shall also issue my Warrant to the Receiver General to enable the House to carry their Resolution into effect that the sum of Fifty Pounds be paid to the Church or Town Wardens of each of the following Townships, viz.: Sandwich, Niagara, York, Augusta and Cornwall, to be expended upon the Church of each of the said Towns or Township respectively, and also the Church or Town Warden of the Township of Adolphustown, the sum of Fifty Pounds, to be expended upon the Court House in that Township, which is used as a Church.

Government House, York,

9th March, 1807.

The House was then pleased to order that the Speaker should apply to His Excellency, the Lieutenant Governor, for the sum of Fifteen Pounds, to be given to the Clerk of this House to enable him to complete the business of the present Session during the Recess of Parliament; to be by him accounted for to this House the next Session, which sum this House will make good to His Excellency during the next Session of the Provincial Parliament.

The Names of the Members present were taken down and are as follows, *vide licit*:

Mr. Speaker, Messrs. Sol'r General, Sherwood, Crysler, Elliott, McGregor, Clench, Nellis, Rogers, Justice Thorpe, Washburn, Hill, McLean, Cowan, Swazey, Dorland.

A Message from His Excellency, the Lieutenant Governor, by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker,—

I am commanded by His Excellency, the Lieutenant Governor, to inform this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Excellency, when His Excellency was pleased to give in His Majesty's name the Royal assent to the following Public and Private Bills:

An Act to revive and continue an Act passed in the Forty-second year of His present Majesty, entitled "An Act to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to appoint one or more additional Port or Ports, Place or Places of Entry within this Province, and to appoint one or more Collector or Collectors at the same respectively."

An Act to repeal the several Acts now in force giving Bounties for Destroying Wolves.

An Act to establish the Fees of the Clerks of the Peace, and to regulate the Fees in the several Courts of Quarter Sessions throughout this Province.

An Act to authorize Practitioners in the Law in this Province to take such a number of Clerks as is therein mentioned.

An Act to regulate the payment of certain Debts due by the Eastern District before the establishment of the District of Johnstown.

An Act for the better Preservation of Salmon.

An Act for the relief of Clerks to Attornies who may have served their Clerks without being bound by contract in writing.

Mr. Speaker then said,—

May it please Your Excellency to approve of the five Bills which the Assembly, with the concurrence of the Legislative Council, have passed for aid to His Majesty.

An Act to repeal the several Acts now in force in this Province relative to Rates and Assessments, and also to particularize the property, real and personal, which during the continuance thereof, shall be subject to assessments and rates, and fixing the several valuations at which each and every particular of such property shall be rated and assessed.

An Act to establish Public Schools in each and every District of this Province.

An Act for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty through His Honor, Mr. President Grant, in pursuance of two Addresses.

An Act for granting to His Majesty Duties on Licences to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned.

An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandize brought into this Province from the United States of America as are now paid on Goods and Merchandize imported from the United States of America into the Province of Lower Canada.

To which five Acts His Excellency, the Lieutenant Governor, was pleased to give the Royal assent in His Majesty's name.

His Excellency, the Lieutenant Governor, was then pleased to make the following Speech to both Houses of Parliament:

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly,—

In closing the Session of the Legislature I must express the sense I entertain of the attention with which you have executed the important trusts committed to your care.

I have with particular approbation, assented, in His Majesty's name, to the Acts whereby Public Schools will now be established in the different Districts of this Province, fully sensible of the importance of such institutions to the education and morals of the rising generation in this Infant Colony. In the prosecution of this laudable object you may rely on my attention and care.

The regulations which have been enacted for increasing the Public Revenue will, I trust, produce that salutary end; and I here must express my satisfaction, when considering the liberal manner in which the House of Assembly has conducted itself respecting the Revenues of this Province; entertaining the pleasing hope that its Revenue may soon be more adequate to its necessities, and that it will, at no very distant period, be enabled to relieve our Parent State from part of that burthen which it has on our account so generously sustained.

The other Bills which I have assented to will, I trust, promote the end of all legislation, the public good.

I now put an end to this Session of the Legislature, confiding that in the different parts of this widely extended Province to which you respectively belong, good order in society, obedience to the laws, and loyalty to the King will effectually be promoted by your influence and example.

After which the Honorable Speaker of the Legislative Council said:—

Gentlemen of the Legislative Council

and

Gentlemen of the House of Assembly,—

It is His Excellency the Lieutenant Governor's will and pleasure that this Provincial Parliament be prorogued until Saturday, the eighteenth day of April next, to be then here held; and this Provincial Parliament is accordingly prorogued until Saturday, the eighteenth day of April next.

I do hereby certify that the above and what is written on the foregoing pages in a transcript of the Journal of the House of Assembly in Upper Canada, being the Third Session of the Fourth Provincial Parliament, assembled in the Town of York on the Second day of February last, agreeably to the Proclamation of His Excellency, Francis Gore, Esq., Lieutenant Governor of the Province of Upper Canada; and prorogued by His Excellency on the Tenth day of March last.

Donald McLean,

Clerk of the House of Assembly.

Clerk of the Assembly's Office,  
York, 11th May, 1807.

[Certified to be true copies from the original records in the Colonial Office.

George Mayer,  
Librarian and Keeper of the Records.

Colonial Office, Downing Street,  
24th September, 1856.]

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**JOURNAL**  
**OF THE**  
**HOUSE OF ASSEMBLY**  
**OF**  
**UPPER CANADA**

**From the twentieth day of January to the  
sixteenth day of March,**

**1808,**

**Both days inclusive.**

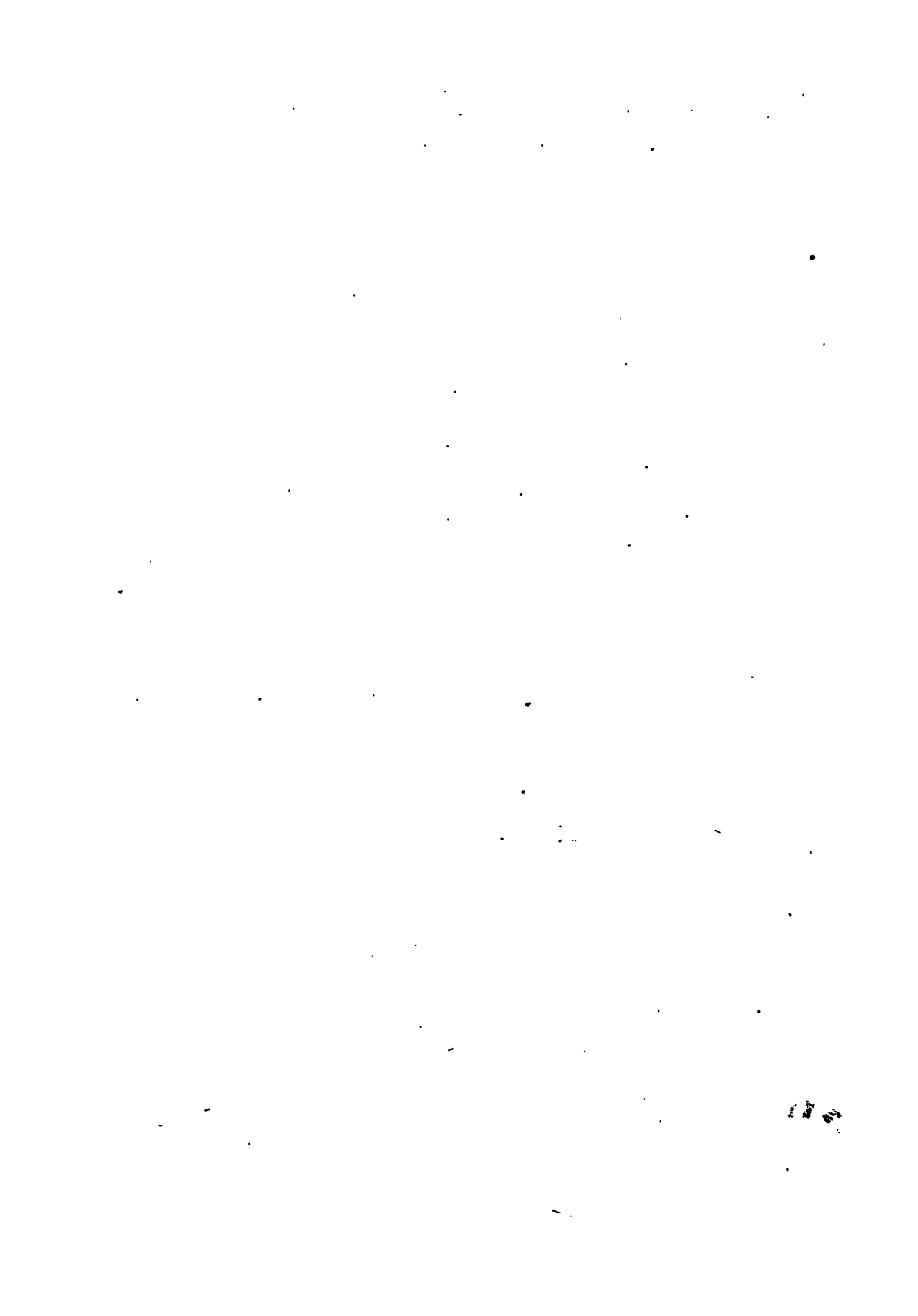
**In the forty-eighth year of the Reign of**

**KING GEORGE THE THIRD.**

**Being the fourth session of the Fourth Provincial  
Parliament of this Province.**

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JOURNAL  
OF THE  
HOUSE OF ASSEMBLY  
OF  
UPPER CANADA  
1808.

FRANCIS GORE, Lieutenant Governor.

PROCLAMATION.

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

To Our beloved and faithful Legislative Councillors, of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province, to the Provincial Parliament of Our Town of York, on the Eighteenth day of April to be commenced, held, called and elected, and to every of you, GREETING.

Whereas by Our Proclamation, bearing date the Tenth day of March last, we thought fit, by and with the advice of Our Executive Council, to prorogue Our Provincial Parliament until the Eighteenth day of this present month of April, at which time, in Our Town of York, you were held and constrained to appear,— But we, taking into Our Royal consideration the ease and convenience of Our loving subjects, have thought fit, by and with the advice of Our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on the Twenty-sixth day of May next ensuing you meet us in Our Provincial Parliament, in Our Town of York, there to take into consideration the state and welfare of Our Province of Upper Canada, and there 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 Francis Gore, Esquire, Our Lieutenant-Governor of Our said Province, at York, this Thirteenth day of April, in the year of Our Lord, One Thousand Eight Hundred and Seven, and in the Forty-seventh year of Our Reign.

F. G.

WM. JARVIS, Secretary.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc., dated at York, the Twentieth day of May, One Thousand Eight Hundred and Seven, the meeting of the Legislative Council and House of Assembly stands prorogued to the Third day of July, One Thousand Eight Hundred and Seven.



By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc., dated at York, the Twenty-sixth day of June, One Thousand Eight Hundred and Seven, the meeting of the Legislative Council and House of Assembly stands prorogued to the Tenth day of August, One Thousand Eight Hundred and Seven.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc., dated at York, the Sixth day of August, One Thousand Eight Hundred and Seven, the meeting of the Legislative Council and House of Assembly stands prorogued to the Seventeenth day of September, One Thousand Eight Hundred and Seven.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc., dated at York, the Eleventh day of September, One Thousand Eight Hundred and Seven, the meeting of the Legislative Council and House of Assembly stands prorogued to the Twenty-third day of October, One Thousand Eight Hundred and Seven.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc., dated at York, the Sixteenth day of October, One Thousand eight Hundred and Seven, the meeting of the Legislative Council and House of Assembly stands prorogued to the Thirteenth day of November, One Thousand Eight Hundred and Seven.

By a further Proclamation of His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc., etc., etc., dated at York, the Twenty-fourth day of November, One Thousand Eight Hundred and Seven, the meeting of the Legislative Council and House of Assembly stands prorogued to the Sixth day of January, One Thousand Eight Hundred and Eight.

FRANCIS GORE, Lieutenant-Governor.

#### PROCLAMATION.

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

To Our loving subjects, GREETING.

Whereas by our Proclamation, bearing date the Twenty-third day of November last, we thought fit, by and with the advice of Our Executive Council, to prorogue the Provincial Parliament until the Sixth day of January next ensuing; at which time, in Our Town of York, you were held and constrained to appear,—But we, taking into our royal consideration the ease and convenience of Our loving subjects, have thought fit, by and with the advice of Our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on the Twentieth day of January next ensuing, you meet us in Our Provincial Parliament, in Our Town of York, for the actual despatch of business; there to take into consideration the state and welfare of Our said Province of Upper Canada, and there 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 Francis Gore, Esquire, Our Lieutenant-Governor of Our said Province, at York, this Twenty-third day of December, in the Year of Our Lord, One Thousand Eight Hundred and Seven, and in the Forty-eighth year of Our Reign.

WILLIAM JARVIS, Secretary.

F. G.

## HOUSE OF ASSEMBLY, UPPER CANADA.

York, Wednesday, 20th January, 1808.

At the Fourth Session of the Fourth Parliament of Upper Canada, begun and held in the Town of York, on Wednesday, the Twentieth day of January, in the Forty-eighth year of the Reign of Our Sovereign Lord, George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, etc.; and in the Year of Our Lord, One Thousand Eight Hundred and Eight.

His Excellency, the Lieutenant-Governor, having prorogued the meeting of Parliament until the Eighteenth day of April, One Thousand Eight Hundred and Seven; and by His Proclamations annexed, having further prorogued the same from time to time until this day,—

The House being met,

A Message by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker,—

It is His Excellency the Lieutenant-Governor's pleasure that this Honorable House do immediately attend him in the Legislative Council Chamber.

The House went up accordingly; and being returned,—

Mr. Speaker reported that the House had attended His Excellency, the Lieutenant-Governor, in the Legislative Council Chamber, where His Excellency had been pleased to open the present Session by a most gracious Speech to both Houses, and that to prevent mistakes he had obtained for the information of the House a copy of His Excellency's Speech, which was read as follows:—

Honorable Gentlemen of the Legislative Council

and

Gentlemen of the Assembly.—

It is with the highest satisfaction that I express on this occasion the sentiments which I entertain of that spirit of loyalty which was lately so conspicuously and universally displayed on calling out the Militia of this Province.

The zeal and unanimity which at that time prevailed, and the voluntary offers of service which were then tendered, evince that His Majesty's subjects in this Colony have a King whom they love, and a Constitution which they are ready to defend.

Since the last Session of this Legislature the necessary measures have been taken on my part, and on that of the Trustees appointed by me, for the establishing of Public Schools; institutions which I trust will be the means, not only of communicating useful knowledge to the youth of this Province, but also of instilling into their minds principles of religion and loyalty.

I think it proper to remind you that the Act for affording relief to those

persons who may be entitled, as Heirs or Devisees of the Nominees of the Crown, to land in this Province, will shortly expire; it will be for you to consider the expediency of the further continuation of that Act.

Your past experience, as well as your local knowledge, renders you particularly qualified to discover what still may be wanting to secure the peace, welfare and good government of the Province. To promote this important purpose I am well assured will be the object of your deliberations, as it shall be the ruling principle of my conduct.

Gentlemen of the House of Assembly,—

I shall give orders to the proper officer to lay before you the Public Accounts, not doubting but they will be considered with that attention which the nature of the subject requires.

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly,—

The events of the times, and the particular situation of this Province, require from you more than an ordinary degree of attention and care.

From the short experience that I have had during the last Session of the Legislature, I entertain a well founded confidence that firmness with moderation will govern your conduct on the present occasion, and that you will convince His Majesty's subjects in this Colony that the authority with which you are invested by the Constitution has not been delegated to you in vain.

Members present: The Speaker, Messrs. Solicitor General, Sherwood, Washburn, Swazey, Crysler and Dorland.

Mr. Speaker adjourned the House for want of a quorum.

*Thursday, 21st January, 1808.*

Prayers were read.

Present: Mr. Speaker, Messrs. Solicitor General and Swazey.

At twelve o'clock Mr. Speaker adjourned the House for want of a quorum.

*Friday, 22nd January, 1808.*

Prayers were read.

Present: The Speaker and Mr. Washburn.

At eleven o'clock the Speaker adjourned the House for want of a quorum.

*Saturday, 23rd January, 1808.*

Prayers were read.

Present: The Speaker, and Messrs. Dorland and Washburn.

At half past ten o'clock the Speaker adjourned the House for want of a quorum, until ten o'clock on Monday morning.

*Monday, 25th January, -1808.*

Prayers were read.

Present: Mr. Speaker, Messrs. Solicitor General, Elliott, Cowan, Dorland, Swazey, and Washburn.

At eleven o'clock the Speaker adjourned the House for want of a quorum.

*Tuesday, 26th January, 1808.*

Prayers were read.

Read, His Excellency, the Lieutenant-Governor's Speech to both Houses of Parliament at the opening of the present Session.

Mr. Washburn moved, seconded by Mr. Swazey, that Messrs. Solicitor General, Sherwood and McGregor be a Committee to draft an Address to His Excellency, the Lieutenant-Governor, in answer to His Speech; two of which to make a quorum, and to report the same to the House to-morrow. Ordered accordingly.

William Jarvis, Esquire, one of the Commissioners appointed by *dedimus potestatem* to administer the oath to the Members of the House of Assembly, came to the Bar, and did inform Mr. Speaker that Joseph Willcocks, Esquire, had taken the Oath as prescribed by the Statute, and did sign the Roll.

Then Joseph Willcocks, Esquire, Knight, representing the West Riding of the County of York, the First Riding of the County of Lincoln, and the County of Haldimand, came within the Bar and took his seat accordingly.

Mr. Solicitor General moved, seconded by Captain Elliott, for leave to bring in a Bill to-morrow the better to ascertain and secure Titles to Lands in this Province. Leave was accordingly given.

Mr. Solicitor General again moved, seconded by Captain Elliott, that it is the opinion of this House that the Seventeenth Rule adopted by this House embraces the Rule of the British House of Commons of the Twenty-third February, One Thousand Six Hundred and Eighty-eight, which passed in the negative.

On motion of Captain Elliott, seconded by the Solicitor General, the House adjourned.

*Wednesday, 27th January, 1808.*

Prayers were read.

Mr. Solicitor General moved, seconded by Captain Elliott, that so much of the Order of this Day as respects the bringing in a Bill to ascertain and secure Titles of Lands in this Province be discharged; and that he have leave to bring in the said Bill to-morrow. Ordered accordingly.

Mr. Solicitor General, from the Committee appointed to draft an Address of thanks to His Excellency, the Lieutenant-Governor, for his Speech to both Houses at the opening of the present Session, reported that the Committee had prepared an address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same. Ordered, that the report be now received, which report he read in his place, and then delivered the same in at the Table, where it was again read by the Clerk. Mr. Sherwood then moved, seconded by the Solicitor General, that the House do now resolve itself into a Committee to take the Address into consideration. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair. Mr. Solicitor General reported that the Committee had gone through the draft of an address to His Excellency, the Lieutenant-Governor, to which they had made no amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received, which Report was accepted, and the Address is as follows:—

To His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency,—

We, His Majesty's loyal subjects, the Commons of Upper Canada, in Parliament Assembled, beg leave to return to Your Excellency our dutiful acknowledgements for your gracious Speech.

We sincerely congratulate Your Excellency on the ardent zeal and attachment to Our Sovereign and Constitution manifested by the Militia, and we trust that the same patriotic and loyal spirit pervades all ranks of His Majesty's subjects in this Colony.

We highly applaud the prompt and efficacious measures adopted by Your Excellency to carry into effect the provision of an Act, passed in the last Session of Parliament, for the establishment of Public Schools; and we pleasingly anticipate from these institutions the most substantial benefit to the rising generation in this Province.

We beg leave to assure Your Excellency that we feel it to be our duty, and that it shall be the object of our continual consideration, to adopt such measures as will best tend to secure the peace, welfare and good government of this Province; and we are sensible from our experience that in providing for these important and interesting objects we may rely upon Your Excellency's co-operation and assistance.

The momentous events of the times strongly impress upon our minds the necessity of directing all our counsels to the preservation and support of that excellent Constitution from which we derive all the blessings following from true and rational liberty.

We hope our future firmness and moderation to merit a continuance of that highly gratifying approbation which Your Excellency is pleased to express of our former conduct; and also to convince our fellow subjects in this Colony that we only desire to promote their real interest and prosperity

Commons, House of Assembly,  
York, 27th January, 1808.

On motion of Mr. Sherwood, seconded by Captain Cowan, the Address was ordered to be engrossed. The Address as engrossed was then read, passed, and signed by the Speaker. Mr. Sherwood then moved, seconded by Captain Cowan, that Messrs. Howard and Dorland do wait upon His Excellency, the Lieutenant-Governor, to know when it will be his pleasure to receive this House with its Address in answer to His Speech. Ordered accordingly.

Mr. Willcocks moved, seconded by Mr. Howard, for leave to bring in a Bill on Saturday next, to renew the Act for granting a bounty for destroying of Wolves in this Province. Leave was accordingly granted.

Mr. Howard then moved, seconded by Mr. Willcocks, for leave to bring in a Bill on Monday next, to alter the method of performing Statute Labour on the Highways and Roads throughout this Province. Accordingly leave was granted.

On motion of Mr. Willcocks, seconded by Mr. Mallory, the House adjourned.

*Thursday, 28th January, 1808.*

Prayers were read.

Mr. Howard, accompanied by the other Messenger, reported that in obedience to the order of this House they had waited upon His Excellency the Lieutenant-

Governor to know His Excellency's pleasure, when he would receive this House with its Address; and that His Excellency was pleased to appoint this day, at twelve o'clock at noon to receive the House with its Address.

Then was read for the first time a Bill, the better to ascertain and secure Titles to Lands in this Province.

Mr. Solicitor General moved, seconded by Captain Cowan, that the Bill for ascertaining and securing titles to lands in this Province be read a second time on Tuesday next. Ordered accordingly.

Mr. Solicitor General then moved, seconded by Captain Cowan, for leave to bring in a Bill on Tuesday next to amend certain parts of an Act, passed in the Thirty-third year of His Majesty's Reign, entitled "An Act to confirm and make valid certain marriages heretofore contracted in the country, now comprised within the Province of Upper Canada, and to provide for the future solemnization of marriages within the same." Leave was accordingly given.

At the hour appointed, Mr. Speaker and the House went up with the Address of this House to His Excellency the Lieutenant-Governor; and being returned,—

Mr. Speaker reported that the House had attended on His Excellency the Lieutenant-Governor with its Address, to which His Excellency had been pleased to make the following answer:—

Gentlemen of the House of Assembly:—

I return you my thanks for your loyal and dutiful Address.

The zeal which you discover for the preservation of that excellent Constitution from which you derive so many blessings is honorable to yourselves, and worthy of that situation in which you are placed.

I have no doubt but that by your conduct you will convince your fellow subjects that your only desire is to promote their prosperity and interest.

Government House,

28th January, 1808.

Mr. Washburn then moved, seconded by the Solicitor General, for leave to bring in a Bill on Wednesday next to alter in some measure the present demand for shop and tavern licenses in this Province, and make other provisions for the same. Leave was accordingly given.

Mr. Willcocks gave notice that he intends to move to-morrow for a Resolution of the House, whether any Member shall have free access to the Journals of the House, and take extracts therefrom.

Mr. Dorland moved, seconded by Captain Elliott, for leave to bring in a Bill on Monday next to amend an Act, passed in the Forty-sixth year of His Majesty's Reign, entitled "An Act for the nominating and appointing Parish and Town Officers in this Province." Leave was granted.

Read, the Petition of the Inhabitants of the Townships of Toronto, Trafalgar, and Nelson, which is as follows:—

To the Honorable Speaker and other Members of the House of Assembly at York, in the Province of Upper Canada:

The Petition of the Inhabitants of Toronto, Trafalgar, and Nelson,  
Humbly Sheweth,—

That whereas we, Your Petitioners, are settled in a wild, uncultivated part of the country, and consequently are obliged to bring our provisions and other necessaries from a distant part, and as our passage along Dundas Street is entirely

obstructed by the River Credit, the Sixteen and Twelve-Mile Creeks, the banks of which, especially the two latter, are inaccessible to any carriage or beast of burthen, so that we are obliged to carry our necessaries over our backs, or to bring them round by the old road, which is attended with the greatest inconvenience, both with respect to the additional distance and badness of the road. Our Statute labour on the roads is quite inadequate to the arduous task of bridging these creeks, nor are we able to raise contributions equivalent to the labour. If they be permitted to remain in their present situation it will prove very injurious to the growth of our settlement by rendering miserable those who are settled, and discouraging others from coming in. Numbers have been obliged to leave their habitations during the winter, and retire to a place where the necessaries of life are to be had more conveniently, to the great injury of their private affairs. It is, therefore, the prayer of Your Petitioners that you take our situation into your consideration, and endeavour to find means to extricate us from this evil.

Your Petitioners further beg leave to represent that they will use their most strenuous exertions in assisting to level the banks of said Creeks, and also to make other parts of the street passable. Encouraged by this pleasing consideration, that your ears are ever open to the plaintive voice of distress, and that your chief concern is the public good, we have ventured to lay our petition before you, willing to indulge the flattering hopes that you will be able to afford us the necessary relief.

And Your Petitioners, as in duty bound, shall ever pray.

Nelson, 2nd January, 1808.

John Chisholm, Thomas Atkinson, Alexander Brown, Daniel Reiley, George King, James Davidson, John Day, and sixty-nine others.

Then Mr. Howard moved, seconded by Mr. Swazey, that so much of the Order of the Day for Monday next as gave him leave to bring in on that day a Bill to alter the method of performing Statute Labour on the Highways and Roads throughout this Province be discharged, and that leave be given to him to bring in on that day a Bill to alter the method of regulating the laying out of Highways and Roads throughout this Province, and to alter the method of performing the Statute Labour thereon. Ordered accordingly.

Then Mr. Mallory moved, seconded by Mr. Dorland, for leave to bring in a Bill on Monday next to authorize the inhabitants of the County of Haldimand to hold Annual Town Meetings, for the purpose of electing Town and Parish Officers. Accordingly leave was given.

On motion of the Solicitor General, seconded by Captain Cowan, the House adjourned until twelve o'clock at noon to-morrow.

*Friday, 29th January, 1808.*

#### Prayers.

William Jarvis, Esquire, Secretary of the Province, came to the Bar of the House and delivered in, by order of His Excellency the Lieutenant-Governor, the Public Provincial Accounts as per Schedule, which was read, and are as follows, viz. :—

*Schedule of Accounts laid before the House of Assembly.*

No. 1. The Inspector's List of names of persons licensed as Shop and Innkeepers in the several Districts of Upper Canada, between the 5th January, 1806, and the 5th of January, 1807; these returns not received in time to be laid before the Legislature in 1807.

No. 2. The Inspector's List of names of persons licensed as Shop and Innkeepers in the several Districts of the Province of Upper Canada, from the 5th January, 1807 to the 5th January, 1808.

No. 3. The Inspector's List of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada, from the 5th January, 1807 to the 5th January, 1808.

No. 4. Provincial Revenue of the Crown arising from duties collected on goods imported under authority of Acts of the Provincial Parliament, between the 1st January and the 31st December, 1807, including such duties as have not been heretofore stated.

No. 5. Provincial Revenue of the Crown arising from duties collected on goods imported under authority of Acts of the Parliament of Great Britain, between the 1st January and the 31st December, 1807, including such duties as have not been heretofore stated.

No. 6. Abstract of Warrants issued by His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature.

No. 7. Supplementary Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada, on Shop, Innkeepers, and Still licenses, issued between the 5th January, 1806, and 5th January, 1807, under authority of Acts of the Provincial Parliament, after deducting 10 per cent. allowed to the Inspectors by the Act of the 43rd of the King.

No. 8. Supplementary Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada, on Shop and Innkeepers licenses, issued between the 5th January, 1806, and the 5th January, 1807, under authority of Acts of the Parliament of Great Britain, after deducting 10 per cent. allowed to the Inspectors of the Act of the 43rd of the King.

No. 9. Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada, on Shopkeepers and Still licenses, issued between the 5th January, 1807; and the 5th January, 1808, so far as the returns have been received, after deducting 10 per cent. allowed to the Inspectors by the Act of the 43rd of the King.

No. 10. Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada, on Shop and Innkeepers licenses, issued between the 5th January, 1807, and the 5th January, 1808, under authority of Acts of the Parliament of Great Britain, so far as the returns have been received, after deducting 10 per cent. allowed to the Inspectors by the Act of the 43d of the King.

No. 11. General Account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards from the 1st January to the 30th June, 1807, agreeable to the written accounts thereof received, or as ascertained on examination of carriages according to the Act.



No. 12. Account of Lighthouse Tonnage Duty collected for the year ending the 31st December, 1807.

No. 13. Account of moneys collected within the several Districts of the Province of Upper Canada, on licenses issued to Hawkers, Pedlars and Petty Chapmen, for the year ending the 5th April, 1808, after deducting 10 per cent. allowed to the Inspectors by the Act of the 43d of the King.

No. 14. Account of cash received by the Hon. Peter Russell, Receiver General, for Fines and Forfeitures, under authority of Acts of the Parliament, from the 1st January to the 31st December, 1807.

No. 15. Account of cash received by Hon. Peter Russell, Receiver General, for Fines and Forfeitures under authority of Acts of the Parliament of Great Britain, between the 1st January and the 31st December, 1807.

No. 16. General State of cash received by Hon. Peter Russell, Receiver General, for Duties and Fines under authority of Acts of the Parliament of Great Britain, between the 1st January and the 31st December, 1807.

No. 17. General State of receipts and payments by Hon. Peter Russell, Receiver General, for Duties and Fines, and likewise appropriations made under authority of Acts of the Provincial Parliament, between the 1st January and the 31st December, 1807.

No. 18. General Account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards from the 1st July to the 31st December, 1807, agreeable to the written accounts thereof received, or as ascertained on examination of carriages according to the Act.

INSPECTOR GENERAL'S OFFICE,  
York, 27th January, 1808.

JOHN MCGILL,  
Inspector Gen., Pub. Pro. Accts.

(For Accounts as per above Schedule see Appendix.)

Mr. Willcocks moved, seconded by Mr. Mallory, that each and every Member of this House shall, at all times during the sitting of Parliament, have free access to the Journals of the House, and take abstracts therefrom.

A division thereupon took place. The names being called for, they were taken down and are as follows:—

Yeas:  
MESSRS. DORLAND  
MALLORY  
WILLCOCKS.

Nays:  
MESSRS. SOLICITOR GENERAL  
COWAN  
ELLIOTT  
SHERWOOD  
McGREGOR  
CRYSLER  
SWAZEY  
WASHBURN  
NELLIS  
HOWARD.

The same was carried in the negative by a majority of seven.

Mr. Howard moved, seconded by Mr. Dorland, for leave to bring in a Bill on Tuesday next to have the Journals of the House of Assembly printed annually. Leave was accordingly given.

By Order of the House was read a Paragraph from a newspaper entitled "The Upper Canada Guardian, or Freeman's Journal," printed at Niagara, by Joseph Willcocks, dated Thursday, the first day of October, One Thousand Eight Hundred and Seven, which was ordered to lie on the Table.

On motion of Captain Cowan, seconded by Mr. Nellis, the House adjourned.

*Saturday, 30th January, 1808.*

Prayers were read.

Read for the first time, a Bill for allowing a bounty for destroying Wolves. Mr. Willcocks moved, seconded by Mr. Rogers, that a Bill for reviving the Act allowing a bounty for destroying of Wolves in this Province be read a second time on Tuesday next. Ordered accordingly.

Captain Cowan gave notice that he would move on Wednesday next for the House to go into a Committee to take into consideration that part of a paragraph in the "Upper Canada Guardian" that relates to this House. Mr. Sherwood moved, seconded by Mr. Swazey, that a copy of the paragraph published in the "Upper Canada Guardian" of the 1st of October last, relative to bribery, be sent to each Member of this House, which was ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Sherwood, that Messrs. Rogers, McGregor, Cowan, Crysler and Nellis be a Committee to take into consideration the Provincial Public Accounts, and report the same to the House. Ordered accordingly.

Mr. Solicitor General moved, seconded by Captain Cowan, that Captain Elliott have leave of absence from attending his duty in Parliament during the present Session. Leave of absence was accordingly given.

On motion of Mr. Sherwood, seconded by Captain Cowan, the House adjourned until twelve o'clock at noon on Monday next.

*Monday, 1st February, 1808.*

Prayers were read.

Read for the first time, the Bill for the better defining the duty of Parish and Town Officers.

Mr. Dorland moved, seconded by Mr. Rogers, that a Bill for the better regulation of Parish and Town Officers be read a second time to-morrow. Ordered accordingly.

Mr. Howard moved, seconded by Mr. Rogers, that so much of the Order of the Day as gives leave to bring in a Bill this day to alter the method of regulating, laying out and amending the Highways and Public Roads throughout this Province, and for altering the method of performing Statute Labour thereon be discharged. It was ordered accordingly.

Read for the first time, the Bill for Regulating the election of Parish and Town Officers in the County of Haldimand. Mr. Mallory moved, seconded by Mr. Nellis, that the Bill for enabling the Inhabitants of the County of Haldimand to elect Town and Parish Officers be read a second time to-morrow. Ordered accordingly.

The House then resolved that six copies of the Provincial Statutes be purchased for this House.

Read, the petition from the London District, which is as follows:—  
The Honorable the Members of the House of Parliament of Upper Canada, now convened.

The humble Petition of us, His Majesty's most loyal subjects,  
Most Humbly Sheweth:—

That in your wisdom in your last Session of Parliament you were pleased to vote a certain sum of money for the use of a Public School in this District, said School to be under the direction of certain Trustees, appointed by His Majesty's Representative for that purpose.

That Your Humble petitioners see with regret from what has taken place that your laudable intentions are frustrated, and the money (in our present situation) is totally lost to the Public.

That the Trustees, having nominated a teacher that insists on being paid double the sum for his labours as those we have had before (of equal service to us), which measures have put it out of the power of the public to reap that advantage which was designed them.

That Your Humble Petitioners referring this to wise and better judgments hope Your Honorable House will take this infant District into Your consideration, and if you in your wisdom should think it expedient, the money appropriated to one school be divided into four equal parts to four different schools.

And Your Petitioners, as in duty bound, will ever pray.

John Backhose, Titus Finch, James McCall, Silas Secord, Abram Smith, and sixty others.

On motion of Mr. Sherwood, seconded by Mr. Swazey, the House adjourned.

*Tuesday, 2nd February, 1808.*

Prayers were read.

Read for the second time, the Bill for receiving the bounty on killing Wolves. Mr. Willcocks moved, seconded by Mr. Nellis, that this House do now resolve itself into a Committee to take into consideration the Bill for reviving the bounty for destroying of Wolves in this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Captain Cowan was called to the Chair of the Committee. Mr. Speaker resumed the Chair. Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Thursday next. Resolved, that the Committee do sit again on Thursday next.

Read for the second time, the Bill for repealing part of an Act, passed in the Forty-sixth year of His Majesty's Reign, entitled "An Act to provide for the nomination and appointment of Parish and Town Officers." Mr. Dorland moved, seconded by Mr. Swazey, that the House do now resolve itself into a Committee to take the said Bill into consideration. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Clench was called to the Chair of the Committee. Mr. Speaker resumed the Chair. Mr. Clench reported that the Committee had made a progress, and that he was directed to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read for the second time, the Bill for to enable the Inhabitants of the County of Haldimand, in the District of Niagara, to elect Parish and Town Officers. Mr. Mallory moved, seconded by Mr. Solicitor General, that the House

do now resolve itself into a Committee to take into consideration the Bill for authorizing the inhabitants of the County of Haldimand to hold annual Town meetings. The House accordingly resolved itself into a Committee on the said Bill. Mr. Speaker left the Chair. Mr. Crysler was called to the Chair of the Committee. Mr. Speaker resumed the Chair. Mr. Crysler reported that the Committee had gone through the consideration of the said Bill without any amendment.

Mr. Mallory moved, seconded by Mr. Solicitor General, that the Bill for appointing Parish and Town Officers in the County of Haldimand be engrossed, and read a third time on Friday next. Ordered accordingly.

Read for the second time, the Bill the better to ascertain and secure titles to lands in this Province.

Read for the first time, A Bill to amend certain parts of the Marriage Act. Mr. Solicitor-General moved, seconded by Mr. Mallory, that the Marriage Act be read a second time on Thursday next. which was ordered accordingly.

Read for the first time, A Bill for printing annually the Journals of this House. Mr. Howard then moved, seconded by Mr. Dorland, that the Bill for printing annually the Journals of this House be read a second time on Monday next.

Mr. Sherwood moved, seconded by Mr. Howard, for leave to bring in a Bill to-morrow for establishing a Court of Common Pleas in each and every District of this Province. Leave was accordingly granted.

Mr. Sherwood then moved, seconded by Mr. Swazey, for leave to bring in a Bill to-morrow for the regulation of Special Juries. Accordingly leave was given.

Mr. Sherwood moved, seconded by Mr. Swazey, for leave to bring in a Bill to-morrow to repeal an Act appropriating money for Public Buildings at York. Leave was granted.

On motion of Mr. Solicitor-General, seconded by Mr. Mallory, the House adjourned.

*Wednesday, 3rd February, 1808.*

Prayers were read.

Mr. Washburn moved, seconded by Mr. Dorland, that so much of the Order of this Day as gives leave to bring in a Bill to alter the present regulation of Shop and Tavern Licenses be discharged. The Order was discharged accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for regulating Parish and Town Officers. Mr. Speaker left the chair. Mr. Clench was called to the chair of the Committee. Mr. Speaker resumed the Chair. Mr. Clench reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Resolved, That the Report be now received. Mr. Dorland moved, seconded by Mr. Nellis, that the Bill for the better regulation of Parish and Town Officers be engrossed, and read a third time on Thursday next. Ordered accordingly.

Read for the first time, A Bill for establishing a Court of Common Pleas in this Province. Mr. Sherwood then moved, seconded by Mr. Nellis that the Court of Common Pleas Bill be read a second time on Saturday next, which was ordered accordingly.

Read for the first time, A Bill for defining the qualification of Special Juries. Mr. Sherwood then moved, seconded by Mr. Nellis, that the Bill relative to Special Juries be read a second time on Friday next.

Ordered accordingly.

Read for the first time, A Bill for repealing an Act passed in the forty-fourth year of His Majesty's Reign, for erecting Public Buildings in the Town of York. Mr. Sherwood then moved, seconded by Mr. Swazey that the Bill to repeal the law granting money for Buildings in York be read a second time to-morrow. The same was ordered accordingly.

Mr. Clench moved, seconded by Mr. Sherwood, for leave to bring in a Bill on Monday next to regulate the Practice of Physic and Surgery. Leave was accordingly given.

Mr. Clench moved, seconded by Mr. Rogers, for leave to bring in a Bill on Monday next, to increase the Representatives of the people of this Province. Leave was granted.

On motion of Mr. Sherwood, seconded by Mr. Clench, the House adjourned.

*Thursday, 4th February, 1808.*

Prayers were read.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill for allowing a bounty for killing Wolves. Mr. Speaker left the chair. Captain Cowan was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly given.

Read for the second time, A Bill for confirming and making valid certain marriages contracted in this Province. On motion of Mr. Solicitor-General, seconded by Mr. Dorland, the House resolved itself into a Committee to go into the consideration of the Bill for making valid certain marriages contracted in this Province. Mr. Speaker left the chair. Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House should be pleased to receive the same. The House then resolved that the Report be now received. The Report was accordingly received and accepted. Mr. Solicitor-General moved, seconded by Mr. McLean, that the Marriage Bill be engrossed and read a third time to-morrow. Ordered accordingly.

Read for the third time, The engrossed Bill for the nomination of Parish and Town Officers. On motion of Mr. Solicitor-General, seconded by Mr. McLean, the House resolved itself into a Committee to go into the further consideration of the Bill for the nomination and Appointment of Parish and Town Officers. Mr. Speaker left the chair. Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the chair, and Mr. Clench reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. The report was then ordered to be received.

Mr. Rogers moved, seconded by Mr. Swazey, that the Bill for the further regulation and appointment of Parish and Town Officers be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the second time, the Bill to repeal a certain Act passed in the forty-fourth year of His Majesty's Reign, entitled "An Act appropriating a certain sum of money annually to defray the expense of erecting certain Public Buildings to and for the uses of this Province." Mr. Sherwood moved, seconded by Mr. McLean, that the House do now resolve itself into a Committee to take into consideration the Bill to Repeal the Law granting money for erecting Public Buildings in York. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Bill to which they had made an amendment, which he was directed to report to the House whenever it should be pleased to receive the same.

Resolved that the Report be now received. The Report was accordingly received and accepted.

On motion of Mr. Sherwood, seconded by Mr. Clench, the said Bill was ordered to be engrossed, and read a third time to-morrow.

Read, the Petition of John Cameron, Printer to the King's Most Excellent Majesty, which is as follows:

To the Honorable the House of Assembly of Upper Canada in Parliament assembled.

The Petition of John Cameron,  
Most Humbly Sheweth,—

That Your Petitioner is desirous of obtaining permission from Your Honorable House to publish the Debates and Proceedings thereof during the present Session in the *York Gazette* in such manner as Your Petitioner can obtain them without having access to the Journals. This request is most respectfully submitted by the Petitioner, who, as in duty bound, will ever pray.

(Signed) JOHN CAMERON,  
York, 4th February, 1808.

On motion of Mr. Clench, seconded by Mr. Sherwood, ordered, that John Cameron, His Majesty's Printer in this Province, have leave to publish the debates of this House without having access to the Journals. It was so ordered accordingly.

On motion of Captain Cowan, seconded by Mr. McGregor.  
The House adjourned.

*Friday, 5th February, 1808.*

Prayers were read.

Read for the third time, as engrossed, the Bill for authorizing the Nomination of Parish and Town Officers in the County of Haldimand.

On motion of Mr. Clench, seconded by Mr. Swazey, the House resolved itself into a Committee of the Whole to go into the further consideration of the whole Bill. Mr. Speaker left the Chair. Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had made a progress and had directed him to ask for leave to sit again to-morrow. Ordered, that the committee have leave to sit again to-morrow to go into the further consideration of the said Bill.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for granting a Bounty for destroying Wolves in this Province. Mr. Speaker left the Chair. Capt. Cowan took the chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Cowan reported that the Committee had made a progress and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A message from the Honorable the Legislative Council by Mr Baldwin, Master in Chancery,  
Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have passed a Bill entitled "An Act to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled 'An Act for the more easy barring of Dower,' and to repeal certain parts of the same," to which they request the concurrence of this House.

And then he withdrew. Which Act, on motion of Mr. Rogers, seconded by Mr. Howard, was read for the first time. Mr. Rogers then moved, seconded by Mr. Howard, that the Bill to extend the benefit of an Act for Barring of Dower be read a second time on Wednesday next, which was ordered accordingly.

Agreeably to leave given, the House again resolved itself into a Committee to go into the further consideration of the Bill for granting a bounty for destroying of Wolves.

Mr. Speaker left the Chair. Capt. Cowan took the chair of the Committee.

Mr. Speaker resumed the Chair. Capt. Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Wednesday next. Ordered, that the Committee have leave to sit again on Wednesday next.

Read for the second time, the Bill respecting Special Juries. Mr. Sherwood moved, seconded by Mr. Swazey, that the House do now resolve itself into a Committee to take the said Bill into consideration. The House accordingly resolved itself into Committee. Mr. Speaker left the Chair. Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made a progress and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Ordered, that so much of the Order of the Day as gave leave to read the Marriage Bill for the third time, be discharged, and that the said Bill be read for the third time to-morrow.

Then was read for the third time, the Bill for the Regulation of Parish and Town Officers. On motion of Mr. Dorland, seconded by Mr. Washburn, Resolved, That the Bill do pass, and the title be "An Act for the better Regulation of Parish and Town Officers throughout this Province." The Bill then passed, and was signed by the Speaker. Mr. Rogers moved, seconded by Mr. Nellis, that Messrs. Dorland and Washburn be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act for the Better

Regulation of Parish and Town Officers throughout this Province," and request their concurrence thereto. Ordered accordingly.

Read for the third time, the Bill to repeal an Act passed in the forty-fourth year of His Majesty's Reign, appropriating certain sums of money for Public Buildings in this Province. On motion of Mr. Sherwood, seconded by Mr. Nellis, Resolved, That the Bill do pass, and that the title be "An Act to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act appropriating a certain sum of money annually, to defray the expenses of erecting certain Public Buildings to and for the uses of this Provinces.'" The Bill accordingly passed, and was signed by the Speaker.

Mr. Rogers then moved, seconded by Mr. Swazey, that Mr. Sherwood and Capt. Cowan be a Committee to carry up to the Honorable the Legislative Council the Bill to repeal an Act for appropriating money for Public Buildings in this Province, and to request their concurrence thereto. Ordered accordingly.

The Solicitor-General moved, seconded by Mr. McLean, for leave to bring in a Bill to-morrow to enable the inhabitants of the District of Johnstown to erect and build a Court House and Gaol in the Township of Elizabethtown. Leave was granted accordingly.

Mr. Howard then moved, seconded by Mr. Rogers for leave to bring in a Bill on Monday next to alter the method of laying out, amending and keeping in repair the Public Highways and Roads throughout this Province, and to alter the mode of performing Statute Labour thereon. Accordingly leave was given.

On motion of Capt. Cowan, seconded by Mr. Swazey, the House adjourned.

*Saturday, 6th February, 1808.*

Prayers were read.

Read for the second time, the Bill for establishing a Court of Common Pleas in this Province. Mr. Sherwood moved, seconded by Mr. Clench, that the House do now resolve itself into a Committee to take the said Bill into consideration. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Mallory was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Resolved, That the Committee have leave to sit again on Monday next.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill for the Nomination of Parish and Town Officers in the County of Haldimand. Mr. Speaker left the chair. Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had gone through the consideration of the said Bill, to which they had made no amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Resolved, That the Report be now received.

The Report was accordingly received and accepted.

Mr. Mallory then moved, seconded by Mr. Nellis, that the Bill for the nomination of Parish and Town Officers in the County of Haldimand be read a third time on Monday next. Ordered accordingly.



On motion of Mr. Sherwood, seconded by Mr. Solicitor-General, ordered, that so much of the Order of this Day as respects the Special Jury Bill and the Bill for making valid certain marriages heretofore contracted in this Province be postponed; and that the said Bills do make a part of the Order of the Day for Monday next. Read for the first time, the Bill for erecting a Gaol and Court House in the District of Johnstown. On motion of the Solicitor-General, seconded by Mr. Howard, the said Bill was ordered to be read a second time on Monday next.

Mr. Rogers gave notice that he will on Monday next move that the Petition of William Firth, Esquire, be referred to a Committee of the Whole House on the Bill for establishing a Court of Common Pleas, and that the said Committee do have power to hear the Petitioner in support of the facts alleged in his Petition.

On motion of Mr. Swazey, seconded by Mr. Crysler, the House adjourned.

*Monday, 8th February, 1808.*

Prayers were read.

Mr. Howard moved, seconded by Mr. Mallory, that so much of the Order of the Day as relates to the second reading of the Bill for Printing the Journals be discharged. Ordered accordingly.

On motion of Mr. Clench, seconded by Mr. McGregor, ordered, that so much of the Order of this Day as gave him leave to read for the first time a Bill for regulating the Practice of Physic and Surgery be discharged, and that he have leave to bring in the same to-morrow.

Read for the first time, a Bill for increasing the representation of the Commons in this Province. Mr. Clench then moved, seconded by Mr. Swazey, that the said Bill be read a second time on Thursday next, which was ordered accordingly.

Read for the first time, a Bill for improving and laying out the Public Highways and Roads throughout this Province. The House then ordered that twenty copies of the said Bill be printed for the use of the members.

Mr. Rogers moved, seconded by Mr. Dorland, that the Petition of William Firth, Esquire, be now read. A division thereupon took place; the names being called for, they were taken down, and are as follows:

Yeas.  
MESSRS. ROGERS.  
DORLAND

Nays.  
MESSRS. SOLICITOR-GENERAL  
McLEAN  
COWAN  
SHERWOOD  
MALLORY  
CLENCH  
McGREGOR  
SWAZEY  
HOWARD  
WASHBURN

Carried in the negative by a majority of eight.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Common Pleas Bill.

Mr. Speaker left the Chair. Mr. Mallory took the Chair of the Committee.

Mr. Speaker resumed the Chair. Mr. Mallory reported that the Committee had made a progress, and directed him to ask for leave to sit again to-morrow. Leave was accordingly given.

Mr. Sherwood, accompanied by the other Messengers, reported that they had carried up to the Honorable Legislative Council the Bill entitled "An Act to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act appropriating a certain sum of money annually to defray the expense of erecting certain Public Buildings to and for the uses of this Province.'" and did request their concurrence thereto.

Mr. Dorland, one of the Messengers named to carry up to the Honorable Legislative Council the Bill entitled "An Act for the better regulation of Parish and Town Officers throughout this Province," reported that they did carry up the same, and did request their concurrence thereto. Then was read for the third time, as engrossed, the Bill for the nomination of Parish and Town Officers in the County of Haldimand. On motion of Mr. Mallory, seconded by Mr. Sherwood, ordered, that the title of the Bill for the nomination of Parish and Town Officers in the County of Haldimand be "An Act to authorize the Inhabitants of the County of Haldimand to hold Annual Meetings for the purpose of electing Parish and Town Officers." The Bill then passed, and was signed by the Speaker. Mr. Rogers then moved, seconded by Mr. Sherwood, that Messrs. Mallory and Nellis do carry up to the Honorable the Legislative Council the Bill respecting the County of Haldimand, and request their concurrence thereto. Ordered accordingly.

On motion of Captain Cowan, seconded by Mr. Sherwood, ordered, that what remains on the Order of this Day be postponed, and that the same make a part of the Order of the Day to-morrow.

Captain Cowan moved, seconded by Mr. McLean, for leave to bring in a Bill to revive and continue an Act entitled "An Act to provide for the appointment of Returning Officers for the several Counties within this Province." Leave was accordingly given.

The Solicitor General moved, seconded by Captain Cowan, for leave to bring in a Bill to-morrow to explain, amend, and reduce into one Act of Parliament the several Laws now in force relating to the raising and training the Militia of this Province. Accordingly leave was given.

On motion of Mr. McGregor, seconded by Mr. Clench, the House adjourned.

*Tuesday, 9th February, 1808.*

Prayers were read.

Read for the first time, the Bill to regulate the Practice of Physic and Surgery. Mr. Clench then moved, seconded by Mr. Swazey, that the said Bill be read a second time on Saturday next, which was ordered accordingly.

Read for the second time, the Johnstown Court House and Gaol Bill. On motion of the Solicitor General, seconded by Mr. Crysler, the House resolved itself into Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Nellis was called to the chair of the Committee.

Mr. Speaker resumed the Chair. Mr. Nellis reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly given.

Read for the first time, the Bill for continuing the Act for appointing Returning Officers throughout this Province, which was ordered to be read a second time to-morrow.

Read for the first time, the Militia Bill. On motion of the Solicitor General seconded by Mr. Clench, ordered, that the Militia Bill be read for the second time on Monday next.

Agreeably to the Order of the Day, the House resolved itself into a Committee of the Whole to go into the further consideration of the Bill to establish a Court of Common Pleas in this Province. Mr. Speaker left the Chair. Mr. Mallory took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Special Jury Bill. Mr. Speaker left the Chair. Mr. Rogers took the Chair of the Committee.

Mr. Speaker resumed the Chair. Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Mr. Rogers then moved, seconded by Mr. Sherwood, that the Bill as amended be engrossed, and read a third time to-morrow. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the Consideration of the Marriage Bill. Mr. Speaker left the Chair. Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the Report be now received. The Report was then received and accepted. On motion of Mr. McLean, seconded by the Solicitor General, ordered, that the said Bill be engrossed and read a third time on Friday next.

On motion of Mr. Solicitor General, seconded by Mr. Clench, ordered, that twenty-five Copies of the Militia Bill be printed for the use of the members of this House.

On motion of the Solicitor General, seconded by Mr. Rogers, ordered, that the House will on Friday next resolve itself into a Committee to go into the consideration of the Bill the better to ascertain and secure Titles to Lands in this Province.

Mr. Washburn moved, seconded by Mr. McLean, for leave to bring in a Bill to-morrow to alter the present duty paid on Shop and Tavern Licences in this Province. Leave was accordingly given.

On motion of Mr. Clench, seconded by Mr. Howard, the House adjourned.

*Wednesday, 10th February, 1808.*

Prayers were read.

Read for the third time, the Act for Barring of Dower. Mr. Mallory moved, seconded by Mr. Willcocks, that the House do now resolve itself into a Committee to take into consideration the Bill for Barring of Dower. Mr. Mallory moved, seconded by Mr. Willcocks, that the House do now resolve itself into a Committee to take into consideration the Bill for Barring of Dower. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. On motion of the Solicitor General, seconded by Capt. Cowan, the said Act was ordered to be read for the third time to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill for granting a bounty for destroying of Wolves. Mr. Speaker left the Chair. Capt. Cowan took the chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Cowan reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. The House then resolved that the Report be now received. The Report was then received and accepted.

Mr. Rogers then moved, seconded by Mr. Willcocks, that the Bill granting a bounty for destroying Wolves be engrossed, and read a third time to-morrow. Ordered accordingly.

The Solicitor General then moved, seconded by Capt. Cowan, that the Johnstown District Court House Petition, and the Subscription Papers from the said District be now read. Ordered accordingly. The Clerk then read the Petition and subscription papers from the District of Johnstown, which was as follows:— To His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc., etc., etc., the Honorable the Legislative Council, and the Honorable House of Assembly in Parliament convened.

The Petition of the Subscribers, Inhabitants of the District of Johnstown, Humbly Prays,—

That an Act may be passed to enable the inhabitants of said District to build a Court House and Gaol on the front of Lot No. 11 or 12 in the First Concession of Elizabethtown, in said District, in lieu of the Court House and Gaol now standing in the Town of Johnstown.

And in Duty bound, Your Petitioners will ever Pray,  
November 9th, 1807.

Robert McLean, David D. Jones, Nehemiah Seaman, Simon Powers, Reuben Sherwood, Adriel Sherwood, Stephen Baldwin, Jacob Church, and Five Hundred and Twenty others in sundry lists.

We, the subscribers, Inhabitants of the District of Johnstown, do severally bind ourselves to pay the sums affixed to our respective names to such person or persons as shall be appointed by the Magistrates in Quarter Sessions assembled to receive the same, for the express purpose of erecting and building a Court

House and Gaol on the front end of lot No. 10, 11, or 12 in the first Concession of Elizabethtown, in the District of Johnstown aforesaid.

District of Johnstown,  
Dec'r, 1806.

Several persons, inhabitants of the District of Johnstown, have subscribed the sum of Three Hundred and Sixty Pounds, as per original lists, for the purposes above stated.

Mr. Solicitor General moved, seconded by Mr. McLean, that so much of the Order of the Day as regards the going into a Committee on the Johnstown Court House Bill be discharged, and that the House do go into Committee to-morrow to take into consideration the said Bill. Ordered accordingly.

Mr. Mallory, one of the messengers named to carry up to the Honorable Legislative Council the Act to authorize the inhabitants of the County of Haldimand to hold Annual Meetings for the purpose of electing Town and Parish Officers, reported that they had carried up the said Act, and did request their concurrence thereto.

Read for the second time, the Bill for continuing an Act entitled "An Act to provide for the appointment of Returning Officers for the several Counties within the Province." Capt. Cowan then moved, seconded by Mr. Nellis, that the House do now resolve itself into a Committee to take into consideration the Bill for continuing the Act for the appointment of Returning Officers for the several Counties within this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Capt. Cowan then moved, seconded by Mr. Rogers, that the Bill for appointing Returning Officers be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill to establish a Court of Common Pleas in this Province. Mr. Speaker left the Chair. Mr. Mallory took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Read for the third time, as engrossed, the Bill to Regulate Special Juries. On motion of Mr. Sherwood, seconded by Mr. Nellis, resolved, that the Bill do pass, and that the title be "An Act for the better regulation of Special Juries." The Bill accordingly passed, and was signed by the Speaker. Mr. Washburn moved, seconded by Mr. Mallory, that Messrs. Sherwood and Nellis do carry up to the Honorable the Legislative Council the Bill for the better regulation of Special Juries, and request their concurrence thereto. Ordered accordingly.

Then was read for the first time, the Bill for the better regulation of granting Tavern Licenses. Mr. Washburn moved, seconded by Mr. Dorland, that the Bill to alter Tavern Licenses within this Province be read a second time to-morrow, which was ordered accordingly.

Mr. Sherwood gave notice that he will move to-morrow that the Common Pleas Bill be engrossed, and read for the third time.

On motion of Mr. McGregor, seconded by Mr. Clench, the House adjourned.

*Thursday, 11th February, 1808.*

Prayers were read.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Court of Common Pleas Bill. Mr. Speaker left the Chair. Mr. Mallory took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had gone through the consideration of the said Bill, to which the Committee had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Resolved, that the Report be now received. The Report was accordingly received and accepted.

Read for the second time, the Bill for increasing the representation of the Commons of this Province.

Ordered, that petitions, memorials and other papers addressed to this House shall be presented by the Member in his place, by permission of the House, who shall be answerable to this House that they do not contain improper matter.

Read, the Petition of the inhabitants of the Town of York, which is as follows:—

To the Honorable the Legislative Council, and the Honorable Commons House of Assembly of Upper Canada in Parliament assembled.

The Humble Petition of the undersigned, Inhabitants of the Town of York, in the Home District.

Sheweth,—

That the population of the Town of York, as well as the County of Durham, the East Riding of the County of York, and the County of Simcoe is much increased during the last seven years.

That from the extent of population Your Petitioners presume to think that they are not sufficiently represented, and humbly beg leave to suggest that it would be highly beneficial to increase the number of Representatives.

That as the Inhabitants of the Town of York are now very numerous, Your Petitioners take the liberty of suggesting that if they were permitted to send one Representative to the House of Assembly, the evil complained of would be in some measure removed.

Your Petitioners therefore most respectfully pray that an Act may be passed during the present Session of Parliament permitting the Inhabitants of the Town of York, to send a Representative to the House of Assembly, unconnected with the County Representation.

And Your Petitioners, as in duty bound, will ever pray.

George Playter, William Allan, D. Cameron, W. C. Hewitt, Saml. Ridout, Alexr. Wood, Thos. Hamilton, Benjn. Cozens, Joshua Leech, Eli Playter, and twenty-five others.

Mr. Clench moved, seconded by Mr. Sherwood, that so much of the Order of the Day as relates to the bringing in a Bill for increasing the representation of the Commons in Parliament be discharged, and that he have leave to bring in the same on Monday next. Ordered accordingly.

Read for the third time, the Bill sent down from the Legislative Council for the more easy barring of Dower. Which, on motion of the Solicitor General,

seconded by Capt. Cowan, passed, and was signed by the Speaker. Mr. Rogers then moved, seconded by Mr. Sherwood, that the Solicitor General and Capt. Cowan do inform the Honorable and Legislative Council that the House of Assembly have concurred in passing the Bill for extending the provisions of an Act for the more easy Barring of Dower. Ordered accordingly.

Read for the third time, as engrossed, the Bill granting a bounty for destroying of Wolves in several Districts of this Province. Mr. Willcocks moved, seconded by Mr. Rogers, that the proviso in the Bill reviving the bounty for killing Wolves be expunged. Ordered accordingly.

Mr. Willcocks, seconded by Mr. Rogers, moved that the Bill do pass, and that the title be "An Act to encourage the destroying of Wolves in several Districts of this Province." Ordered accordingly.

The said Bill then passed, and was signed by the Speaker.

The Solicitor General, one of the Messengers named to return to the Honorable Legislative Council an Act passed by them entitled "An Act to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's reign, entitled 'An Act for the more easy Barring of Dower,' and to repeal certain parts of the same," reported that they had carried up the said Act, and did inform them that this House had concurred in passing the same.

Agreeably to the Order of the Day, the House resolved itself into a Committee on the Johnstown Court House and Gaol Bill. Mr. Speaker left the Chair. Mr. Nellis was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Nellis reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Resolved, that the report be now received. The Report was accordingly received and accepted. Mr. Solicitor General moved, seconded by Mr. Nellis, that the Johnstown Court House and Gaol Bill be engrossed, and read for the first time to-morrow. Ordered accordingly.

Mr. Mallory, one of the Messengers appointed to carry up to the Honorable Legislative Council the Act authorizing the inhabitants of the County of Haldimand to hold Annual Meetings for the purpose of electing Town and Parish Officers, reported that they had carried up to the Honorable Legislative Council the said Act, and did request their concurrence thereto.

Read for the third time, the Bill for appointing Returning Officers for each and every County within this Province.

Mr. Sherwood, one of the messengers named to carry up to the Honorable Legislative Council the Act for the better regulation of Special Juries, reported that they had carried up the said Act, and did request their concurrence thereto.

Read for the second time, the Bill for the regulation of Tavern Licenses. Mr. Washburn moved, seconded by Mr. Crysler, that the House do to-morrow resolve itself into a Committee to go into the consideration of the Tavern License Bill. Ordered accordingly.

Mr. Sherwood then moved, seconded by Mr. Clench, that the Common Pleas Bill be engrossed, and read a third time to-day. Ordered accordingly. Read for the third time, as engrossed, the Bill for establishing a Court of Common Pleas in this Province. Mr. Sherwood moved, seconded by Mr. Clench, that the said Bill do pass, and that the title be "An Act for the establishment of a Court of

Common Pleas in each and every District of this Province." A division thereupon took place, the names being called for, they were taken down, and are as follows:

Yeas.	Nays.
MESSRS. SOL'R Gen.	MESSRS. WILLCOCKS
McLEAN	ROGERS
COWAN	
SHERWOOD	
McGREGOR	
CLENCH	
SWAZEY	
NELLIS	
HOWARD	
MALLORY	
WASHBURN	
CRYSLER	

The same was carried in the affirmative by a majority of ten. The Bill then passed and was signed by the Speaker. The Solicitor General moved, seconded by Mr. McLean, that Messrs. Sherwood and Clench do carry up to the Honorable the Legislative Council the said Bill, and request their concurrence thereto, which was ordered accordingly.

Mr. McLean moved, seconded by Mr. Clench, for leave to bring in a Bill to make provision for the Judges of the Court of Common Pleas in this Province. Leave was accordingly given.

Read for the first time, the Bill to make provision for the Judges of the Court of Common Pleas in this Province. Mr. McLean then moved, seconded by Mr. Sherwood, that the Bill to make provision for the Judges of the Court of Common Pleas be read a second time on Monday next. Ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Dorland, the House adjourned.

*Friday, 12th February, 1908.*

Prayers were read.

On motion of Mr. Rogers, seconded by Mr. Nellis, ordered, that Messrs. Washburn and Willcocks do carry up to the Honorable the Legislative Council the Act to encourage the destroying of Wolves in several Districts in this Province, and to request their concurrence thereto. Ordered accordingly.

Read for the third time, the Bill for erecting a Court House and Gaol in the District of Johnstown. Mr. Solicitor General then moved, seconded by Mr. McLean, that the Bill do pass, and that the title be "An Act for building a Court House and Gaol in the Township of Elizabethtown in the District of Johnstown." The Bill then passed and was signed by the Speaker. Mr. Rogers moved, seconded by Mr. Nellis, that the Solicitor General and Mr. Howard do carry up to the Honorable Legislative Council the Act enabling the inhabitants of the District of Johnstown to erect and build a Gaol and Court House in the Township of Elizabethtown, in said District, and to request their concurrence thereto, which was ordered accordingly.

Read for the third time, as engrossed, a Bill to make valid certain marriages heretofore contracted in this Province. The Solicitor General then moved, seconded by Mr. McLean, that the Bill do pass, and that the title be "An Act to amend



certain parts of an Act passed in the thirty-third year of His Majesty's reign, entitled, 'An Act to confirm and make valid certain Marriages heretofore contracted in the country now comprised within the province of Upper Canada.'" Mr. Rogers then moved, seconded by Mr. McLean, that the Solicitor General and Mr. Howard do carry up to the Honorable the Legislative Council the Marriage Act, and to request their concurrence thereto. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for securing titles to lands in this Province. Mr. Speaker left the Chair. Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Washburn reported progress, and asked for leave to sit again this day. Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master-in-Chancery:

Mr. Speaker,—

I am commanded by the Honorable Legislative Council to inform this Honorable House that they have passed an Act, sent up from this House, entitled "An Act for the better regulation of Parish and Town Officers throughout this Province," with amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

Agreeably to leave given, the House again resolved itself into a Committee to go into the further consideration of the Bill for the better securing titles to lands in this Province. Mr. Speaker left the Chair. Mr. Washburn again took the chair of the Committee.

Mr. Speaker resumed the Chair. Mr. Washburn reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Mr. Solicitor General, one of the messengers named to carry up to the Honorable Legislative Council an Act to amend certain parts of an Act, passed in the thirty-third year of His Majesty's reign, entitled "An Act to confirm and make valid certain marriages heretofore contracted in the country now comprised within the Province of Upper Canada," reported that they had carried up the said Bill to the Honorable Legislative Council, and did request their concurrence thereto; and also an Act for building a Court House and Gaol in the Township of Elizabethtown in the District of Johnstown, to which they did request their concurrence in passing the same.

Mr. Washburn, one of the messengers named to carry up to the Honorable Legislative Council the Act to encourage the destroying of Wolves in several Districts of this Province, reported that they had carried up the said Act to the Honorable Legislative Council, and did request their concurrence thereto.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill for the regulation of Tavern Licenses in this Province. The Speaker left the Chair. Mr. Willcocks was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Mr. Rogers then moved, seconded by Mr. Nellis, that the amendments made by the Honorable the Legislative Council to the Bill for the regulation of Parish

and Town officers be read. The said amendments were then read accordingly. Mr. Rogers then moved, seconded by Mr. Nellis, that the House do now resolve itself into a Committee to go into the consideration of the amendments made by the Honorable Legislative Council to the Bill for the regulation of Parish and Town Officers. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Capt. Cowan was called to the chair of the Committee.

Mr. Speaker resumed the Chair. Capt. Cowan reported that the Committee had gone through the consideration of the amendments made to the said Bill, and that the Committee had directed him to report to the House, whenever it should be pleased to receive the same, that the Committee had concurred in the amendments made in and to the said Act by the Legislative Council. Mr. Rogers then moved, seconded by Mr. Mallory, that Messrs. Howard and Nellis do inform the Honorable Legislative Council that they have concurred in and adopted the amendments made by them in and to the Act for the regulation of Parish and Town Officers.

Mr. Speaker,—

We are commanded by the Commons House of Assembly to acquaint this Honorable House that it has concurred in adopting the amendments made by the Legislative Council in and to the Act entitled "An Act for the better regulation of Parish and Town Officers throughout this Province."

Commons House of Assembly,  
12th February, 1808.

Alexr. McDonell,  
Speaker.

Which was ordered accordingly.

Mr. Howard then moved, seconded by Mr. Rogers, for leave to bring in a Bill to-morrow to extend the jurisdiction of the several Courts of Requests within this Province. Leave was accordingly granted.

Mr. Washburn gave notice that he will move to-morrow for leave to bring in a Bill to amend an Act passed in the thirty-seventh year of His Majesty's reign, entitled "An Act for the more easy Barring of Dower in this Province."

The Solicitor General moved, seconded by Capt. Cowan, for leave to bring in a Bill on Monday next for the more just admeasurement of Fuel within the Town and Township of York. Leave was accordingly granted.

On motion of Mr. McGregor, seconded by Mr. Clench, the House adjourned.

*Saturday, 13th February, 1808.*

Prayers were read.

Read for the first time, the Bill for regulating the Court of Requests. Mr. Rogers moved, seconded by Mr. Nellis, that the Bill to extend the jurisdiction of the Court of Requests be read a second time on Monday. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill for regulating the Practice of Physic and Surgery in this Province. Mr. Speaker left the Chair. Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had made a progress and had directed him to ask for leave to sit again. Leave was accordingly granted.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill for the Better establishing of Titles to Lands in this Province. Mr. Speaker left the Chair. Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Washburn reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Ordered, that the Committee have leave to sit again on Monday next.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill for regulating the granting of Tavern Licenses. Mr. Speaker left the Chair. Mr. Willcocks took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Leave was accordingly granted.

Mr. Rogers in his place delivered in at the table the Account and Vouchers delivered to him by William Allan, Esquire, one of the Commissioners appointed by His Excellency the late Lieutenant Governor Hunter, for the purchase of Hemp, which Account is as follows:

An Account of Hemp purchased by William Allan, Esq., as one of the Commissioners appointed by His Excellency the late Lieutenant Governor Hunter, for the Home District.

1804. No.			
May 5	1	To Cash paid Matthew Cline for 1 cwt. 0 qr. 0 lbs.	£2 0 0
1805.			
Feb. 12	2	Paid Timothy Rogers for 4 cwt. 2 qr. 0 lbs. ....	9 0 0
Dec. 28	3	Paid to James Rogers for 5 cwt. 0 qr. 0 lbs. ....	12 10 0
1806.			
Feb. 15	4	Paid Elisha Dexter for 3 cwt. 0 qr. 0 lbs. ....	6 0 0
Feb. 25	5	Paid Ulrick Burkholder for 3 cwt. ....	7 10 0
Dec. 5	6	Paid Ulrick Burkholder for 4 cwt. 3 qrs. ....	9 10 0
1807.			
Mar. 7	7	Paid John Kock for 6 cwt. 0 qr. 10 lbs. ....	15 4 4½
Apl. 4	8	Paid N. Coves for 1 qr. 3 cwt. 1 lb. ....	4 7 11½
Jne. 25	9	Paid Peter Brillinger for 1 qr. 2 cwt. 8 lbs. ....	3 18 6
1808.			
Jan. 10	10	Paid Ulrick Burkholder for 7 cwt. ....	17 10 0
Jan. 5	11	Paid Ulrick Burkholder for 4 cwt. 14 lbs. ....	10 6 3
Jan. 18	12	Paid Wm. Macklin for 3 cwt. 23 lbs. ....	2 7 9
		Paid for packing and shipping do. ....	1 5 0
			<hr/>
			101 9 10
Brot. forward .....			£101 9 10
By Cash received from the Receiver General on account			100 0 0
			<hr/>
Balance due William Allan .....			1 9 10

Errors excepted.

York, 18th January, 1808.

W. Allan, Commissioner.

Mr. Washburn moved, seconded by Mr. Nellis, for leave to bring in a Bill on Monday next to amend an Act passed in the thirty-seventh year of His Majesty's reign, entitled "An Act for the more easy Barring of Dower in this Province." Leave was accordingly given.

Mr. Howard then moved, seconded by Mr. Rogers, that the House do resolve itself into a Committee on Monday next to go into the consideration of the Bill for regulating, laying out and amending the Highways and Roads throughout this Province. The House accordingly resolved the same.

On motion of Mr. Sherwood, seconded by Mr. McLean, the House adjourned until eleven o'clock in the forenoon, on Monday next.

*Monday, 15th February, 1808.*

Prayers were read.

On motion of the Solicitor General, seconded by Mr. Clench, ordered, that the second reading of the Militia Bill be postponed until Wednesday next.

Mr. Clench then moved, seconded by Mr. Nellis, that so much of the Order of the Day as relates to the second reading of the Bill for increasing the representation of the Commons of this Province be discharged, and that leave be given that the said Bill be read a second time to-morrow, which was ordered accordingly.

Read for the second time, the Bill for granting salaries to Judges. On motion of Mr. Sherwood, seconded by Mr. Clench, the House resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Dorland was called to the Chair of the Committee.

Mr. Speaker resumed the Chair. Mr. Dorland reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly given.

Read for the second time, the Bill for extending the Jurisdiction of the Court of Requests. Mr. Howard then moved, seconded by Mr. Nellis, that the House do resolve itself into a Committee on Wednesday next to take into consideration the Court of Requests Bill. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for the securing Titles to Lands in this Province. Mr. Speaker left the Chair. Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Washburn reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Mr. Washburn then moved, seconded by Mr. Howard, that so much of the Order of the Day as relates to the bringing in of a Bill to amend certain parts of an Act passed in the thirty-seventh year of His Majesty's reign, entitled "An Act for the more easy Barring of Dower;" be discharged, and that he have leave to bring in a Bill to-morrow to repeal the whole of the said Act, and to make other provisions for the same. Leave was accordingly given.

Read for the second time, the Bill for laying out and keeping in repair the Public Highways and Roads throughout the Province. Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had made a progress, and that he was directed to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Mr. Clench gave notice that he will move to-morrow that the House do resolve itself into a Committee to go into the further consideration of the Bill for regulating the practice of Physic, Surgery and Midwifery in this Province.

Mr. Clench moved, seconded by Mr. Sherwood, for leave to bring in a Bill to-morrow to establish a Court of Quarter Sessions, and a Court of Requests, at Saint Joseph's, on the Island of Saint Joseph's, in the Western District. Leave was accordingly given.

On motion of Mr. Clench, seconded by Mr. McGregor, the House adjourned.

*Tuesday, 16th February, 1808.*

Prayers read.

The Clerk of this House has the honor of respectfully informing Mr. Speaker and the House that the Clerks of the Peace for the different Districts in this Province did send him returns of all the rateable property in their respective Districts, in compliance with the Tenth Section of the Act passed during the last Session of the Legislature, for the more uniform laying of Assessments and Rates throughout this Province.

Read for the first time, the Bill for the more easy Barring of Dower. Mr. Washburn moved, seconded by Mr. Rogers, that the Bill for the more easy Barring of Dower be read a second time to-morrow, which was ordered accordingly.

Mr. Clench then moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee to go into the consideration of the Bill for increasing the Representation of the Commons in this Province. The House, accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Agreeably to the Order of the Day the House resolved itself into a Committee on the Bill for allowing Salaries to the Judges of the Court of Common Pleas, to be appointed in this Province. Mr. Speaker left the Chair. Mr. Dorland took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Resolved, that the Report be now received and accepted. On motion of Mr. Sherwood, seconded by Mr. Clench, ordered, that the said Bill be engrossed and read a third time to-morrow.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for laying out and repairing the Public Highways and Roads throughout this Province. Mr. Speaker left the Chair. Mr. McGregor took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled "An Act for the better regulation of Special Juries," to which they have made several amendments, to which amendments they request the concurrence of this House in passing the same.

And then he withdrew.

Agreeably to leave given the House again resolved itself into a Committee to go into the further consideration of the Bill for establishing Public Roads and Highways throughout this Province. Mr. Speaker left the Chair. Mr. McGregor again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Read for the first time, the Bill for establishing a Court of Quarter Sessions and a Court of Requests in the Island of Saint Joseph's, in this Province. On motion of Mr. Clench, seconded by Captain Cowan, ordered, that the said Bill be read for the second-time to-morrow.

On motion of Mr. Swazey, seconded by Mr. Crysler, the House adjourned until eleven o'clock to-morrow in the forenoon.

*Wednesday, 17th February, 1808.*

Prayers were read.

Read for the second time, a Bill for the more easy Barring of Dower. Mr. Washburn moved, seconded by Mr. Mallory, that the House do now resolve itself into a Committee to go into the consideration of the Bill to alter the present mode of Barring Dower. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Clench reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Ordered, that the Committee have leave to sit again.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for the more equal Representation of the Commons in Parliament. Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

By Command of His Excellency, the Lieutenant-Governor, William Jarvis, Esquire, Secretary of the Province, delivered in at the Bar the General Account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards from the First July to the Thirty-first December, One Thousand Eight Hundred and Seven, which was read by the Clerk at the Table, and ordered to be joined to the other Public Accounts, and forms Number Eighteen.

Mr. Clench moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee to go into the further consideration of the Bill for regulating the Practice of Physic, Surgery and Midwifery within this Province. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Resolved, that the Committee have leave to sit again.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill to secure Titles to Lands in this Province. Mr. Speaker left the Chair. Mr. Washburn took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Washburn reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Leave was accordingly granted.

Read for the third time, as engrossed, the Bill for allowing Salaries to Judges of the Court of Common Pleas, to be appointed in this Province. Mr. Sherwood then moved, seconded by Mr. Clench, that the Bill do pass, and that the title be "An Act to provide for the support of Judges of the Court of Common Pleas." A division thereupon took place; the names being called for, they were taken down, and are as follows:—

<p>Yeas:</p> <p>MESSRS. CRYSLER SOLICITOR GENERAL COWAN SHERWOOD CLENCH NELLIS WASHBURN MALLORY MCLEAN.</p>	<p>Nays:</p> <p>MESSRS. WILLCOCKS HOWARD ROGERS SWAZEY DORLAND.</p>
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The same was carried in the affirmative by a majority of four. The Bill then passed, and was signed by the Speaker.

Mr. Rogers then moved, seconded by Mr. Swazey, that Messrs. Sherwood and McLean do carry up to the Honorable the Legislative Council the Bill to provide Salaries for Judges of the Court of Common Pleas, and to request their concurrence thereto. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for laying out and amending the Public Highways and Roads throughout this Province. Mr. Speaker left the Chair. Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Leave was accordingly given.

Mr. Clench then moved, seconded by Mr. Swazey, that so much of the Order of the Day as relates to the second reading of the Bill for establishing Courts of

Quarter Sessions and Requests in the Island of Saint Joseph's be discharged, and that the same be read on Friday next, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for continuing an Act passed in the Thirty-third year of His Majesty's Reign, to provide for the appointment of Returning Officers in this Province. The Solicitor General then moved, seconded by Captain Cowan, that the Bill do pass, and that the title be "An Act to continue an Act passed in the Thirty-third year of His Majesty's Reign, entitled 'An Act to provide for the appointment of Returning Officers of the several Counties within this Province.'" The Bill then passed, and was signed by the Speaker. Mr. Solicitor General then moved, seconded by Mr. Crysler, that Captain Cowan and Mr. Clench do carry up to the Honorable Legislative Council the Act to continue an Act passed in the Thirty-third year of His Majesty's Reign, entitled "An Act to provide for the appointment of Returning Officers for the several Counties within this Province," and to request their concurrence thereto, which was ordered accordingly.

Mr. Sherwood, one of the Messengers named to carry up to the Legislative Council an Act to provide for the support of the Judges of the Court of Common Pleas, reported that they had carried up the same, and did request their concurrence thereto.

Mr. Clench then moved, seconded by Mr. Swazey, that so much of the Order of the Day as relates to the second reading of the Bill for increasing the Representation of the Commons of this Province in Parliament be discharged. Ordered accordingly.

Read, the Petition from the Trustees appointed by His Excellency, the Lieutenant-Governor, in the District of London, by virtue of an Act passed in the last Session of the Legislature, entitled "An Act to establish Public Schools in each and every District of this Province," which is as follows:—

To the Honorable the Commons of Upper Canada in Parliament assembled.

The Memorial of the Trustees appointed and acting under the District School Bill for the District of London,

Most respectfully represents, That soon after they received their appointment they proceeded to discharge the trust reposed in them, by recommending to His Excellency the Lieutenant-Governor a person whom they considered properly qualified to fill the situation of District School Master, who, in consequence of such recommendation, was duly appointed.

That the person so nominated on receiving notice of his appointment attended for the purpose of performing the duties attached to the situation, but neither School House nor Scholars could be procured in Townsend, the place pointed out by the Statute.

Your Memorialists therefore trust that Your Honorable House, taking into consideration the important object contemplated by the Statute, and the impossibility of carrying it into effect under existing circumstances, will deem it expedient to amend the Act, so that the School may be opened and kept in the Village of Dover, in the Township of Woodhouse, where a School House would be built, as appears by the accompanying subscription lately set on foot, and sufficient accommodation procured for those coming from distant parts of the District.

And Your Memorialists, as in duty bound, will ever pray.

Samuel Ryerse, John Cottman, Joseph Ryerse, Thomas Welch, Trustees.



Mr. Mallory then moved, seconded by Mr. Howard, for leave to bring in a Bill on Saturday next to change the place of holding the Public School in the District of London. Leave was accordingly granted.

On motion of Mr. Swazey, seconded by Mr. Rogers, the House adjourned.

*Thursday, 18th February, 1808.*

Prayers were read.

Read, the Petition of the Inhabitants of the District of London, which is as follows:—

To the Honorable the Speaker and Members of the House of Commons of Upper Canada:

The Petition of the undersigned, Inhabitants of the District of London, Humbly Showeth,—

That the operation of that part of an Act entitled “An Act to repeal the several Acts now in force in this Province, relative to Rates and Assessments, etc., etc., passed in the Forty-seventh year of His present Majesty’s Reign, which directs that all real property shall be rated and assessed in the District where the owner of the property so rated and assessed resides, and the moneys arising by tax thereon shall be paid for the use and benefit of such District into the hands of the Treasurer thereof is peculiarly hard upon this District.

Your Petitioners are inhabitants of a very extensive and newly settled District, not very populous or wealthy; their annual public expenditures are nearly equal, if not quite, to that of any other District; and the money raised under the Act above mentioned, which is now paid into the Treasury of this District, is entirely inadequate to defray the necessary expenses; insomuch that the Magistrates have been under the necessity of involving the District already so largely in debt that there seems scarcely any possibility of ever being extricated by any means but the interference of the Legislature.

Your Petitioners beg leave to state that the quantity of land rated and assessed in this District does not exceed One Hundred and Twenty Thousand acres, and that they are led to believe that there is not less than Eight Hundred Thousand acres of land located, and subject to taxation in this District; so that the taxes raised upon Six Hundred and Eighty Thousand acres of land are now paid into the Treasuries of other Districts, which, if paid for the use of this, would place it in a respectable and independent situation.

They also beg leave to suggest that to subject all lands located in this Province to taxation, whether the owner thereof reside therein or not, would, they humbly conceive, be extremely beneficial to the Province in general.

Your Petitioners therefore humbly pray that Your Honorable House would be pleased to take this District into consideration, so far as relates to the present mode of paying taxes, and procure the repeal of so much of the aforesaid Act as directs the payment of the money raised by tax upon land into the Treasury of the District, where the owner of such land resides; and enact in lieu thereof that in future all land located, or that may be hereafter located, in this Province, shall be subject to taxation; whether the owner thereof is a resident of the Province or not, and that such land shall be rated and assessed in the District where it may be situated, and that the money raised thereon shall be paid to and for the use of such District.

And Your Petitioners, as in duty bound, will ever pray.

John Bostwick, Samuel Ryerse, J.P., Henry Bostwick, R. W. Dease, C.P., Thomas Welch, J.P., Peter Peeple, J.P., Nathan P. Barnham, J.P., Edward Watson, J.P., Elrick Crosby, Henry VanAllen, H. Alexander, John Williams, and One Hundred and Sixty-four others.

Then was read the Petition of the Inhabitants of the Township of Grimsby, which is as follows:—

To the Honorable the Knights, Burgesses and Citizens of the Province of Upper Canada in Parliament convened.

The Petition of some of the Freeholders, and all Inhabitants, Householders of the Town of Grimsby, and adjacent thereto, in the said Province, Sheweth,—

That by an Act passed in the Thirty-eighth year of His present Majesty George the Third, entitled “An Act to alter the method of performing Statute Duty on the Highways and Roads within this Province,” your Petitioners humbly conceive themselves to be aggrieved.

That by the said Act, Statute Labour is to be performed in the following manner, viz.: That every Inhabitant, Householder, included or inserted in or upon the Assessment Roll of any Parish, Township, reported Township or place, shall, in proportion to the estimate of his real and personal property thereon, be taken, rated, and held liable to work on the Highways and Roads in each and every year as follows, that is to say. If his property be rated at not more than One Hundred Pounds, then his proportion of labor shall not exceed six days. If at more than One Hundred Pounds, and not more than Two Hundred Pounds, eight days. If at more than Two Hundred Pounds, and not more than Three Hundred Pounds, twelve days.

That Your Petitioners, under and by virtue of said Act, humbly think their labour on the Highways is very much out of proportion, there being no more days than twelve exacted from the Freeholder of considerable property, and he who is worth but Three Hundred Pounds.

That Your Petitioners, the Householders, humbly consider themselves in a very great degree burdened by the labor rated by the said Act, which amounts to six days, being half as much for the poor man, who does not own an acre of land, or a team to injure the roads, and whose whole property does not exceed Twenty Pounds, as the gentleman possessed of from Five to Ten Thousand Pounds.

Your Petitioners therefore hope Your Honors will take their cases into serious consideration, and use your endeavours to have such alterations and amendments in the said Act, in such manner as your Petitioners may be relieved, and do such other matters and things in the alteration and amendments as to Your Honors in Your wisdom shall seem meet.

And Your Petitioners will pray.

John Wolverton, Daniel Palmer, Smith Griffin, William Feligh, John Kennedy, George Hughes, and twenty-six others.

The Petition of the Inhabitants of the Township of Beasley was then read, which is as follows:—

To the Honorable the Legislature of the Province of Upper Canada.

The Petition of the undersigned Inhabitants of the Township of Brand, commonly called Beasley's Township, or Block No. 2.

Humbly Sheweth,—

That several of our Township inhabitants takes kegs and barrels full of spirits from the Distillers and trades with the Indians, which causes them to get drunk and lie about and not follow their hunting, and their young ones starving for hunger, going about begging and halloing for victuals before our doors like beasts, and at the same time often the old ones coming along and being drunk, scaring ourselves and our families by their bad behaviour.

And whereas it is known by us that a certain Abraham Stouffer, of our Township, was shot by a drunken Indian through his arm and other places, and was then in danger of his life; such sufferings causes us to petition to Your Honorable Assembly to take into consideration what is said, and prevent such trading by an Act.

And Your Petitioners, as in duty bound, will ever pray.  
Beasley's Township, 2nd Jan., 1808.

John Shoop,  
Joseph Barringer,  
and Twenty-five others.

Mr. Rogers moved, seconded by Mr. Willcocks, that the amendments made by the Honorable Legislative Council, in and to an Act for the better regulation of Special Juries be now read. The said Bill was accordingly read for the first time as amended by the Honorable Legislative Council. Agreeable to the Order the said Bill was read for the second time.

On motion of Mr. Rogers, seconded by Mr. Nellis, the House resolved itself into a Committee to go into the consideration of the amendments made by the Honorable Legislative Council in and to the Act for the better regulation of Special Juries. Mr. Speaker left the Chair. Mr. Nellis was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Nellis reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Mr. Rogers gave notice that he will move to-morrow, that the Militia Bill be read a second time.

Mr. Rogers moved, seconded by Mr. Howard, that the Rule of this House that requires one day's previous notice be discharged, so far as it prevents the Road Bill from being again committed, and that the House do now resolve itself into a Committee to go into the consideration of the said Bill.

Ordered, that the said Rule be now dispensed with, and that the House do now resolve itself into a Committee to go into the consideration of the said Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Rogers took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Ordered, that the Committee have leave to sit again this day.

A Message from the Honorable Legislative Council by Mr. Baldwin, Master in Chancery,  
Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act sent up from this House, entitled "An Act

to authorize the inhabitants of the County of Haldimand to hold Annual Meetings for the purpose of electing Parish and Town Officers," to which they have made several amendments, to which amendments they request the concurrence of this House in passing the same, and then he withdrew.

The House again resolved itself into a Committee to go into the further consideration of the Road Bill. Mr. Speaker left the Chair. Mr. Rogers again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Captain Cowan rose up in his place, and did inform the House that an Honorable Member (W. Willcocks) had made use of language out of doors derogatory to the honor and integrity of this Honorable House, and nearly in these words: "That the Members of the House of Assembly dared not to proceed in the prosecution they had commenced against him. He was sorry they did not continue it; it would have given him an opportunity of proving they had been bribed by General Hunter; and that he had a Member of the House ready to come forward and give testimony to that effect." The "Gentlemen that were present were Titus Simons, Samuel S. Willmott, Surveyor of Lands, and Dr. James Glennon, Practitioner of Physic in this Town.

Upon motion of Mr. Sherwood, seconded by Mr. Clench, ordered, that the House do now resolve itself into a Committee of Privileges of the Whole House, to take into its consideration the said information.

The House accordingly resolved itself into said Committee. Mr. Speaker left the Chair. Mr. Swazey was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Swazey reported to the House that the Committee had come to several Resolutions on the subject referred, which they had directed him to report to the House whenever it would be pleased to receive the same. Ordered that the report be now received, and he read the report in his place, and, having delivered in the same at the Table, it was again read throughout by the Clerk, and is as follows:—

Resolved, that it is the opinion of this Committee that the expressions said to be made use of by Mr. Joseph Willcocks are false, slanderous and highly derogatory to the dignity of this House.

Resolved, that it is the opinion of the Committee that the Speaker be authorized to send for any witness that he may think necessary, to be examined at the Bar of this House, touching the information given to this House by Captain Cowan, a Member of this House, against Joseph Willcocks.

Resolved, that it is the opinion of the Committee that a day be fixed by the House for the trial of Mr. Joseph Willcocks, a Member of this House.

The Solicitor General, seconded by Captain Cowan, moved that the House do concur with the Committee in their Resolutions just reported. The House accordingly concurred in the said Resolutions. Ordered, that the Clerk will give Mr. Willcocks a copy of the paper read by Captain Cowan. Captain Cowan moved, seconded by Mr. Solicitor General, that Saturday next be appointed for the day of trial of Mr. Joseph Willcocks. Ordered accordingly. Mr. Willcocks moved, seconded by Mr. Rogers, that he be permitted to remain in his place during his trial, and that he be also permitted to put such interrogatories to the evidences as may seem to him necessary, which was ordered accordingly.

Mr Mallory moved, seconded by Mr. Washburn, for leave to bring in a Bill on Monday next to alter and better regulate the present mode of assessing Wild Lands in the District of London. Accordingly leave was given.

Mr. Washburn moved, seconded by Mr. Swazey, for leave to bring in a Bill to-morrow to disenable any Judge of the Court of King's Bench or Common Pleas, or any Judge of the District Courts, from being a Member of the House of Assembly in this Province. Leave was granted accordingly.

On motion of Mr. Washburn, seconded by Mr. Dorland, the House adjourned.

*Friday, 19th February, 1808.*

Prayers were read.

Read for the first time, the amendments made by the Honorable the Legislative Council in and to a Bill entitled "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Meetings for the purpose of electing Town and Parish Officers."

Read for the second time, the Bill for holding Special Sessions of the Peace, and a Court of Requests in the Town of Saint Joseph's, in the Western District. Mr. Clench then moved, seconded by Mr. McGregor, that the House do now resolve itself into a Committee to go into the consideration of the Bill for establishing a Court of Special Sessions and a Court of Requests at Saint Joseph's, on the Island of Saint Joseph's. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Agreeable to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the amendments made by the Honorable the Legislative Council to an Act for the better regulation of Special Juries. Mr. Speaker left the Chair. Mr. Nellis was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Nellis reported that the Committee had gone through the consideration of the said amendments, to which they concurred, which he was directed to report to the House whenever it should be pleased to receive the same. The House resolved that the report be now received, and that the amendments be adopted. Mr. Sherwood, seconded by Mr. Nellis, moved that Messrs. Rogers and Swazey do inform the Honorable the Legislative Council that this House have concurred with the amendments made by them in and to an Act for the better regulation of Special Juries, which was ordered accordingly. Mr. Speaker,—

We are commanded by the Commons House of Assembly to acquaint this Honorable House, that it has concurred in adopting the amendments made by the Legislative Council, in and to the Act entitled "An Act for the better regulation of Special Juries."

(Signed) ALEXANDER McDONELL,

Commons House of Assembly,  
19th February, 1808.

Speaker.

Mr. Rogers then moved, seconded by the Solicitor General, that the Bill to explain, amend and reduce into one Act of Parliament the several laws now in

force, relative to the raising and training of the Militia of this Province be now read for the second time. The said Bill was accordingly read for the second time. Mr. Rogers moved, seconded by Mr. Nellis, that the House do now resolve itself into a Committee to go into the consideration of the Militia Bill. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Captain Cowan was called to the Chair of the Committee.

Mr. Speaker resumed the Chair and Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Ordered, that the Committee have leave to sit again on Monday next.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Road Bill. Mr. Speaker left the Chair. Mr. Rogers took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Mallory then moved, seconded by Mr. Dorland, that the Road Bill be engrossed, and read for the third time on Monday next. Ordered accordingly.

Mr. Washburn moved, seconded by Mr. Dorland, that so much of the Order of the Day as relates to the bringing in a Bill this day to exclude the Judges of the Court of King's Bench, Common Pleas, and the District Courts from having a seat in the House of Assembly be discharged, and that he have leave to bring in the same on Monday next. The Order was accordingly discharged, and leave given to bring in the said Bill on Monday next.

Mr. Solicitor General gave notice that he will move to-morrow for leave to read for the first time a Bill for the more just admeasurement of Firewood within the Town and Township of York.

Mr. Willcocks moved, seconded by Mr. Mallory, for leave to bring in a Bill on Thursday next to amend an Act passed in the Forty-seventh year of His Majesty's Reign, entitled "An Act to establish Public Schools in each and every District of this Province." Leave was accordingly granted.

On motion of the Solicitor General, seconded by Mr. Swazey, the House adjourned.

*Saturday, 20th February, 1808.*

Prayers were read.

Captain Cowan, one of the Messengers named to carry up to the Honorable the Legislative Council the Act to continue an Act passed in the Thirty-third year of His Majesty's Reign, entitled "An Act to provide for the appointment of Returning Officers of the several Counties within this Province," reported that they had carried up the said Act and did request their concurrence in passing the same.

Mr. Rogers, first named to carry up to the Honorable the Legislative Council the Message from this House of yesterday, reported that they had carried up the same.

Mr. Mallory moved, seconded by Mr. Dorland, that so much of the Order of the Day, as relates to the bringing in a Bill respecting the Public School in the

District of London, be discharged, and that leave be given him to bring in the same on Tuesday next. Accordingly so much of the Order of the Day was discharged, and leave was given him to bring in the same on Tuesday next.

Mr. Speaker informed the House that agreeable to the Order of this House he had issued his summons, commanding the attendance of Titus Simons, Samuel S. Willmott, Surveyor of Lands, and Dr. Glennon, Practitioner of Physic, in the Town of York, at the Bar of this House this day, at ten o'clock in the forenoon, to give evidence touching the information now before this House respecting Joseph Willcocks, one of its Members. On motion of Mr. Solicitor General, seconded by Captain Cowan, ordered, that the proceedings of this House on the Eighteenth instant, relating to Joseph Willcocks, one of its Members, be now read. The proceedings were accordingly read. Dr. Glennon was then called to the Bar, to give evidence touching the charges exhibited against Joseph Willcocks, a Member of this House. Samuel S. Willmott was next called to the Bar, to give testimony touching the charges exhibited against Joseph Willcocks, a Member of this House. The evidence on the part of the House was closed. Mr. Willcocks, by permission, cross-examined the witnesses. Mr. Willcocks moved, seconded by Mr. Sherwood, that he may be permitted to call such witnesses in his behalf as may seem to him necessary. Permission was accordingly given him to examine such evidence as he thought necessary. After the evidence on the part of Mr. Willcocks had been gone through, Captain Cowan moved, seconded by Mr. Sherwood, that it is the opinion of this House that Joseph Willcocks is guilty of the charge alleged against him. The House unanimously resolved the same. Captain Cowan then moved, seconded by Mr. Sherwood, that Joseph Willcocks be taken into the custody of the Sergeant at Arms and be committed to the Common Gaol of this District. Resolved unanimously, that Joseph Willcocks be committed to the Common Gaol of the District, and that the Speaker do issue his warrant for that purpose. Mr. Speaker then read the Warrant which he signed by order of the House, and is as follows:—

Alexander McDonell, Esquire, Speaker of the Honorable the Commons House of Assembly.

To the Sheriff of the Home District, GREETING.

By virtue of the power and authority in me vested by the Honorable the Commons House of Assembly, you are hereby ordered and required to receive into the Common Gaol of your District the body of Joseph Willcocks, and him safely to keep until discharged by due course of law, the said Joseph Willcocks having been convicted of a contempt of the Commons House of Assembly.

Given under my hand and seal at York, (Signed) ALEXANDER McDONELL,  
this 20th day of February, 1808. Speaker.

Mr. Clench moved, seconded by Mr. Nellis, that so much of the Order of this Day as relates to the second reading of the Bill to establish Courts of Quarter Sessions and Requests at Saint Joseph's, on the Island of Saint Joseph's, be discharged, and that leave be given to bring the same in on Monday next. The order was discharged, and leave was given to bring the said Bill in on Monday next.

Mr. Clench gave notice that he will on Monday next move, that this House do then go into Committee of the Whole, to go into the further consideration of the Bill for increasing the representation of the Commons of this Province in Parliament.

Mr. Clench gave notice that he will on Monday next move, that this House do then resolve itself into a Committee, to go into the further consideration of the Bill for regulating the practice of Physic, Surgery and Midwifery within this Province.

The Solicitor General gave notice that he will move on Monday next, that the House do then resolve itself into a Committee to go into further consideration of the Land Commission Bill.

Read for the first time the Bill for the more just admeasurement of Firewood within the Town and Township of York. On motion of Mr. Solicitor General, seconded by Captain Cowan, ordered, that the said Bill be read for the second time on Monday next.

Read, a Petition from the Inhabitants of York, Home District, which is as follows:—

To the Honorable the Commons of Upper Canada in Parliament assembled.

The Petition of the Undersigned Inhabitants of York, Humbly Showeth,—

That Your Petitioners, desirous of improving the Streets in the aforesaid Town of York, and whereas if it may be thought expedient to alter the present mode of applying the Statute Duty on the Highways and Roads, and for the better amending and keeping in repair the streets in the aforesaid Town of York; Your Petitioners therefore pray that for each and every Householder bounding on any street in the aforesaid Town shall be compelled to make good and keep in repair one equal half of the street adjoining his lot or premises, and for the better performance of the same the Overseer of Highways at all times shall see that this duty be faithfully done.

And your Petitioners, as in duty bound, will ever pray.

William Knott, Patrick Hartney, Paul Marian, Daniel Laughlin, Thomas Hamilton, Benjamin Cozens, John VanTanter, Daniel Tiers, and twenty-one others.

On motion of Captain Cowan, seconded by Mr. McLean, the House adjourned until Monday next.

*Monday, 22nd February, 1808.*

Prayers were read.

The Sergeant-at-Arms reported that in obedience to the command of this Honorable House he delivered Joseph Willcocks, Esquire, Member representing West York, first Lincoln, and Haldimand, into the custody of the Sheriff of this District, and also the Speaker's Warrant to him directed.

Mr. Mallory moved, seconded by Mr. Nellis, that so much of the Order of this Day as relates to the Bill for the better regulation of rating and assessing Wild Lands in the District of London be discharged. Ordered accordingly.

Read for the third time, as engrossed, the Bill for laying out Public Highways and Roads in this Province. On motion of Mr. Howard, seconded by Mr. Dorland the House resolved itself into a Committee to go into the further consideration of the said Bill. Mr. Speaker left the Chair. Mr. Rogers took the Chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.



Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, to amend certain parts of an Act passed in the thirty-third year of His Majesty's Reign, entitled "An Act to confirm and make valid certain marriages heretofore contracted in the Country now comprised within the Province of Upper Canada," to which they have made some amendments, to which amendments they request the concurrence of this House in passing the same.

Also an Act for building a Court House and Gaol in the Township of Elizabethtown in the District of Johnstown, to which they have made several amendments and to which amendments they desire the concurrence of this House in passing the same.

And also that they have passed an Act, sent up from this House, entitled "An Act to continue an Act passed in the thirty-third year of His Majesty's Reign, entitled, 'An Act to provide for the appointment of Returning Officers for the several Counties within this Province,'" without any amendments.

And then he withdrew.

The House again resolved itself into a Committee to go into the further consideration of the Bill for establishing Public Highways and Roads throughout this Province. Mr. Speaker left the chair. Mr. Rogers again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made a progress and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read for the first time, the amendments made by the Honorable the Legislative Council to the Act for erecting a Court House and Gaol at Elizabethtown, in the District of Johnstown. Mr. Solicitor General, seconded by Mr. McLean, moved that the said Bill be now read for the second time. The said Bill was accordingly read for the second time. On motion of Mr. Solicitor General, seconded by Mr. Sherwood, the House resolved itself into a Committee to go into the consideration of the amendments made by the Honorable the Legislative Council in and to the Johnstown Court House and Gaol Bill. Mr. Speaker left the Chair. Mr. Swazey was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Swazey reported that the Committee had gone through the consideration of the said amendments, and that he was directed to report to the House whenever it should be pleased to receive the same, that the amendments as made by the Honorable Legislative Council be adopted. The House accordingly resolved that the amendments as made by the Honorable Legislative Council be adopted.

On motion of Mr. Solicitor General, seconded by Mr. McLean, the amendments made by the Honorable Legislative Council to an Act to confirm and make valid certain Marriages heretofore contracted in the county now comprised within the Province of Upper Canada was read for the first time. Mr. Rogers then moved, seconded by the Solicitor General, that the amendments made by the Honorable Legislative Council to the Marriage Act be read a second time to-morrow, which was ordered accordingly.

Mr. Washburn moved, seconded by Mr. Sherwood, that so much of the Order of the Day as relates to the bringing in a Bill to prevent the Judges of the Court of King's Bench, the Judges of the Court of Common Pleas, and District Judges,

from being eligible to hold a seat in the House of Assembly of this Province, be discharged, and that he have leave to bring in the same on any other day during the present Session of Parliament, which was ordered accordingly.

Read for the second time, the Bill for establishing Courts of Quarter Sessions and Requests in the Island of Saint Joseph's. Mr. Clench moved, seconded by Mr. McGregor, that the House do now resolve itself into a Committee to go into the consideration of the Bill for establishing Courts of Quarter Sessions and Requests at Saint Joseph's, in the island of Saint Joseph's. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive same.

Ordered, that the Report be now received, and that the amendments be adopted. The House accordingly resolved that the amendments made by the Honorable Legislative Council to the said Act be adopted.

Mr. Clench then moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee to go into the further consideration of the Bill for regulating the practice of Physic, Surgery, and Midwifery in this Province. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Crysler took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was granted accordingly.

Mr. McGregor, seconded by Mr. Sherwood, moved for leave to bring in a Bill to-morrow to amend and keep in repair the Public Highways and Roads through a part of the Counties of Essex and Kent, in the Western District. Leave was accordingly granted.

Mr. Sherwood moved, seconded by Mr. Rogers, for leave to bring in a Bill to-morrow to regulate the Fees to be taken in the Court of King's Bench. Accordingly it was given.

Mr. Rogers, seconded by Mr. Sherwood, moved that so much of the Order of the Day as has not been proceeded upon remain as part of the Order of the Day for to-morrow, and that this House do now adjourn until twelve o'clock at noon to-morrow.

The House accordingly discharged the Order of the Day, and ordered that the House meet to-morrow at twelve o'clock noon.

*Tuesday, 23rd February, 1808.*

Prayers were read.

Read for the first time, the Bill to regulate the Fees to be taken in the Court of King's Bench. Mr. Sherwood then moved, seconded by Mr. Dorland, that the Bill to regulate the Fees to be taken in the Court of King's Bench be read a second time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill for laying out and establish-

ing Public Highways and Roads throughout this Province. Mr. Speaker left the Chair. Mr. Rogers took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted.

Mr. Howard then moved, seconded by Mr. Nellis, that the Bill for establishing Public Highways and Roads throughout this Province be read for the third time to-morrow, which was ordered accordingly.

Mr. Rogers then moved, seconded by Mr. Nellis, that the Solicitor General and Mr. Howard do inform the Honorable the Legislative Council that this House have concurred in adopting the amendments made by them in and to the Johnstown Court House and Gaol Act. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Militia Bill. Mr. Speaker left the Chair. Capt. Cowan took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill to regulate the practice of Physic, Surgery, and Midwifery. Mr. Speaker left the Chair. Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, to which he was directed to request the concurrence of this House. The House accordingly concurred in the said amendments.

Mr. Clench then moved, seconded by Mr. Sherwood, that the Bill for regulating the practice of Physic, Surgery and Midwifery in this Province be engrossed, and read a third time to-morrow. The said Bill was ordered to be engrossed and read a third time to-morrow.

Read for the first time, the Bill for keeping in repair the Public Highways and Roads leading through the Counties of Essex and Kent, in the Western District. Mr. McGregor then moved, seconded by Mr. Sherwood, that the said Bill be read for the second time to-morrow. The said Bill was accordingly ordered to be read the second time to-morrow.

On motion of Mr. McGregor, seconded by Capt. Cowan, ordered, that so much of the Order of this Day as has not been proceeded upon remain as part of the Order of the Day for to-morrow.

On motion of Mr. Clench, seconded by Mr. Sherwood, the House adjourned until eleven o'clock in the forenoon to-morrow.

*Wednesday, 24th February, 1808.*

Prayers were read.

Read for the third time, as engrossed, the Bill for regulating the practice of Physic, Surgery and Midwifery throughout this Province. On motion of Mr. Clench, seconded by Mr. Sherwood, the said Bill was ordered to be recommitted.

The House accordingly resolved itself into a Committee to go into the further consideration of the said Bill. Mr. Speaker left the Chair. Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had made a progress, and that he was directed to ask for leave to sit again to-morrow. Accordingly leave was granted to sit again to-morrow. The Solicitor General, one of the messengers named to carry up to the Honorable Legislative Council a Message of this House, reported that they had carried up the same.

Mr. Howard, seconded by Mr. Nellis, moved that the Order of the Day, so far as relates to the Court of Requests Bill, be discharged, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for increasing the representation of the Commons of this Province in Parliament. Mr. Speaker left the Chair. Mr. Crysler was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow.

Agreeably to the Order of the Day the House resolved itself into a Committee of the Whole, to go into the further consideration of the Bill for securing Titles to Lands in this Province. Mr. Speaker left the Chair. Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Washburn reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read for the second time, the amendments made by the Honorable Legislative Council in and to an Act, sent up from this House, entitled "An Act to amend certain parts of an Act passed in the Thirty-third year of His Majesty's Reign, entitled 'An Act to confirm and make valid certain Marriages heretofore contracted in the country now comprised within the Province of Upper Canada. On motion of Mr. Solicitor General, seconded by Mr. Rogers, the House resolved itself into a Committee, to go into the consideration of the amendments made by the Honorable Legislative Council in and to the said Act. Mr. Speaker left the Chair. Mr. Nellis was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Nellis reported that the Committee had made a progress, and that he was directed to acquaint the House that the Committee had recommended that a Conference be held with the Legislative Council, on the subject matter of the amendments made by them to an Act entitled "An Act to confirm and make valid certain Marriages heretofore contracted in this Province," which Report was accepted. Then Mr. Sherwood moved, seconded by Capt. Cowan, that the Solicitor General, Messrs. Rogers, Washburn and McLean, be a Committee to request a Conference with the Honorable Legislative Council on the amendments made by them in and to the Act entitled "An Act to confirm and make valid certain Marriages heretofore contracted in the country now comprised within the Province of Upper Canada," and also that they be a Committee from this House to hold the Conference therewith. The same was ordered accordingly.

Mr. Speaker,

The House of Assembly request a Conference with the Honorable Legislative Council, on the subject matter of amendments made by them in and to an Act, sent up from this House, entitled "An Act to amend certain parts of an Act

passed in the Thirty-third year of His Majesty's Reign, entitled 'An Act to confirm and make valid certain Marriages heretofore contracted in the country now comprised within the Province of Upper Canada.'"

(Signed) ALEXR. McDONELL, Speaker.

Commons House of Assembly,

24th February, 1808.

Read for the second time, the Bill for establishing the Fees to be taken in the Court of King's Bench.

On motion of Mr. Sherwood, seconded by Capt. Cowan, the House resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. McGregor was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was granted accordingly.

On motion of Mr. Howard, seconded by Mr. Nellis, ordered, that so much of the Order of this Day as has not been proceeded upon remain as a part of the Order of the Day for to-morrow.

On motion of Mr. Dorland, seconded by Mr. Nellis, the House adjourned until twelve o'clock at noon to-morrow.

*Thursday, 25th February, 1808.*

Prayers were read.

Read for the third time, as engrossed, the Bill for establishing Public Highways and Roads throughout this Province. On motion of Mr. McLean, seconded by Capt. Cowan, the House resolved itself into a Committee to go into the further consideration of the said Bill. Mr. Speaker left the Chair. Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Militia Bill. Mr. Speaker left the Chair. Captain Cowan took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Mr. Solicitor General, seconded by Mr. Rogers, moved that so much of the Order of this Day as has not been proceeded upon do make a part of the Order of the Day to-morrow, which was ordered accordingly.

Mr. Solicitor General moved, seconded by Captain Cowan, for leave to bring in a Bill on Saturday next to alter and amend an Act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof. Leave was given accordingly.

Mr. Clench gave notice that he will move to-morrow that the Bill for establishing Courts of Quarter Sessions at Saint Joseph's, in the Island of St. Joseph's, be engrossed and read a third time.

On motion of Mr. Clench, seconded by Mr. Nellis, the House adjourned.

*Friday, 26th February, 1808.*

Prayers were read.

Read for the second time, the Bill for establishing Public Highways and Roads through the Counties of Essex and Kent in the Western District. Mr. McGregor moved, seconded by Mr. Dorland, that the House do now resolve itself into a Committee, to go into the consideration of the said Bill. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Solicitor General reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted.

Mr. McGregor then moved, seconded by Mr. Rogers, that the Bill for establishing Public Roads and Highways through the Counties of Essex and Kent be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. Nellis moved, seconded by Mr. Mallory, that the Order of the Day so far as respects the School Bill be discharged. Accordingly the Order was discharged.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for regulating the practice of Physic, Surgery and Midwifery in this Province. Mr. Speaker left the Chair. Mr. Crysler took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had gone through the Consideration of the said Bill, to which they had made several amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same. A division thereupon took place, the names being called for, they were taken down, and are as follows:—

Yeas:	Nays:
MESSRS. DORLAND	MESSRS. ROGERS
SOLICITOR GENERAL	SWAZEY
McLEAN	NELLIS
COWAN	MALLORY
SHERWOOD	
McGREGOR	
CLENCH	
CRYSLER	
HOWARD	
WASHBURN	

The same was carried in the affirmative by a majority of six. The Report was then received and accepted. Mr. Clench moved, seconded by Mr. Sherwood, that the said Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for increasing the representation of the Commons of this Province in Parliament. Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for securing Titles to Lands in this Province. Mr. Speaker left the Chair. Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Washburn reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council inform the House of Assembly that they accede to their request of a Conference upon the subject matter of the amendments made by them in and to an Act, sent up from this House, entitled "An Act to amend certain parts of an Act passed in the Thirty-third year of His Majesty's Reign entitled 'An Act to confirm and make valid certain marriages heretofore contracted in the country now comprised within the Province of Upper Canada,'" and that a Committee of this House will be ready to confer with them thereupon in the Legislative Council Chamber immediately after the rising of this House to-day.

Legislative Council Chamber,  
Friday, 26th February, 1808.

(Signed) THO'S SCOTT,  
Speaker.

And then he withdrew.

The House again resolved itself into a Committee to go into the further consideration of the Bill to secure Titles to Lands in this Province. Mr. Speaker left the Chair. Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Washburn reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Resolved, that the Report be now received and accepted.

Mr. Sherwood moved, seconded by Captain Cowan, that the Land Commission Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for regulating the Fees to be taken in the Court of King's Bench. Mr. Speaker left the Chair. Mr. McGregor was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Mr. Sherwood then moved, seconded by Captain Cowan, that the said Bill be engrossed, and read for the third time to-morrow, which was ordered accordingly.

Mr. Rogers moved, seconded by Mr. Clench, that Mr. Sherwood be added to the Committee appointed by this House to confer with the Honorable the Legislative Council, on the subject matter of the amendments made by them in and to the Marriage Act. Ordered accordingly.

The Solicitor General, seconded by Captain Cowan, moved that so much of the Order of this Day as directs the Militia Bill to be recommitted this day be now discharged, and that it remain first on the Order of the Day to-morrow for that purpose, which passed in the negative.

Then Mr. Rogers moved, seconded by Mr. Sherwood, that so much of the Order of the Day as relates to the going into Committee on the Road, Militia, and School Bills, be discharged, and that the same be committed to-morrow. Accordingly the said Bills were discharged and ordered to stand as a part of the Order of the Day to-morrow.

Mr. Clench moved, seconded by Mr. McGregor, for leave to bring in a Bill on Monday next to empower the Commissioners of the Peace to regulate a Police in several Towns within this Province. Leave was accordingly granted.

On motion of Captain Cowan, seconded by Mr. Dorland, the House adjourned.

*Saturday, 27th February, 1808.*

Prayers were read.

Messrs. Rogers, Sherwood, Washburn and McLean reported:—

Mr. Speaker,

The Committee of the House of Assembly, appointed to confer with the Honorable Legislative Council on the amendments made by them to the Bill to confirm certain Marriages contracted in this Province, have met the Committee of the Honorable Legislative Council, and the only reason given by them for making the amendments, Press the 4th, line the 5th, was that it was improper to provide for irregular Marriages heretofore contracted, as it would encourage irregularities in the future. Your Committee thought that the state of the country required that all marriages heretofore contracted should be confirmed.

By Order of the Committee.

(Signed D. MCG. ROGERS.)

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for establishing Public Highways and Roads throughout this Province. Mr. Speaker left the Chair. Mr. Rogers took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. The House then resolved that the said Report be now received and accepted. Mr. Howard moved, seconded by Mr. Dorland, that the Bill for establishing Public Highways and Roads throughout this Province be engrossed, and read a third time on Monday next. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Militia Bill. Mr. Speaker left the Chair. Captain Cowan took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A written Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.



Mr. Speaker,

The Honorable the Legislative Council adhere to their amendments to an Act entitled "An Act to amend certain parts of an Act passed in the Thirty-third year of His Majesty's Reign, entitled 'An Act to confirm and make valid certain Marriages heretofore contracted in the Country now comprised within the Province of Upper Canada.'"

Legislative Council Chamber,  
February 27th, 1808.

(Signed) Tho's Scott,  
Speaker.

And then he withdrew.

The House again resolved itself into a Committee to go into further consideration of the Militia Bill. Mr. Speaker left the Chair. Captain Cowan again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Ordered, that the Committee have leave to sit again on Monday next.

Mr. Mallory moved, seconded by the Solicitor General, that so much of the Order of the Day as relates to the London District School Bill be discharged, and that he have leave to bring in the same on Monday next. The said Order was discharged, and leave given to bring in the said Bill on Monday next.

Read for the first time, the Bill to encourage the growth and cultivation of Hemp in this Province. Mr. Solicitor General, seconded by Captain Cowan, moved that the Bill for the growth and cultivation of Hemp be read a second time on Monday next. Ordered accordingly.

Read for the third time, as engrossed, the Bill for regulating Statute Labour in the Counties of Essex and Kent, in the Western District. Mr. McGregor moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act for the better regulation of Statute Labour in the Counties of Essex and Kent, in the Western District." The Bill accordingly passed, and was signed by the Speaker. Mr. Rogers then moved, seconded by Mr. Howard, that Captain Cowan and Mr. Crysler do carry up to the Honorable the Legislative Council the Act for the better regulating the Statute Labour in the Counties of Essex and Kent, in the Western District, and request their concurrence thereto, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for regulating the practice of Physic, Surgery and Midwifery in this Province. Mr. Clench moved, seconded by Mr. Dorland, that the Bill do pass, and that the title be "An Act to regulate the practice of Physic, Surgery and Midwifery in this Province." The Bill then passed, and was signed by the Speaker. Mr. Washburn then moved, seconded by Mr. Nelson, that Messrs. Clench and Dorland do carry up to the Honorable the Legislative Council the Act to regulate the practice of Physic, Surgery and Midwifery within this Province, and do request their concurrence thereto. Ordered accordingly.

Mr. Clench, seconded by Mr. Dorland, moved that so much of the Order of the day as relates to the Bill for increasing the representation of the Commons of this Province in Parliament be discharged, and that it remain as a part of the Order of the Day for Monday next. The said Order was discharged accordingly, and, ordered, that the same shall remain as a part of the Order of the Day for Monday next.

Read for the third time, as engrossed, the Bill the better to ascertain and secure the Titles to Lands in this Province. The Bill then passed, and was signed by the Speaker.

Mr. Sherwood, seconded by Mr. Rogers, moved that the Committee appointed to carry up to the Honorable the Legislative Council the Act for regulating the practice of Physic, Surgery and Midwifery in this Province, do also carry up the Act for the better securing Titles to Lands in this Province; and request their concurrence thereto. Which was ordered accordingly.

Read for the third time, as engrossed, the Bill for establishing the Fees to be taken in the Court of King's Bench. Mr. Sherwood then moved, seconded by Mr. Rogers, that the Bill do pass, and that the title be "An Act for the better regulating the Fees to be taken in the Court of King's Bench." The Bill then passed, and was signed by the Speaker.

Mr. Washburn then moved, seconded by Mr. Nellis, that Messrs. Sherwood and Nellis do carry up to the Honorable the Legislative Council the Act for the better regulating the Fees to be taken in the Court of King's Bench, and request their concurrence thereto.

Mr. Sherwood, seconded by Mr. Rogers, moved, in amendment to Mr. Washburn's motion, that the Committee named to carry up to the Honorable the Legislative Council the Act for the better regulating the Statute Labour in the Counties of Essex and Kent, in the Western District, do also carry up the Act for the better regulating the Fees to be taken in the Court of King's Bench; and request their concurrence thereto, which passed in the negative.

The main question was then put, which was carried in the affirmative, and ordered accordingly.

On motion of Captain Cowan, seconded by the Solicitor General, the House adjourned until Monday next.

*Monday, 29th February, 1808.*

Prayers were read.

Read for the third time, as engrossed, the Bill for establishing Public Highways and Roads throughout the Province. Mr. Howard then moved, seconded by Mr. Dorland, that the Bill do pass, and that the title be "An Act to provide for the laying out, amending, and keeping in repair the Public Highways and Roads in this Province; and to repeal the laws now in force for that purpose." The Bill accordingly passed, and was signed by the Speaker. Mr. Rogers then moved, seconded by Mr. Swazey, that Messrs. Howard and Dorland do carry up to the Honourable the Legislative Council the Act entitled "An Act to provide for the laying out, amending, and keeping in repair the Public Highways and Roads in this Province and to repeal the laws now in force for that purpose," which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for the better regulation of the Militia. Mr. Speaker left the Chair. Captain Cowan took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted to sit again this day.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled, "An Act for the establishment of a Court of Common Pleas in each and every District of this Province," to which they have made several amendments, to which amendments they request the concurrence of this House.

And also an Act sent up from this House, entitled, "An Act to provide for the support of Judges of the Court of Common Pleas," to which they have made several amendments, to which amendments they request the concurrence of this House. And then he withdrew.

The House again resolved itself into a Committee to go into the further consideration of the Bill for the better regulation of the Militia. Mr. Speaker left the Chair. Captain Cowan again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read for the first time, the Bill for the establishing of a Police in several Towns in this Province. Mr. Howard then moved, seconded by Mr. Swazey, that the Bill for establishing a Police in several Towns in this Province be read a second time to-morrow. Ordered accordingly.

The Solicitor General moved, seconded by Mr. McLean, that so much of the Order of this Day as has not been proceeded upon remain as part of the Order of the Day for to-morrow. The said Order was discharged for this day, and ordered, that it do make a part of the Order of the day for to-morrow.

On motion of the Solicitor General, seconded by Captain Cowan, the House adjourned.

*Tuesday, 1st March, 1808.*

Prayers were read.

Mr. Howard, one of the Messengers named to carry up to the Honorable the Legislative Council the Act entitled "An Act to provide for the laying out, amending, and keeping in repair the Public Highways and roads in this Province; and to repeal the laws now in force for that purpose," reported that they had carried up the said Act, and did request their concurrence in passing the same.

Read for the first time, the amendments made by the Honorable the Legislative Council in and to an Act, sent up from this House, entitled "An Act for the establishment of a Court of Common Pleas in each and every District of this Province." Mr. Sherwood then moved, seconded by Mr. McGregor, that the amendments made by the Honorable the Legislative Council in and to an Act sent up from this House, entitled "An Act for the establishment of a Court of Common Pleas in each and every District of this Province" be read a second time on this day three months. The House accordingly resolved the same.

Solicitor General, seconded by Captain Cowan, moved that the House do now resolve itself into a Committee to go into the consideration of the Bill to encourage the growth and cultivation of Hemp in this Province, and the exportation thereof. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had made a progress, and had directed him to ask for leave to sit again. The Report was not received, and the Committee had no leave to sit again.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for increasing the representation of the Commons of this Province. Mr. Speaker left the Chair. Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read for the first time, the Bill for establishing a Public School in the District of London. Mr. Mallory then moved, seconded by Mr. Howard, that the London District School Bill be read a second time to-morrow. Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down and are as follows:—

Yeas.

MESSRS. MALLORY  
ROGERS  
HOWARD.

Nays.

MESSRS. SOLICITOR GENERAL  
COWAN  
McLEAN  
SHERWOOD  
McGREGOR  
CLENCH  
SWAZEY  
NELLIS  
WASHBURN  
CRYSLER.

The same was carried in the negative by a majority of seven.

Read for the second time, the Bill to establish a Police in several Towns within this Province. On motion of Mr. Clench, seconded by Mr. Swazey, the House resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Washburn reported that the Committee had made a progress, and had directed him to report that further progress be postponed.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Militia Bill. Mr. Speaker left the Chair. Captain Cowan took the chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow, and, that it should be the first on the Order of the Day for to-morrow. It was accordingly granted that the Committee should sit again to-morrow, and ordered, that the said Bill be the first thing on the Order of the Day for to-morrow.

Mr. Clench gave notice that he will move to-morrow that the Bill for establishing Courts of Quarter Sessions and Requests at St. Joseph's be engrossed and read a third time to-morrow.

Mr. Washburn then moved, seconded by the Solicitor General, for leave to bring in a Bill to-morrow for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp in this Province. Leave was accordingly granted.

The Solicitor General moved, seconded by Mr. McLean, for leave to bring in a Bill to-morrow to alter and amend an Act passed in the last Session of the Legislature, for the establishment of Public Schools in each and every District of this Province. Leave was accordingly granted.

On motion of Captain Cowan, seconded by Mr. Nellis, the House adjourned.

*Wednesday, 2nd March, 1808.*

Prayers were read.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for the better regulation of the Militia. Mr. Speaker left the Chair. Captain Cowan took the chair of the Committee.

The Speaker resumed the Chair, and Captain Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill for the more equal representation of the Commons of this Province. Mr. Speaker left the Chair. Mr. Howard took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted.

Mr. Clench then moved, seconded by Mr. Rogers, that the Bill for increasing the representation of the Commons of this Province in Parliament be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the first time, A Bill for the encouragement, and to promote the cultivation of Hemp within this Province. Mr. Washburn moved, seconded by Mr. Mallory, that so far as the fifth Rule of this House, which directs that one day's previous notice shall be given before any question shall be put, be now dispensed with, and that the Bill to grant a certain sum of money to His Majesty for the further encouragement of the growth and cultivation of Hemp be read a second time this day. The same passed in the negative. Mr. Washburn then moved, seconded by Mr. Mallory, that the said Bill be read for the second time to-morrow, which was ordered accordingly.

Read for the first time, A Bill to repeal a certain part of an Act passed in the forty-seventh year of His Majesty's Reign, entitled "An Act to establish Schools in each and every District of this Province. The Solicitor General then moved, seconded by Mr. McLean, that the said Bill be read for the second time to-morrow, which was ordered accordingly.

Mr. Sherwood then moved, seconded by Mr. Clench, that the Contingent expenses of both Houses of Parliament be laid before this House to-morrow. The same was ordered accordingly.

Mr. Speaker then read, by permission of the House, a representation made by the Clerk of this House, which is as follows:—

The Clerk of the House of Assembly has the honor of representing most respectfully to the Representatives of the Commons of Upper Canada in Parliament Assembled,

That he was appointed Clerk to the Honorable House in the year 1801, with a salary of £125 per annum at the time he was appointed. The funds appropriated by Law for the payment of the salaries of the Officers of the Legislative Council and House of Assembly, and the Contingent Expenses thereof, were not very productive; since then they became more than abundant for that purpose.

Having the Honor of being Clerk to so high and dignified a branch of the Legislature of this Province, it makes the situation respectable, to which is attached great responsibility, notwithstanding his salary is not better than that of the inferior Clerks in any of the Public Offices, whose salaries are paid by the Crown, and to whose situation there is no responsibility attached.

Owing to the very extravagant prices of every article in this place, although painful to him to relate, he has the mortification to state that since his first appointment his salary has fallen greatly short of what is absolutely necessary to provide even the indispensable common necessaries of life with the most rigid economy, which upwards of seven years' experience has fatally proved to him.

Your Clerk therefore respectfully submits to the superior judgment of the Representatives of the Commons of Upper Canada in Parliament Assembled, the making of such an augmentation to his present salary as may be thought suitable to so respectable and responsible a situation as Clerk of the third and important branch of the Legislature of Upper Canada.

Clerk Assembly's Office,

York, 2nd Mar., 1808.

(Signed) Donald McLean,

Cl'k. Assembly.

Which was ordered to lie on the Table, and to be taken into consideration to-morrow.

On motion of Mr. Clench, seconded by Mr. Howard, the House adjourned.

*Thursday, 3rd March, 1808.*

Prayers were read.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill for the better regulation of the Militia of this Province.

Mr. Speaker left the Chair. Captain Cowan took the chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Cowan reported that the Committee had gone through the consideration of the Bill for the better regulation of the Militia, to which they had made several amendments, to which amendments he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted.

The Solicitor General then moved, seconded by Captain Cowan, that the Militia Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for the more equal representation of the Commons of this Province in Parliament.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled "An Act the better to ascertain and secure the titles to Lands in this Province," to which

they have made several amendments, to which amendments they request the concurrence of this House in passing the same.

And then he withdrew.

Then Mr. Rogers moved, seconded by Mr. Dorland, that the word "one" be expunged, and the words "represented by two" in lieu thereof in the sixth line of the third press. in the Bill for increasing the Representation of the Commons of this Province in Parliament. A division thereupon took place. The names being called for they were taken down and are as follows:—

Yeas.  
MESSRS. SHERWOOD  
HOWARD  
ROGERS  
DORLAND.

Nays.  
MESSRS. SOL'R General  
COWAN  
McGREGOR  
CRYSLER  
CLENCH  
McLEAN  
WASHBURN  
MALLORY.

The same passed in the negative by a majority of four. Mr. Sherwood then moved, seconded by Mr. Rogers that the Bill do pass, and that the title be "An Act for the better Representation of the Commons of this Province in Parliament." Ordered accordingly. The Bill then passed and was signed by the Speaker.

Mr. Rogers, seconded by Mr. Sherwood, moved that Messrs. Clench and Crysler do carry up to the Honorable the Legislative Council the Act for the better Representation of the Commons of this Province in Parliament, and do request their concurrence thereto. Which was ordered accordingly.

On motion of Capt. Cowan, seconded by Mr. McGregor, the House adjourned.

*Friday, 4th March, 1808.*

Prayers were read.

Mr. Rogers moved, seconded by Mr. Mallory, that the amendments made by the Honorable the Legislative Council in and to an Act for the better securing the Titles to Lands in this Province be now read for the first time. Accordingly the said amendments were read for the first time. Mr. Rogers again moved, seconded by Mr. Howard, that the said amendments be read for the second time to-morrow. Ordered accordingly.

Mr. Washburn moved, seconded by the Solicitor General, that the House do now resolve itself into a Committee to go into the consideration of the Bill to encourage the growth and cultivation of Hemp in this Province. The House accordingly resolved itself into a Committee to go into the Consideration of the said Bill. Mr. Speaker left the Chair. Mr. McLean was called to the chair of the Committee. Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled "An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose." to which they have made several amendments, to which amendments they request the concurrence of this House in passing the same.

And also an Act, sent up from this House, entitled "An Act for the better regulating the Statute Labour in the Counties of Essex and Kent, in the Western District," to which they have also made several amendments, to which amendments they also request the concurrence of this House in passing the same.

And then he withdrew.

Agreeably to leave given the House again resolved itself into a Committee to go into the further consideration of the Bill to Encourage the Growth and Cultivation of Hemp in this Province. Mr. Speaker left the Chair. Mr. McLean again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made a progress, and had directed him to ask for leave to sit again.

Read for the second time, The Bill for authorizing the Trustees of the Public School in the District of London, or the majority of them, to establish the said School in such part of the said District as they may deem proper for the same.

Mr. Crysler, one of the Messengers named to carry up to the Honorable the Legislative Council the Act for the better representation of the Commons of this Province in Parliament, reported that they had carried up the same, and did request their concurrence thereto.

Mr. Solicitor General moved, seconded by Capt. Cowan, that the House do now resolve itself into a Committee to go into the consideration of the London District School Bill. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Dorland was called to the chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. On Mr. Speaker having put the question, shall the Report be now received, a division thereupon took place. The names being called for they were taken down, and are as follows:

Yeas.	Nays
MESSRS. SOLR. GENERAL	MESSRS. MALLORY
COWAN	HOWARD
SHERWOOD	ROGERS
McLEAN	DORLAND
McGREGOR	
CLENCH	
WASHBURN	
CRYSLER	

The same was carried in the affirmative by a majority of four. The Report was accordingly received and accepted. Mr. Solicitor General then moved, seconded by Mr. Sherwood, that the School Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.



Read for the third time, as engrossed, the Bill for raising and training the Militia of this Province. Mr. Solicitor General moved, seconded by Capt. Cowan, that the Bill do pass, and that the title be "An Act to explain, amend, and reduce to one Act of Parliament the several laws now in being for the raising and training the Militia of this Province," which was ordered accordingly. The Bill then passed and was signed by the Speaker. Then Mr. McLean moved, seconded by Mr. Sherwood, That Mr. Solicitor General and Capt. Cowan do carry up to the Honorable the Legislative Council the Militia Act, and request their concurrence thereto. Ordered accordingly.

Read for the third time, as engrossed, the Bill to establish a Court of Quarter Sessions at Saint Joseph's, in the Western District.

Mr. Clench then moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act to establish a Court of Quarter Sessions in the Town of Saint Joseph's, in the Island of Saint Joseph's, in the Western District of this Province." The Bill then passed, and was signed by the Speaker. Mr. Rogers then moved, seconded by Mr. Mallory, that Mr. McGregor and Capt. Cowan do carry up to the Honorable the Legislative Council the Act to establish a Court of Quarter Sessions in the Town of Saint Joseph's, on the Island of Saint Joseph's, in the Western District of this Province, and request their concurrence thereto. Ordered accordingly.

The Solicitor General moved, seconded by Capt. Cowan, for leave to bring in a Bill to-morrow for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty, through the Lieutenant Governor, in pursuance of an Address of this House.

On motion of Mr. Sherwood, seconded by Mr. Clench, ordered, that the Contingent Accounts of both Houses of Parliament for the present Session be the first on the Order of the Day for to-morrow.

Mr. Clench gave notice that he will on to-morrow move that this House do, draft an Address to His Excellency the Lieutenant Governor, indicative of the high sense entertained by this House of His Excellency's Administration, and the great attention that has been paid by him to that meritorious class of persons the U. E. Loyalists and Military Claimants; and that the House do then resolve itself into a Committee to go into the consideration of the same.

Mr. McLean, seconded by Mr. McGregor, moved that the amendments made by the Honourable the Legislative Council to the Act for the better regulating the Statute Labour in the Counties of Essex and Kent, in the Western District of this Province, be now read for the first time. The said Act, as amended by the Honorable the Legislative Council, was accordingly read for the first time. Mr. McGregor then moved, seconded by Mr. McLean, that the said amendments be read for the second time to-morrow, which was ordered accordingly.

Mr. Washburn gave notice that he will move to-morrow that the petition of the Inhabitants of the County of Prince Edward, respecting the Commerce of this Province, be read, and that it do make a part of the Order of the Day for to-morrow for that purpose.

On motion of Mr. McGregor, seconded by the Solicitor General, the House adjourned.

*Saturday, 5th March, 1808.*

Prayers were read.

Mr. Rogers, from the Select Committee to whom was referred the Public Provincial Accounts, reported the proceedings of the Committee thereon. He read the Report in his place, and afterwards delivered in the same at the Table, where it was again read by the Clerk, and is as follows:—

**REPORT OF THE SELECT COMMITTEE OF THE HOUSE OF ASSEMBLY  
ON THE PUBLIC ACCOUNTS.**

The Committee, having taken into their consideration the Accounts that have been laid before them, from No. 1 to No. 18 beg leave to state

That the Balance remaining in the Receiver General's hands the 31st Decr. 1807, appears to be ..... £2497 18 5 $\frac{1}{8}$

That there is outstanding for Duties on Shop, Innkeepers, and Still Licenses, issued between the 5th January, 1807, and 5th January, 1808 (No. 9) as far as the Accounts have come to hand 558 18 7 $\frac{3}{4}$

Also that there is outstanding on Duties collected on goods imported from the United States, between the 1st Jany. and the 31st Decr., 1807, as far as the Returns have been made..... 172 10 2 $\frac{7}{8}$

And also for Duties collected in 1802, from Colin McNabb, Collector, Niagara ..... 87 0 10 $\frac{3}{4}$

That there is outstanding for Tonnage on vessels appropriated for Lighthouses ..... 36 0 8 $\frac{1}{4}$

And that there is outstanding on Licenses to Hawkers, Pedlars and Petty Chapmen ..... 70 0 0

That there is due from Lower Canada one years additional duties to 31st Decr., 1806 ..... 1322 0 1 $\frac{3}{4}$

That the amount to be received from Lower Canada for duties on Imports, including additional duties to 31st Decr., 1807, will be ..... 2800 0 0

£7544 9 0 $\frac{1}{2}$

The Balance of Lighthouse Duty appropriated ..... £116 8 3 $\frac{1}{4}$

Also the Receiver General's allowance of 3 per cent. on £924. 10s. 5 $\frac{1}{2}$ d. outstanding the 27th January, 1808, for duties collected in this Province ..... 27 14 8 $\frac{1}{2}$

Will be due six Sheriffs the 3rd March, 1808 ..... 300 0 0

Also will be due Schoolmasters the 10th March, 1808. .... 600 0 0

The Receiver General will be entitled to 3 $\frac{1}{2}$  per cent. on the sum of £4,122. 0s. 1 $\frac{3}{4}$ d., to be received from Lower Canada duties collected to 31st Decr. 1807 ..... 144 5 4 $\frac{3}{4}$

Will be wanted for printing the laws, say ..... 80 0 0

For the Contingencies of the two Houses of Parliament, including a supply of stationery for next Session in 1807 ..... 288 0 8

For copying Clerks, appropriated by law £25. each. .... 50 0 0

Balance ..... £5938 0 0

£7544 9 0 $\frac{1}{2}$

Sums of money in the Receiver General's hands, appropriated but not applied.

For to support the War (by vote) .....	£500	0	0
Public Buildings, (York). .....	1600	0	0
Purchasing British Statutes. ....	175	0	0
To encourage and promote the culture and exportation of Hemp .....	423	11	0
	<hr/>		
	£2698	11	0
	<hr/>		

In the hands of Mr. McGill for the purchase of Hempseed.. £3 11 3

N. B. The sum collected under British Acts of Parliament is Provincial Currency, which is not brought into the Provincial Treasury, or any account before the House how the same is disposed of. .... 619 3 0

The Committee observe that the Officers of the two Houses of Parliament are paid up to the 7th January, 1808, and that nothing will be due before the 7th July, next; and as the Inspector will pay the money collected the first of June next, there will be a sufficient sum collected to answer the demand at that time.

Mr. Sherwood moved, seconded by the Solicitor General, that the School Bill be the first thing on the Order of the Day, to be read for the third time. On Mr. Speaker having put the question, Messrs. Rogers, Dorland and Howard retired from their seats. The names of the Members present were taken down, and are as follows:—The Speaker, Messrs. Washburn, McLean, Solicitor General, Cowan, Sherwood, McGregor, Crysler, Clench and Mallory.

The Speaker then adjourned the House, for want of a quorum, until Monday next.

*Monday, 7th March, 1808.*

At eleven o'clock the Speaker took the Chair and adjourned the House for want of a quorum.

Present, The Speaker and Mr. Mallory.

*Tuesday, 8th March, 1808.*

Prayers were read.

Mr. Speaker, on his having taken the Chair, informed the House that on the division of a question relative to the third reading of a Bill last Saturday three Members thought proper to quit their seats, and thus left the House without a quorum.

Thus situated he conceived it his duty to dispatch an express, requiring the attendance of two of the Members from the District of Niagara.

To the activity of the Gentleman who was dispatched with the summons, and the persevering zeal of one of the Honorable Members so summoned the Colony is indebted for being once more able to proceed on the business now before it.

Mr. Washburn, seconded by Mr. Sherwood, then moved that the following Order be inserted on the Journals of the House:—

Ordered, that it be inserted upon the Journals of this House, that, on Saturday last, when a question was about to be put by the Speaker, David McGregor Rogers, Thomas Dorland, and Peter Howard, Esquires, Members of the House, then

present in their places, departed the House without leave, whereby the House was left without a quorum.

Ordered, that it be further inserted upon the Journals, that the House do approve of the conduct of the Speaker in sending an Express for Messrs. Nellis and Swazey, absent by consent; and that the expense incident to such express shall form a part of the Contingent Expenses of this House. The House unanimously resolved the same.

Mr. Sherwood, seconded by Mr. Clench, moved that the School Bill be now read for the third time. The School Bill as engrossed, was accordingly read for the third time.

Mr. Sherwood then moved, seconded by Mr. Washburn, that the Bill do pass, and that the title be "An Act to amend an Act, passed in the forty seventh year of His Majesty's Reign, entitled 'An Act to establish Public Schools in each and every District of this Province.'" A Division thereupon took place. The names being called for they were taken down, and are as follows:—

Yeas	Nays
MESSRS. SOL'R. GENERAL McLEAN COWAN SHERWOOD McGREGOR CLENCH WASHBURN NELLIS CRYSLER	MR. MALLORY

The same was carried in the affirmative by a majority of eight. The Bill then passed, and was signed by the Speaker. Mr. Sherwood then moved, seconded by Mr. Nellis, that the Solicitor General and Mr. Washburn do carry up to the Honorable the Legislative Council the Act entitled "An Act to amend an Act, passed in the forty seventh year of His Majesty's Reign, entitled 'An Act to establish Public Schools in each and every District of this Province,'" and request their concurrence thereto, which was ordered accordingly.

Ordered, that the Contingent Accounts for the Present Session of the Legislative Council and this House do lie on the Table, and are as follows:—

Contingent Expenses of the Clerk of the Legislative Council's Office, for the Year 1808.

Amount of William Allan's Account for Stationery furnished the last Session. ....	£4 10 9
Duncan Cameron's Account for Do. furnished the last Session	6 0 0
William and James Crooks' Account for parchment for the present Session. ....	4 7 6
Estimate for Stationery for the ensuing Session .....	20 0 0
Estimate for Clerks to bring up the business of the present Session .....	10 0 0
	£44 18 3

Approved,  
 (Signed) THOS. SCOTT, Speaker.

GOVERNMENT OF UPPER CANADA,  
To George Lawe, Dr.

To Amount of William Allan's Acct. ....	£40 0 10½
" " " John McBeath's Acct. ....	3 16 9
" " " P. Clinger's Acct. ....	2 6 0
" " " Lewis Bright's Acct. ....	3 9
" " " Mary Jobbett's Acct. ....	2 7 6
" " " Thos. Doneldson's Acct. ....	1 10 0
" " " Francis Friday's Acct. ....	5 0
" " " Elinor Bassell's Acct. ....	14 9
" " " John Bassell's Acct. ....	20 0 0
	£71 4 7½

Amounts to Seventy One Pounds, Four Shillings and Sevenpence Halfpenny Currency.

Personally came and appeared before me the above named George Lawe, who maketh Oath, and saith the above account is Just and True in all particulars, to the best of his knowledge and belief.

Sworn before me this eighth day of March, 1800.

(Signed) THOS. SCOTT, C.J.

York, Upper Canada, 3rd March, 1808. The Contingent Account of the Commons House of Assembly for the 4th Session of the 4th Provincial Parliament.

Due Messrs. Cameron and Bennett .....	£15 15 0
" John McBeath .....	12 11 6
" Alexander Wood .....	5 0 0
" Isaac Columbus .....	10 0
" Duncan Cameron .....	9 12 1
" William Allan .....	1 9 0¾
" William Wells .....	4 10 0
" Hugh Carfrae .....	8 3 1¼
" Philip Clinger .....	3 15 6
" Donald McLean for postage of a letter from the Clerk of the Peace of the Western District, on the Public Service .....	1 4
" Titus Simons .....	3 0 0
" Samuel J. Wilmott .....	5 11 9
" Henry Hale .....	7 7 6
" Allowance to complete the business of the present Session .....	30 0 0
" Allowance to provide Stationery for the ensuing Session of Parliament .....	40 0 0
" Copying Clerks, due this day .....	76 15 0
" Balance due for Stationery over and above the Thirty Pounds advanced to procure Stationery .....	3 16 2½
" Hugh Carfrae, as Messenger .....	20 0 0

“ Expense of an express sent for Messrs. Nellis and Swazey	25	0	0
“ To defray expense of Mr. Willcock's imprisonment ..	8	0	0
	<hr/>		
	£280	18	0¾

Commons House of Assembly 8th March, 1808.

(Signed) ALEXR. McDONELL, Speaker.

Dr. The Honorable the House of Assembly, in Account with their Clerk.			
To Cash paid Joseph Shaw for washing in the Office of the House of Assembly during the recess of Parliament, as per receipt	£9	10	0
To Cash paid Hugh Carfrae for attending the Office during the recess of Parliament. ....	3	17	6
To Balance remaining in the Clerk's hands, and carried to the credit of the copying Clerk's account .....	1	12	6
	<hr/>		
	£15	0	0

Clerk of the House of Assembly's Office, York, 3rd March, 1808.

Errors Excepted.

DONALD McLEAN, Clk. Assy.

Cr. The Honorable the House of Assembly in Account Current with their Clerk.			
By Cash received in advance to complete the business of the Session during the recess of Parliament .....	£15	0	0
	<hr/>		
	£15	0	0

By Balance carried to the credit of the Copying Clerks this Session .....	£1	12	6
The Honorable the House of Assembly in Account Current with their Clerk for Stationery for the Fourth Session Fourth Provincial Parliament.			
Dr.			
William Allan .....	£7	8	9
Alexander Wood .....	2	16	3
Duncan Cameron .....	11	1	10½
William and James Crooks .....	10	6	3
Quetton St. George .....	1	17	3
Henry Drean .....		5	10
	<hr/>		
	£33	16	21½
To Balance Due .....	£3	16	21½
			Cr.
By Cash received in advance for the Purchase of Stationery	£30	0	0
By Balance due .....	3	16	21½
	<hr/>		
	£33	16	21½

Errors excepted.

Clerk of the Ho. Assembly's Office, York, 3rd March, 1808.

DONALD McLEAN, Clk. Assy.

The Honorable House of Assembly in Account Current with their Clerk for Copying Clerks during the Fourth Session of the Fourth Provincial Parliament.

Dr.		
To Joseph Shaw .....	£30	2 6
To Edward McMahon .....	30	7 6
To Allan McLean .....	24	10 0
To John Higgins .....	18	7 6
	<hr/>	
	£103	7 6
	<hr/>	
To Balance due .....	£76	15 0
		Cr.
By Balance remaining unexpended by an allowance made Last Session for completing the business of that Session during the recess of Parliament .....	£1	12 6
By Amount of His Excellency the Lieut. Governor's Warrant in my favour, as by law appropriated for paying of copying Clerks	25	0 0
Balance due the Clerk .....	76	15 0
	<hr/>	
	£103	7 6

Clk. Ass'ys Office, York, 8th Mar. 1808.

Errors excepted.

DONALD McLEAN, Clk. Assembly.

On motion of the Solicitor General, seconded by Captain Cowan, the House resolved itself into a Committee to take into their consideration the contingent accounts of both Houses of Parliament for the present Session. Mr. Speaker left the Chair. Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sherwood reported that the Committee had gone through the consideration of the Contingent Accounts of both Houses of Parliament, and that they had come to several resolutions thereon, which he was directed to submit to the House. He then read in his place the said resolutions, and then delivered the same in at the Table, where they were again read by the Clerk, and the said Resolutions are as follows:—

Resolved, that it is the opinion of this Committee that it is expedient to advance to the Clerk of the Legislative Council the sum of Twenty Pounds, to enable him to purchase stationery for the use of the next Session of Parliament, and the sum of Ten Pounds be allowed to him to enable him to complete the business of the present Session, over and above the sum appropriated by Law for the paying of Copying Clerks; and the further sum of Fourteen Pounds, Eighteen Shillings and Three Pence, to pay a balance due from the last Session's Contingent Accounts, making in all Forty-four Pounds, Eighteen Shillings and Three Pence, as certified by the Speaker of the Legislative Council.

Resolved, that it is the opinion of this Committee that there is due to sundry persons, agreeable to Mr. George Lawe, Gentleman Usher of the Black Rod's account, certified by the Speaker of the Legislative Council, for services performed during the present Session, the sum of Fifty Pounds, Four Shillings and Seven Pence halfpenny.

Resolved, that it is the opinion of this Committee that there be allowed to the Messenger of the Legislative Council the sum of Twenty Pounds for each and every session of Parliament.

Resolved, that it is the opinion of this Committee, that there is due to sundry persons for articles furnished for the use of this House, and services performed during the present Session, the sum of Two Hundred and Ten Pounds, Eighteen Shillings.

Resolved, that it is the opinion of this Committee that it is expedient to allow the Clerk of this House Forty Pounds, to enable him to purchase a supply of stationery for the use of the ensuing Session of Parliament.

Resolved, that it is the opinion of this Committee that the sum of Thirty Pounds be allowed the Clerk of this House to complete the business of the present Session of Parliament.

Resolved, that an humble Address be presented to His Excellency, the Lieutenant Governor, to request that His Excellency will be pleased to issue his Warrant in favor of John Powell, Esquire, Clerk of the Honorable the Legislative Council, for the sum of Forty-four Pounds, Eighteen Shillings and Three pence. To Mr. George Lawe, Gentleman Usher of the Black Rod, for the sum of Seventy Pounds, Four Shillings and Seven Pence Halfpenny, including Twenty Pounds to John Bassell, as Messenger and Firelighter to the Legislative Council. To Donald McLean, Esquire, Clerk of the House of Assembly, for the sum of Two Hundred and Eighty Pounds, Eighteen Shillings.

Resolved, that the House doth concur in the several resolutions reported from the Committee.

On motion of Captain Cowan, seconded by Mr. McLean, ordered, that Messrs. Sherwood and Clench be a Committee to draft an Address to His Excellency, the Lieutenant Governor, in conformity to several resolutions of the House this day.

Mr. Sherwood, from the Committee named to draft an Address to His Excellency, the Lieutenant Governor, grounded on the several resolutions of the House this day, reported that the Committee had drafted an Address, which they were ready to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the Address be now received.

Mr. Sherwood then read the Address in his place, and afterwards delivered the same in at the Table, where it was again read by the Clerk and is as follows:

To His Excellency, Francis Gore, Esquire, Lieutenant Governor of Province of Upper Canada, &c., &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, do most humbly pray that it may please Your Excellency to issue Your Warrants, directed to the Receiver General, requesting him to pay to John Powell, Esquire, the sum of Forty-four Pounds, Eighteen Shillings and Three pence; to Mr. George Lawe, Usher of the Black Rod, the sum of Seventy Pounds, Four Shillings and Seven pence; to Donald McLean, Esquire, Clerk of the House of Assembly, the sum of Two Hundred and Eighty Pounds, Eighteen Shillings; to enable them to pay the contingent expenses of the present Session, and to provide a supply of stationery for the ensuing session of Parliament.

We therefore do most humbly pray that Your Excellency will be pleased to issue your Warrants for that purpose, and the Commons will make good the several sums of money to Your Excellency at the next Session of Parliament.

Commons House of Assembly, 8th March, 1808.

On motion of Mr. Nellis, seconded by Mr. Mallory, ordered, that the said Address be engrossed. The said Address, as engrossed, was then read, passed, and



signed by the Speaker. Mr. Sherwood moved, seconded by Capt. Cowen, that Messrs. McLean and Washburn be a Committee to present the said Address to His Excellency, the Lieutenant Governor, at such time as he may be pleased to receive the same, which was ordered accordingly.

Read for the first time, a Bill for applying a certain sum of money therein mentioned to make good moneys advanced by His Majesty, through the Lieutenant Governor. On motion of Mr. Clench, seconded by Mr. McGregor, the said Bill was read for the second time. On motion of Mr. Washburn, seconded by Mr. Mallory, the House resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Clench was called to the Chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Clench reported that the Committee had gone through the consideration of the said Bill, to which they had made an amendment, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received.

The Report was accordingly received.

Captain Cowan moved, seconded by Mr. Crysler, that the said Bill be engrossed, and read a third time this day. Ordered accordingly. The said Bill was read for the third time as engrossed. The Solicitor General then moved, seconded by Captain Cowan, that the Bill do pass, and that the title be "An Act for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty, through the Lieutenant Governor, in pursuance of an Address." The Bill then passed, and was signed by the Speaker.

The Solicitor General then moved, seconded by Mr. McLean, that Captain Cowan and Mr. McGregor do carry up to the Honorable the Legislative Council the Act for applying certain sums of money therein mentioned, and request their concurrence thereto.

Messrs. Solicitor General and Washburn reported that they had carried up to the Honorable the Legislative Council the Act entitled "An Act to amend an Act passed in the Forty-seventh year of His Majesty's Reign entitled 'An Act to establish Public Schools in each and every district of this Province,'" and did request their concurrence thereto.

The Solicitor General and Captain Cowan reported that they had carried up to the Honorable the Legislative Council an Act entitled "An Act to explain, amend and reduce to one Act of Parliament the several Laws now in being for raising and framing the Militia of this Province," and did request their concurrence in passing the same; and, also, an Act entitled "An Act to establish a Court of Quarter Sessions in the Town of Saint Joseph's, on the Island of Saint Joseph's, in the Western District of this Province," and did also request their concurrence thereto.

Agreeably to notice given, Mr. Clench read in his place, by permission of the House, an Address to His Excellency, the Lieutenant Governor; and then delivered the same in at the Table, where it was again read by the Clerk, and is as follows:

To His Excellency, Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c., &c., &c.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of the Province of Upper Canada, in Parliament assembled, beg leave to renew our professions of attachment and loyalty to His Majesty's person and Government; and as many of His Majesty's subjects in this Province have heretofore evinced the zeal and

sincerity of those professions at the expense and privation of everything but life, we trust they will always be actuated by the same spirit, should occasion require it.

Permit us, before we surrender the important trust that has been delegated to us, to express to Your Excellency our acknowledgements for the many benefits this Province has derived under your administration; and, though we shall not presume to enumerate them, we cannot avoid noticing the relief Your Excellency has so graciously extended to these meritorious people, the Loyalists, who adhered to the unity of the Empire; and the Military Claimants.

As we can with confidence assure our constituents of Your Excellency's unceasing attention, and ardent desire to promote the welfare and happiness of His Majesty's subjects in this Province, and, as it is our duty, it shall also be our pride to inculcate a love of order, harmony and union among them, and to cherish and mature their attachment to the happiest of constitutions and the best of Sovereigns.

With reverential thankfulness to the great disposer of events for the uninterrupted blessings of peace, which we have in so peculiar a manner enjoyed since the first establishment of the Province, we shall offer up our supplications to Him for the continuation of His mercies, and that He may be graciously pleased to order and direct your counsels that they may tend to His glory, your honor, and the happiness of the people; and impress them with an awful sense of their dependence on the obligations to Him.

Commons House of Assembly, March, 1808.

Mr. Clench then moved, seconded by Mr. Nellis, that the House do resolve itself into a Committee to go into the consideration of the said Address. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair.

Mr. McGregor was called to the Chair of the Committee. Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had gone through the consideration of the said Address without any amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Resolved, that the Report be now received. On motion of Mr. Clench, seconded by Mr. Nellis, Ordered, that the said Address be engrossed and read to-morrow. Mr. Sherwood then moved, seconded by Mr. McLean, that Messrs. Clench, Crysler and Nellis do present the said Address to His Excellency, the Lieutenant Governor, which was ordered accordingly.

Read for the second time, the amendments made by the Honorable the Legislative Council in and to the Essex and Kent Road Act. Mr. McGregor then moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee to go into the consideration of the amendments made by the Honorable the Legislative Council in and to the Essex and Kent Road Act. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. The Solicitor General was called to the Chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Solicitor General reported that the Committee had gone through the consideration of the said amendments, which he was directed by the Committee to report to the House, whenever it should be pleased to receive the same, that the amendments made by the Honorable Legislative Council in and to the said Act be adopted by this House. The said Report was accordingly received, and the amendments adopted. Mr. McLean then moved, seconded by Mr. Sherwood, that Captain Cowan and Mr. McGregor do inform the Honorable the Legislative Council that this House have adopted the amendments made by them in and to the Essex and Kent Road Act, which was ordered accordingly.

Then Mr. McLean, seconded by Mr. Crysler, moved that the amendments made by the Honorable the Legislative Council in and to the Act entitled "An Act to provide for the laying out, amending, and keeping in repair the Public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose" be now read for the first time. The said amendments were accordingly read for the first time. Mr. McLean then moved, seconded by Mr. Crysler, that the said amendments be read for a second time to-morrow, which was ordered accordingly.

Read for the second time, the amendments made by the Honorable the Legislative Council in and to the Act entitled "An Act for the better securing the Titles to Lands in this Province." On motion of the Solicitor General, seconded by Mr. McLean, the House resolved itself into a Committee to go into the consideration of the said amendments. Mr. Speaker left the Chair. Captain Cowan was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Cowan reported that the Committee had gone through the consideration of the said amendments, which amendments the Committee had recommended to be adopted by this House; and that the House do acquaint the Honorable the Legislative Council of the same, which Report was received, and ordered accordingly. Mr. Solicitor General, then moved, seconded by Mr. Sherwood, that Captain Cowan and Mr. McGregor do acquaint the Honorable the Legislative Council that this House doth concur in adopting the amendments made by them in and to the Act for the better securing the Titles to Lands in this Province, which was ordered accordingly.

A Message to the Honorable the Legislative Council.

Mr. Speaker,

We are commanded by the Commons House of Assembly to acquaint this Honorable House that it has concurred in adopting the amendments made by the Legislative Council in and to the Act entitled "An Act the better to ascertain and secure the Title to Lands in this Province."

Commons House of Assembly, 8th March, 1808.

(Signed) ALEX'R McDONELL, Speaker.

Then Captain Cowan moved, seconded by Mr. McLean, for leave to bring in a Bill this day to amend an Act to encourage the growth and cultivation of Hemp in this Province. Leave was accordingly granted, and the said Bill was accordingly read for the first time. Captain Cowan again moved, seconded by Mr. McGregor, that the Bill to encourage the cultivation and growth of Hemp in this Province be read a second time to-morrow. Ordered accordingly.

Mr. Clench then moved, seconded by Mr. Sherwood, for leave to bring in a Bill to-morrow to augment the salary of the Clerk of the Legislative Council and the Clerk of the House of Assembly. Leave was accordingly granted.

Mr. Solicitor General then moved, seconded by Mr. McLean, for leave to bring in a Bill this day to repeal so much of an Act passed in the Forty-sixth year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned," as limits the continuance of the aforesaid Act to the term of two years. Leave was granted accordingly. And the said Bill was then read for the first time. Mr. Solicitor General, seconded by Captain Cowan, moved that the Bill for the due collection and receipt of certain duties therein mentioned be read a second time to-morrow. The same was ordered accordingly.

Mr. McLean, seconded by Mr. Crysler, moved for leave to bring in a Bill this day for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expense of amending and repairing the Public Highways and Roads, laying out and opening new roads, and building Bridges in the several Districts thereof.

Leave was accordingly granted, and the said Bill was then read for the first time. Mr. McLean moved, seconded by Mr. Crysler, that the Bill for granting to His Majesty a certain sum of money for laying out and repairing the Public Highways and Bridges be read for the second time to-morrow, which was ordered accordingly.

Messrs. Cowan and McGregor reported that they had carried up to the Honorable the Legislative Council the Act for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty, through the Lieutenant Governor, in pursuance of an Address; and did request their concurrence thereto.

Also the message of this House that it had concurred in adopting the amendments made by the Honorable the Legislative Council in and to an Act, sent up from this House, entitled "An Act to continue an Act passed in the Forty-fifth year of His Majesty's Reign, entitled 'An Act to afford relief to those persons who may be entitled to claim lands in this Province as Heirs or Devisees of the Nominees of the Crown, in cases where no Patent hath issued for such lands; and further to extend the benefits of the said Act.'"

And also the message of this House that it has concurred in adopting the amendments made by the Honorable the Legislative Council in and to an Act for the better regulating the Statute Labor in the Counties of Essex and Kent, in the Western District.

The Solicitor General gave notice that he will move to-morrow that the House do then resolve itself into a Committee to consider of the propriety of addressing Our gracious Sovereign on the subject matter of the cultivation of Hemp within this Province.

Mr. McLean, seconded by Mr. Crysler, moved for leave to bring in a Bill this day for granting to His Majesty an annual sum of money for the purpose therein mentioned. Leave was accordingly granted, and the said Bill was accordingly read for the first time. Mr. McLean, seconded by Mr. Crysler, again moved that the Bill for granting to His Majesty an annual sum of money for the purpose therein mentioned be read a second time to-morrow. Ordered accordingly.

Mr. Washburn then moved, seconded by Mr. Mallory, that this House do resolve that there be granted to Donald McLean the sum of \_\_\_\_\_ for his former services as Clerk of this House. The same passed in the negative.

On motion of Capt. Cowan, seconded by Mr. McGregor, the House adjourned until nine o'clock in the forenoon to-morrow.

*Wednesday, 9th March, 1808.*

Prayers were read.

Agreeable to the Order of the Day was read as engrossed an Address voted yesterday to be presented to His Excellency the Lieutenant Governor, indicative of the high sense entertained by this House of His Excellency's administration, and his great attention to that meritorious class of people, the Loyalists, who adhered to the unity of the Empire during the Revolution in America; and Military Claimants.

The Address then passed, and was signed by the Speaker.

Mr. Clench then moved, seconded by Mr. Nellis, that the Address to His Excellency the Lieutenant Governor, instead of being presented by a Committee, as resolved yesterday, be presented by the Speaker with the whole House, at such time as His Excellency may be pleased to appoint, which was unanimously ordered.

Mr. Clench, seconded by Mr. Crysler, again moved that Messrs. McLean and Washburn do wait upon His Excellency the Lieutenant Governor to know when it will be His Excellency's pleasure to receive the House with its Address. Ordered accordingly.

Agreeably to the Order of the Day was read for the second time the amendments made by the Honorable the Legislative Council in and to an Act for establishing Public Highways and Roads throughout this Province. Mr. Clench then moved, seconded by Mr. Nellis, that the House do now resolve itself into a Committee to go into the consideration of the amendments made by the Honorable the Legislative Council in and to the Act entitled "An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province; and to repeal the laws now in force for that purpose." The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Capt. Cowan was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Cowan reported that the Committee had made a progress, and had directed him to ask for leave to sit again this Day. Leave was accordingly granted.

Mr. Washburn, one of the messengers named to wait upon His Excellency the Lieutenant Governor, reported that in obedience to the command of this House they had waited upon His Excellency the Lieutenant Governor, and that His Excellency was pleased to appoint this day at the hour of one o'clock to receive the House with its Address.

At the hour appointed Mr. Speaker, attended by the House, went up to His Excellency the Lieutenant Governor with its Address.

And being returned:—Mr. Speaker reported that the House had attended upon His Excellency the Lieutenant Governor with its Address, to which His Excellency had been pleased to return the following answer.

Gentlemen of the House of Assembly,

Your loyalty to the King, and the favorable sentiments which you are pleased to express respecting my conduct, afford me the highest satisfaction.

While no stranger to the zeal with which many of His Majesty's subjects in this Province have served the best of Kings, and their sufferings in that service, it is particularly gratifying to me to become an instrument of dispensing the bounty of the Crown to men who so well deserve it.

I unite with you in imploring the Great Ruler of the Universe that he may be pleased to continue to this Province the blessings of peace, but if it should be ordained otherwise by Infinite Wisdom I trust and hope that the loyalty so conspicuously displayed in times past by many of its inhabitants will engage them again to stand forth in the cause of their country; and that their children, the objects of His Majesty's peculiar favour and bounty, following such an example will, with a generous and virtuous emulation, tread in the steps of their fathers, and that all His Majesty's subjects in this Province, having experienced the blessings of the happy Constitution under which we live, will show themselves on every occasion ready to defend it.

I have no doubt that the same zeal for the prosperity of the Province which has governed your public conduct will continue to animate you in private life, and that your endeavours will never be wanting in every situation to promote the Public Good.

Government House,  
York, 9 Mar. 18<sup>th</sup>8.

Read for the second time, the Bill to encourage the growth and cultivation of Hemp in this Province. Capt. Cowan then moved, seconded by Mr. Nellis, that the House do now resolve itself into a Committee to go into the consideration of the Bill to encourage the growth and cultivation of Hemp in this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. The Solicitor General was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and the Solicitor General reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. The Report was then ordered to be received and accepted. Capt. Cowan again moved, seconded by Mr. Sherwood, that the Hemp Bill be engrossed, and read a third time to-morrow. Which was ordered accordingly.

Read for the first time, the Bill for increasing the Salaries of the Clerks of the Legislative Council and House of Assembly. Mr. Clench then moved, seconded by Mr. Nellis, that the Bill for increasing the salary of the Clerk of the Legislative Council and the Clerk of the House of Assembly be read a second time to-morrow, which was ordered accordingly.

Read for the second time, The Bill for the due collection of certain Duties therein mentioned. On motion of the Solicitor General, seconded by Mr. McGregor, the House resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same. It was then ordered that the Report be now received and accepted.

Mr. Solicitor General then moved, seconded by Mr. McGregor, that the Bill for securing to His Majesty, His Heirs and successors, the due collection and receipt of certain duties therein mentioned be engrossed, and read a third time to-morrow. Ordered accordingly.

Then Mr. McLean moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee to go into the consideration of the Bill for granting to His Majesty a certain sum of money therein mentioned for the purpose of amending and repairing the Roads, opening and laying out new roads, and building and repairing bridges within this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Nellis was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Nellis reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it

should be pleased to receive the same. Mr. Clench then moved, seconded by Mr. Mallory, that the Report be now received. A division thereupon took place; the names being called for they were taken down, and are as follows:—

Yeas.  
 MESSRS. SOL'R GENERAL  
 MCGREGOR  
 COWAN  
 McLEAN  
 SHERWOOD  
 NELLIS  
 CRYSLER

Nays.  
 MESSRS. CLENCH  
 MALLORY

The same was carried in the affirmative by a majority of six. The Report was then received and accepted.

Mr. McLean, seconded by Mr. Sherwood, moved that the Bill for granting to His Majesty a sum of money for Public Roads and Bridges throughout this Province be engrossed and read a third time to-morrow. Ordered accordingly.

The Solicitor General then moved, seconded by Mr. McLean, that the House do now resolve itself into a Committee to go into the consideration of the propriety of Addressing His Excellency the Lieutenant Governor on the subject of the encouragement of the growth and cultivation of hemp in this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Clench reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read for the second time, The Bill for granting to His Majesty a certain sum of money annually, for the purposes therein mentioned. Mr. McLean moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee, to go into the consideration of the Bill for granting to His Majesty a sum of money annually for the purposes therein mentioned. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Washburn was called to the Chair of the Committee. Mr. Speaker resumed the Chair. Mr. Washburn reported that the Committee had gone through the consideration of the said Bill, to which they had made an amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Then Mr. McLean moved, seconded by Mr. Sherwood, that the Bill for granting to His Majesty an annual sum of money for the purposes therein mentioned be engrossed, and read a third time to-morrow. Ordered accordingly.

Agreeably to leave given, the House again resolved itself into a Committee to go into the further consideration of the amendments made by the Honorable the Legislative Council in and to the Act entitled "An Act to ascertain what shall be taken and deemed to be Public Highways and Roads in this Province. Mr. Speaker left the Chair. Capt. Cowan again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Cowan reported that the Committee had made a progress, and that he was directed to report that the further consideration of the said amendments be postponed for nine months, which report was received, and ordered accordingly.

By permission of the House, Capt. Cowan read in his place an Address to His Excellency the Lieutenant Governor, and then delivered the same in at the Table, where it was again read by the Clerk, and is as follows:—

To His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c., &c., &c.:

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, have taken into our serious consideration the great danger to the lives and property of His Majesty's subjects navigating on Lake Ontario; and having examined the Fund appropriated by an Act passed in the Forty-Third Year of His Majesty's Reign, for the purposes of erecting and keeping in repair Lighthouses on the Isle Forest, Missasauga Point, Gibraltar Point. We find that the moneys arising from Tonnage Duties levied in virtue of the said Act are not at present sufficient to complete the same. But being anxious, as far as in us lies, to render the navigation less dangerous by the immediate construction of Lighthouses authorized by the said Act to be erected on those points and places.

We humbly pray Your Excellency to direct a Lighthouse to be built with all convenient speed on the place known by the name of Gibraltar Point; and this House will make good the expenses thereof out of any of the unappropriated moneys in the hands of the Receiver General until the funds established by the said Act of the forty-third year of His Majesty's Reign shall be sufficient to repay the same.

Commons House of Assembly,  
9th March, 1808.

On motion of Capt. Cowan, seconded by Mr. McGregor, the House resolved itself into a Committee to go into the consideration of the said Address. Mr. Speaker left the Chair. Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had gone through the consideration of the said Address, without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same. The House then resolved that the Report be now received. The Report was accordingly received and accepted. On motion of Mr. McLean, seconded by the Solicitor General, Ordered that the said Address be engrossed. The said Address as engrossed was read, passed, and signed by the Speaker. Mr. Sherwood then moved, seconded by Mr. Clench, that Capt. Cowan and Mr. McGregor do present the said Address to His Excellency the Lieutenant Governor, which was ordered accordingly.

Messrs. McLean and Washburn reported that in obedience to the command of this House they had waited upon His Excellency the Lieutenant Governor, with the Address of this House respecting the Contingent Expenses of the Honorable the Legislative Council and this House for the present Session, and that His Excellency was pleased to say that he would issue his Warrants for that purpose.

On motion of Mr. Nellis, seconded by Mr. Crysler, the House adjourned.

*Thursday, 10th March, 1808.*

Prayers were read.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.



Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled "An Act for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty, through the Lieutenant Governor, in pursuance of an Address from this House," without any amendment.

And then he withdrew.

Capt. Cowan and Mr. McGregor reported that, agreeably to the command of this House, they had waited upon His Excellency the Lieutenant Governor with the Address of this House, voted yesterday, to which His Excellency had been pleased to return the following answer.

Gentlemen of the House of Assembly,

It will afford me great satisfaction in complying with the wishes of the House of Assembly expressed in this Address; especially as the motives which have induced the House to propose so necessary an establishment have for their object the safety of the lives and properties of His Majesty's subjects.

Government House,

York, 10 Mar. 1808.

Read for the third time, as engrossed, the Bill for granting to His Majesty an annual sum of money as therein mentioned. Mr. McLean then moved, seconded by the Solicitor General, that the Bill do pass, and that the title be "An Act for granting to His Majesty an annual sum of money for the purposes therein mentioned." The Bill accordingly passed, and was signed by the Speaker. The Solicitor General then moved, seconded by Mr. McLean, that Messrs. Clench and Washburn do carry up to the Honorable the Legislative Council the Act for granting to His Majesty an annual sum of money for the purposes therein mentioned, and request their concurrence thereto, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned. Then the Solicitor General moved, seconded by Mr. McLean, that the Bill do pass, and that the title be "An Act to repeal certain parts of an Act passed in the forty-sixth year of His Majesty's Reign, entitled 'An Act to continue an Act passed in the forty-third year of His Majesty's Reign, entitled an Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned.'" The Bill then passed, and was signed by the Speaker. The Solicitor General again moved, seconded by Mr. McLean that Messrs. Clench and Washburn do carry up to the Honorable the Legislative Council the said Bill, and request their concurrence thereto. The same was ordered accordingly.

Read for the third time, as engrossed, The Bill for the further encouragement of Hemp. Capt. Cowan then moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act for the further encouragement of the growth and cultivation of hemp within this Province, and for the exportation thereof." The Bill accordingly passed, and was signed by the Speaker.

Mr. Mallory moved, seconded by Mr. Sherwood, that Messrs. Clench and Washburn do carry up to the Honorable the Legislative Council the said Bill, and request their concurrence thereto. Ordered accordingly.

Then was read for the third time, as engrossed, the Bill for amending and repairing the Public Highways and Bridges. Mr. McLean then moved, seconded by the Solicitor General, that the Bill do pass, and that the title be "An Act for

granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new roads, and building bridges in the several Districts thereof. The Bill then passed, and was signed by the Speaker. Mr. McLean moved, seconded by Mr. McGregor, that Messrs. Clench and Washburn do carry up to the Honorable the Legislative Council the said Act, and do request their concurrence thereto, which was ordered accordingly.

Messrs. Clench and Washburn, the messengers named to carry up to the Honorable the Legislative Council several Acts from this House, reported that in obedience to the command of this House they had carried up to the Honorable the Legislative Council an Act entitled "An Act for granting to His Majesty an annual sum of money for the purposes therein mentioned," to which they did request their concurrence.

Also an Act entitled "An Act to repeal certain parts of An Act passed in the forty-sixth year of His Majesty's Reign, entitled "An Act to continue an Act passed in the forty-third year of His Majesty's Reign, entitled 'An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned,'" to which they did also request their concurrence.

Another Act entitled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of repairing and amending the Public Highways and Roads, laying out and opening new roads and building bridges in the several Districts thereof," and did request their concurrence in passing the same.

And also an Act entitled "An Act for the further encouragement of the growth and cultivation of hemp within this Province, and for the exportation thereof," and did request their concurrence thereto.

Read for the second time, The Bill for increasing the Salary of the Clerk of the Honorable the Legislative Council and the Clerk of the House of Assembly. Mr. Mallory then moved, seconded by Mr. Nellis, that the House do now resolve itself into a Committee, to go into the consideration of the Bill for increasing the salary of the Clerk of the Honorable the Legislative Council, and the Clerk of the House of Assembly. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Mr. Clench then moved, seconded by Mr. Mallory, that the said Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of an Address to His Excellency the Lieutenant Governor, for promoting the cultivation and exportation of hemp. Mr. Speaker left the Chair. Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Clench reported that the Committee had gone through the consideration of the said Address, to which they had made several amendments, which he was directed to report to the House, whenever it should be pleased to receive the same. The House then resolved that the Report

be now received. The Report was accordingly received and accepted. On motion of Mr. McGregor, seconded by Capt. Cowan, ordered, that the said Address as amended be engrossed.

On motion of the Solicitor General, seconded by Capt. Cowan, the said Address was read as engrossed, and is as follows:

To His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency,—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, being fully convinced of the advantages which would undoubtedly result from the encouragement of the growth and cultivation of hemp in this Province, have raised and applied from the Provincial Funds for that purpose the sum of One Thousand Seven Hundred Pounds.

It is with pleasure we represent to Your Excellency that the small advances we have been enabled to make in this important branch of agriculture plainly evince that the Province of Upper Canada, both from climate and soil is well adapted to the growth of that valuable article.

But though we have ventured to state that the soil of this Province is peculiarly favorable to the culture of hemp, yet we respectfully beg leave to submit to Your Excellency that before we can more strenuously press that subject on the Canadian farmers we must be assured that the commodity when raised will be purchased in the country, and that the paternal hand of His Majesty will be graciously extended in dispelling difficulties which prevent them at present from accomplishing in its fullest strength so desirable an object. The inhabitants are incapable of waiting for the return of sales; but that obstruction may be remedied by appointing agents in the country, by which means the energy of the Province would be exerted, and the most valuable benefits result. And, if it should appear expedient to Your Excellency that this obstacle should be overcome in the manner which we have presumed to state, His Majesty's subjects in this Colony would glow with the pleasing reflection of being serviceable to the parent State by exertions which, in the end, would prove highly profitable to themselves.

We, therefore, His Majesty's most dutiful and loyal subjects, most respectfully suggest that the subject matter of this Address were made known to His Majesty, which we presume to hope Your Excellency will effect, he would deign to take the same into his Royal consideration, and if, on the one hand, His Majesty shall judge it expedient to encourage the culture of hemp in this Province, on the other we shall gratefully concur in adopting every measure within our reach, corresponding with His Majesty's views.

Commons House of Assembly,

10th March, 1808.

The Address then passed, and was signed by the Speaker.

Then Mr. Sherwood moved, seconded by Mr. Mallory, that this House do request a conference with the Honorable the Legislative Council, on the subject matter of the amendments made by them in and to an Act sent up from this House, entitled "An Act to provide for the support of Judges of the Court of Common Pleas," and that Messrs. Clench and Washburn be a Committee to request the same. Ordered accordingly.

A Written message to the Honorable the Legislative Council:

Mr. Speaker,—

We are commanded by the Commons House of Assembly to request that a

conference be had with this Honorable House on the subject matter of the amendments made by this House in and to an Act entitled "An Act to provide for the support of Judges of the Court of Common Pleas.

Commons House of Assembly,  
10th March, 1808.

(Signed) ALEX'R McDONELL,  
Speaker.

Capt. Cowan then moved, seconded by Mr. Mallory, that Messrs. Clench, McLean, Solicitor General, Washburn, McGregor and Sherwood be a Committee to confer with the Honorable the Legislative Council upon the subject matter of the amendments made by them in and to an Act sent up from this House, entitled "An Act to provide for the support of Judges of the Court of Common Pleas," which was ordered accordingly.

Messrs. Clench and Washburn reported that they had carried up to the Honorable the Legislative Council the message of this House, requesting a conference with them upon the subject matter of the amendments made by them in and to an Act sent up from this House, entitled "An Act to provide for the support of Judges of the Court of Common Pleas."

Mr. McGregor moved, seconded by Mr. Sherwood, that the House do now resolve itself into a Committee to go into the consideration of the propriety of presenting an Address to His Excellency the Lieutenant Governor upon the subject of establishing a more regular communication by post in this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had gone through the consideration of the said Address, to which they had made several amendments, which amendments he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted.

On motion of the Solicitor General, seconded by Mr. McGregor, the said Address, as amended, was ordered to be engrossed.

On motion of Capt. Cowan, seconded by Mr. Nellis, the said Address was read as engrossed.

The Address then passed, and was signed by the Speaker, and is as follows:

To His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency,—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, beg leave to state that the Post Office now established by His Majesty's Government continues but five months in the year in this Province, and that it would greatly conduce to the convenience and benefit of the Inhabitants if a regular communication by post were established during the whole year.

Fully convinced that Your Excellency is anxiously desirous to promote the welfare and best interests of His Majesty's subjects under your Government, we respectfully approach Your Excellency to request that you will be pleased to make such a representation to His Majesty's Ministers, relative to the better establishment of a Post Office in this Colony, as Your Excellency may think proper to procure the desired effect.

Commons House of Assembly,  
10th March, 1808.

Mr. Clench then moved, seconded by Mr. Mallory, that Messrs. McGregor, Nellis and Sherwood do wait upon His Excellency the Lieutenant Governor with the said Address.

A Written Message from the Honorable the Legislative Council, by Mr. Baldwin, Master-in-Chancery.

Mr. Speaker,—

The Honorable the Legislative Council has agreed that a Committee of their House shall meet a Committee of this House of Assembly, in conference, upon the matter of the amendments made by the Legislative Council in and to an Act to provide for the support of Judges of the Court of Common Pleas, in the Legislative Council Chamber, to-morrow, at ten o'clock a.m.

Legislative Council Chamber,  
York, 10th March, 1808.

(Signed) THOS. SCOTT,  
Speaker.

And then he withdrew.

Mr. Sherwood moved, seconded by Mr. Clench, that the Solicitor General, Messrs. Crysler, Washburn and Mallory be a Committee to present to His Excellency the Lieutenant Governor the Address of this House, relative to the culture of hemp in this Province, which was ordered accordingly.

On motion of Mr. Mallory, seconded by Mr. Crysler, the House adjourned.

*Friday, 11th March, 1808.*

Prayers were read.

Mr. Solicitor General moved, seconded by Mr. Washburn, that the Committee appointed to confer with a Committee of the Honorable the Legislative Council, upon the subject matter of amendments made by the Legislative Council in and to the Act to provide for the support of Judges of the Court of Common Pleas, do now report to the House.

Accordingly Mr. Solicitor General, with the other Members of the Committee appointed to confer with a Committee of the Honorable the Legislative Council, upon the subject matter of the amendments made by them in and to the Act sent up from this House, entitled "An Act to provide for the support of Judges of the Court of Common Pleas," reported that the Committee from this House did meet the Committee appointed by the Legislative Council, and that it had been agreed upon by them to recommend to the Honorable the Legislative Council another amendment, to be substituted in lieu of the former, which Report was read by the Clerk at the Table.

Read for the third time, as engrossed, the Bill for increasing the salaries of the Clerk of the Legislative Council and the Clerk of the House of Assembly. The Solicitor General moved, seconded by Mr. Clench, that the Bill do pass, and that the title be "An Act for granting to His Majesty a certain sum of money out of the Provincial Fund, to increase the salary of the Clerk of the Legislative Council and the Clerk of the House of Assembly. The Bill then passed, and was signed by the Speaker. The Solicitor General then moved, seconded by Mr. McLean, that Messrs. Clench and Crysler do carry up to the Honorable the Legislative Council the said Act, and request their concurrence thereto, which was ordered accordingly.

Mr. McLean gave notice that he will move to-morrow for a call of the House.

Messrs. McGregor, Nellis and Sherwood reported that, agreeably to the command of this House, they had waited upon His Excellency the Lieutenant Governor with the Address of this House voted yesterday, for the more regular communication with Lower Canada by Post throughout the year, to which His Excellency had been pleased to return the following answer :

Gentlemen of the House of Assembly,—

I am so perfectly sensible that the Inhabitants of this Province would derive considerable benefit were a regular Post established, that I shall cheerfully transmit your Address to His Majesty's Ministers, to be laid before the King, with my best support.

Government House, York,  
11th March, 1808.

The Solicitor General, Messrs. Crysler, Washburn and Mallory reported that, in obedience to the commands of this House they had waited upon His Excellency the Lieutenant Governor with the Address of this House, voted yesterday, relative to the cultivation and exportation of hemp in and from this Province, to which His Excellency was pleased to return the following answer :

Gentlemen of the House of Assembly,—

It is most gratifying to me to observe that the House of Assembly have directed their attention to the laudable purpose of encouraging the growth and culture of hemp in this Province.

No delay shall take place on my part in making the representations suggested in this Address to His Majesty's Ministers, and be assured that every exertion shall be made by me to dispel the difficulties which now impede this important branch of agriculture.

Government House, York,  
11th March, 1808.

A Written Message from the Honorable the Legislative Council, by Mr. Baldwin, Master-in-Chancery :

Mr. Speaker,—

The Honorable the Legislative Council cannot accede to the further amendment proposed to be made by the Commons House of Assembly in and to an Act intitled "An Act to provide for the support of Judges of the Court of Common Pleas."

Legislative Council Chamber,  
York, 11th March, 1808.

(Signed) THOMAS SCOTT,  
Speaker.

Another Message from the Honorable the Legislative Council, by Mr. Baldwin, Master-in-Chancery :

Mr. Speaker,—

I am Commanded by the Honorable the Legislative Council to inform this House that they have concurred in passing an Act sent up from this Honorable House, entitled "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign, entitled 'An Act to establish Public Schools in each and every District of this Province.'"

And then he withdrew.

The Solicitor General moved, seconded by Mr. McLean, that this House do now resolve that Hugh McLean, the person who has attended the Commissioners

under an Act of the Parliament of this Province for the relief of the Heirs and Devisees of the Nominees of the Crown, be allowed for the last three years' attendance the sum of Ten Pounds, and that the Speaker be authorised to write a letter to His Excellency the Lieutenant Governor, requesting him to issue his Warrant for that amount; and that this House will make good the same the next Session of Parliament, which was ordered accordingly.

On motion of Mr. McLean, seconded by Capt. Cowan, the House adjourned until twelve o'clock at noon to-morrow.

*Saturday, 12th March, 1808.*

Prayers were read.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master-in-Chancery:

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have concurred in passing an Act sent up from this House, entitled "An Act for the further encouragement of the growth and culture of hemp within this Province, and for the exportation thereof," without any amendment.

Also, an Act sent up from this Honorable House, entitled "An Act for granting to His Majesty a certain sum of money out of the Provincial Fund, to increase the Salary of the Clerk of the Legislative Council and the Clerk of the House of Assembly," without any amendment.

Also, an Act sent up from this House, entitled "An Act for granting to His Majesty a certain sum of money out of the Funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new roads, and building bridges in the several Districts thereof," without any amendment.

Also an Act sent up from this Honorable House, entitled "An Act to repeal certain parts of an Act passed in the forty-sixth year of His Majesty's reign, entitled "An Act to continue an Act passed in the forty-third year of His Majesty's reign, entitled 'An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned,' " without any amendment.

And also an Act sent up from this Honorable House, entitled "An Act for granting to His Majesty an annual sum of money for the purpose therein mentioned," without any amendment.

And then he withdrew.

Capt. Cowan moved, seconded by Mr. Clench, for leave to bring in a Bill this day to provide for the support of Judges hereafter to be appointed for this Province. Leave was accordingly given, and the said Bill was read for the first time. Capt. Cowan then moved, seconded by Mr. Clench, that the Bill to provide a salary for Judges hereafter to be appointed for this Province be read a second time this day, which passed in the negative. Mr. Clench, seconded by Mr. Washburn, moved that the said Bill be read a second time on Monday next. Ordered accordingly.

The Solicitor General moved, seconded by Capt. Cowan, that it be resolved by this House that the subscription papers accompanying the petition to this House respecting the Johnstown Courthouse be transmitted by the Clerk of this House to the Chairman of the Quarter Sessions of the District of Johnstown. The House accordingly resolved the same.

At three o'clock the Speaker adjourned the House for want of a quorum.

Present:—Mr. Speaker, Messrs. Cowan, Solicitor General, Washburn, and McLean.

*Monday, 14th March, 1808.*

Prayers were read.

On motion of Captain Cowan, seconded by Mr. McGregor, the House adjourned for two hours.

The House being met:

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master-in-Chancery.

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act sent up from this Honorable House entitled "An Act to explain, amend, and reduce to one Act of Parliament, the several laws now in being for the raising and training the Militia of this Province." Mr. Mallory moved, seconded by Mr. Nellis, that the amendments made by the Honorable the Legislative Council in and to the Act for the better regulation of the Militia of this Province" be now read for the first time. The said amendments were accordingly read for the first time. Mr. Solicitor General moved, seconded by Mr. McLean, that the said amendments be read a second time to-morrow. Ordered accordingly.

On motion of the Solicitor General, seconded by Mr. McLean, the House adjourned.

*Tuesday, 15th March, 1808.*

Prayers were read.

Agreeably to the Order of the Day, was read for the second time the amendments made by the Honorable the Legislative Council in and to the Act for the raising and training the Militia of this Province. On motion of Mr. Clench, seconded by Mr. Nellis, the House resolved itself into a Committee to go into consideration of the amendments made by the Honorable the Legislative Council in and to the said Act. Mr. Speaker left the Chair. Captain Cowan was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Cowan reported that the Committee had gone through the consideration of the said amendments, and that he was directed to report that the Committee approved of the Bill as amended by the Honorable the Legislative Council, and did recommend that the Bill as amended be adopted by the House. The House accordingly resolved that the amendments made by the Honorable the Legislative Council to the said Bill be adopted. The amendments were accordingly adopted. Mr. Sherwood moved, seconded by Mr. Crysler, that Messrs. Clench and Cowan do inform the Honorable the Legislative Council that this House hath concurred in adopting the amendments made by them in and to the Act for the raising and training the Militia of this Province. Ordered accordingly.

Mr. Speaker,—

We are commanded by the Commons House of Assembly to acquaint the Honorable House that they have concurred in adopting the amendments made by the Legislative Council in and to the Act entitled "An Act to explain, amend, and reduce to one Act of Parliament, the several laws now in being for raising and training the Militia of this Province.

Commons House of Assembly.

15th March, 1808.

(Signed) ALEX'R McDONELL,

Speaker.



A Message from the Honorable the Legislative Council, by Mr. Baldwin, Master-in-Chancery.

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act, sent up from the House, entitled "An Act for the better representation of the Commons of this Province in Parliament," to which they have made several amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

On motion of Mr. Clench, seconded by Mr. Nellis, the amendments to the said Act were read for the first time. Captain Cowan then moved, seconded by Mr. McGregor, that the said amendments be now read for the second time. The said amendments were accordingly read for the second time. Mr. Clench then moved, seconded by Mr. Mallory, that the House do now resolve itself into a Committee to go into the consideration of the amendments made by the Honorable the Legislative Council in and to the Act sent up from this House, entitled "An Act for the better representation of the Commons of this Province in Parliament." The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Crysler was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Crysler reported that the Committee had gone through the consideration of the said amendments, and that he was directed to report to the House, whenever it should be pleased to receive the same, that the Committee recommended that the amendments made by the Honorable the Legislative Council to the said Act be adopted. The House then resolved that the said amendments be adopted. Mr. Sherwood then moved, seconded by Mr. Crysler, that Messrs. Clench and Nellis do inform the Honorable the Legislative Council that this House have concurred in adopting the amendments made by them in and to the Act for the better representation of the Commons of this Province in Parliament, which was ordered accordingly.

Mr. Speaker,—

We are commanded by the Commons House of Assembly to acquaint this Honorable House that they have concurred in adopting the amendments made by the Legislative Council, in and to the Act entitled "An Act for the better representation of the Commons of this Province in Parliament, and to repeal part of an Act, passed in the fortieth year of His Majesty's reign, entitled 'An Act for the more equal representation of the Commons of this Province in Parliament; and for the better defining the qualifications of Electors.'"

Commons House of Assembly,  
15th March, 1808.

(Signed) ALEX'R McDONELL,

Speaker.

Mr. Washburn moved, seconded by Mr. Clench, that the Petition of the inhabitants of the County of Prince Edward, relative to the Commerce of this Province, be now read, and that the same be inserted on the Journals of this House, and recommended to be taken into consideration by any future Parliament, which was ordered accordingly, and the Petition is as follows:—

To the Gentlemen Commons, Members of the House of Assembly of the Province of Upper Canada in Parliament assembled.

We, His Majesty's most loyal and dutiful subjects, Inhabitants of the County of Prince Edward, in the Midland District, and Province aforesaid,

Deeply impressed with a sense of the present confined situation of the Commerce of this Country, think it our indispensable duty, for the present and future

prosperity thereof, to lay before you what we conceive a true and just statement of it, and the much-to-be lamented method of purchasing and exporting, etc., of every commodity we can furnish for exportation, at the Ports of Quebec and Montreal, to which places we are obliged to take and dispose of each and every article we can furnish for the purpose aforesaid.

We find that by a prohibition of all vessels (the English excepted) from entering the aforesaid Ports to be the greatest misfortune attending our situation. First, it throws the whole trade of these ports into the hands of a few individuals residing therein, which governs all our commerce. Secondly, it causes a combination between them to fix prices on all imports and exports, which we are sorry to say they have generally done to our direct damage. Thirdly, it causes all imports and exports to be carried on in chartered vessels. Fourthly, it prohibits us from any advantage or profit arising from a trade with any foreign Kingdom, State, or Country, even where our fellow subjects are permitted to trade. And, finally, it excludes us from any privilege in trade, except trusting our all in that line in the hands of the aforesaid individuals which have had, and still hold, the power of allowing us whatever price they please for all exports, and in return compel whatever price they please to charge for all imports of merchandize which come solely through their hands, imported as aforesaid in a few chartered vessels. And we are aware that for several years past the exports have employed more than double the number of chartered vessels than the imports have; which, of course, leaves more than half the aforesaid vessels to come in under ballast, and cannot be expected to take freights on the same reasonable terms as if they were freighted in and out, which serves as one of the many politics or excuses which these individuals make use of for taking our produce, lumber, and every article we can furnish for exportation at a very reduced price to what might otherwise be allowed by them.

We can, with confidence, and from a long experience, namely, since we have been able to furnish a single article for exportation, assure you that nothing but a scarcity of whatever commodity was most wanting would cause it to command a fair price in the aforesaid market, which is principally owing to the combined situation of the commerce as aforesaid, and are severally of opinion that the only and sure method of causing a medium of contrast or spirit of opposition (which we think to a certain degree necessary in trade in these more enlightened days of the world) would be to admit a free trade to and from the aforesaid Ports, with all Nations and People with whom his Majesty is at peace, and allowing commerce.

We are also well aware that without it it is almost impossible for the farmers, who, under their all wise Creator, are the main pillar and support of all nations and countries, to receive a just reward for all their labours.

We have the satisfaction to observe that this country is blessed with seemingly all that Nature could do for it—a good market for the produce of our labours excepted—and Providence has placed an industrious people therein to till the fertile soil, who, no doubt would follow their ploughs and reap their harvest with smiles on their countenances, could they only be satisfied that they were to receive a reasonable price for what they might have left after supporting their families.

We also lament that the situation of the commerce of so great and good a country as this Province might be under the aid of Providence, which we hope may guide all our councils, and inspire every branch of our Legislature with a sense of the obligation they are under to give all assistance in their power to have

the commercial situation there, placed on the best, most favorable and permanent footing that its remote situation from a market can possibly admit of.

We hope you will join us in opinion, and we look up to you for redress, for not only this, but all other grievances that we have a right to complain of, at least as you in your situation can assist or take notice of, which we conceive to extend to every matter or thing which doth or may tend to harm the welfare or prosperity of your constituents, or benefit the same.

We also request you will communicate this to the other two branches of the Legislature in what manner you think most proper, and at the same time request their aid in adopting measures the most fit and speedy to remedy the aforesaid grievances.

We are also aware that nothing can be done to insure a free trade as aforesaid, short of obtaining His Majesty's consent, occasioned by stipulation in the present treaty of amity, commerce and navigation, between His Majesty and the United States of America; at least as far as that nation is concerned; and trust that you will see with us the immediate necessity of an endeavor to obtain the privilege aforesaid, and, through a petition, or by some other means that may be thought proper, make the same known to our most gracious Sovereign.

We also assure you that we are willing to accept it under every restriction as to duties, etc., which might otherwise tend to harm His Majesty or his subjects in general; and we are confident that the obtaining the above mentioned privilege would be a means of thousands of good subjects emigrating immediately to this country.

It is with regret we have to observe that our above stated situation renders us incapable of being that benefit to our most gracious Sovereign, in conjunction with our fellow subjects in other parts of his Dominions, that our inclination leads us to be.

We conclude this our prayer and statement, having given only the outlines of our opinion on the above important subject, as we conceive it, and with a sanguine hope that you will think with us that there is an actual necessity of endeavoring by the best and surest method of obtaining it to enhance the price of every article we can furnish for exportation.

We also flatter ourselves that our fellow subjects throughout the Province will join us in opinion, and hope to see some abler pen employed in adopting the most salutary measures to be taken in the pursuit thereof; at the same time trusting that you will seriously reflect on this subject, and pay it the respect which in your wisdom you may deem it worthy of.

And your Petitioners, as in duty bound, will ever pray.

Solomon Spafford, Simeon Washburn, Stephen Palen, Sampson Striker. Silas Dyne, Gilbert Palen, and one hundred and twenty-three others.

The Speaker reported that, in obedience to the command of this House, he had written to His Excellency, the Lieutenant-Governor, requesting him to issue his warrant, in favor of Hugh McLean, for the sum of Ten Pounds; in consideration of his past services as Messenger, attending the Commissioners who are appointed under an Act of the Parliament of this Province to afford relief to persons claiming lands in this Province as Heirs or Devises of the Nominees of the Crown in cases where no Patent hath issued for such lands—to which he received no answer.

On motion of Mr. Crysler, seconded by Mr. McGregor, the House adjourned..

*Wednesday, 16th March, 1808.*

Prayers were read.

Messrs. Clench and Nellis reported that, in obedience to the command of this House, they had carried up to the Honorable the Legislative Council the Message of this House, acquainting them that this House had concurred in adopting the amendments made by the Honorable the Legislative Council in and to an Act sent up from the House, entitled "An Act for the better representation of the Commons of this Province in Parliament, and to repeal part of an Act passed in the Fortieth year of His present Majesty's Reign, entitled 'An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of electors.'"

And also that they had carried up another message of this House to the Honorable the Legislative Council, acquainting them that this House have concurred in adopting the amendments made by them in and to an Act sent up from this House, entitled "An Act to explain, amend, and reduce to one Act of Parliament the several laws now in being for the raising and training the Militia of this Province."

The Clerk reported to the House the expenditure of his office since the Eighth instant, being the day the Contingent Accounts were approved and passed by this House, and is as follows:—

THE HONORABLE THE HOUSE OF ASSEMBLY, in account with their Clerk for Copying Clerks and other contingencies between the 9th and 16th March, 1808, both days:

Dr.	Inclusive.		
To Joseph Shaw .....	£7.	5s.	0d.
“ Edward McMahon .....	7	10	0
“ Allan McLean .....	5	10	0
“ John Higgins .....	7	5	0
“ Messenger's Account .....	1	17	1
Balance . . . . .		12	11
	£30.	0s.	0d.
			Cr.
By Cash to be received .....	£30.	0s.	0d.
	£30.	0s.	0d.
By balance that will be in the Clerk's hands..		12s.	11d.

The Order of the Day for the call of the House being read, ordered, that the House be now called over. The House was accordingly called over, and the names of all the members were taken down, and are as follows, viz. :—The Speaker, W. B. Wilkinson (dead), D'Arcy Boulton, John Crysler, Samuel Sherwood, Peter Howard (absent), Allan McLean, Thomas Dorland (absent), Ebenezer Washburn, David McGregor Rogers (absent), Robert Thorpe (beyond sea, excused), Joseph Willcocks (Committed to Gaol by and for contempt of this House), Robert Nellis, Isaac Swayze (absent), Matthew Elliott (absent by leave), David Cowan, Esquires.

On motion of Captain Cowan, seconded by the Solicitor General,

Resolved, that it be inserted upon the Journals of this House, that on the last day the Commons House of Assembly sat, in the Fourth Session of the Fourth Provincial Parliament of this Province, being the Sixteenth day of March. On the names of the Members being called it appeared that David McGregor Rogers, Thomas Dorland and Peter Howard, Esquires, were absent without leave, since the Fifth day of March last past, when they left the House without a quorum, with a determined resolution not to return unless the majority of the House would acquiesce in their measures. That in consequence thereof the business of the House was suspended until the attendance of Robert Nellis, Esquire, who was sent for to his place of residence, he being absent on leave; by which means a quorum was formed, and the House of Assembly enabled to resume the business of the Session.

The House unanimously resolved the same.

Captain Cowan, seconded by Mr. McLean, moved that Joseph Willcocks be this day discharged from imprisonment, and that the Speaker do issue his warrant for that purpose. The Speaker accordingly issued his Warrant, which is as follows:—

Alexander McDonell, Esquire, Speaker of the Honorable the Commons House of Assembly,

To the Sheriff of the Home District, GREETING.

By virtue of the power and authority in me vested by the Commons House of Assembly, you are hereby ordered and required to discharge from your custody this day, Joseph Willcocks, Esquire, who was, on the Twentieth day of February last past, committed to the Gaol of the Home District, he having on that day been convicted of a contempt of the said House of Assembly; and for so doing this shall be your sufficient warrant.

Given under my hand and seal at York this Sixteenth day of March, 1808.

(Signed) ALEXANDER McDONELL,

Speaker.

On motion of Mr. McGregor, seconded by Mr. Clench, the House adjourned for one hour.

The House being met:—

A Message from His Excellency the Lieutenant-Governor by Mr. George Lawe, Gentleman Usher of the Black Rod:—

Mr. Speaker,—

I am commanded by His Excellency, the Lieutenant-Governor to inform this Honorable House, that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly, Mr. Speaker, with the House, went up to attend His Excellency, when His Excellency was pleased to give, in His Majesty's name, the Royal assent to the following Public and Private Bills, viz:—

An Act for the better regulation of Parish and Town Officers throughout this Province.

An Act for the better regulation of Special Juries.

An Act to continue an Act passed in the Thirty-third year of His Majesty's Reign, entitled "An Act to provide for the appointment of Returning Officers of the several Counties within this Province."

An Act for building a Court House and Gaol in the Township of Elizabethtown, in the District of Johnstown.

An Act for the better regulating the Statute Labour in the Counties of Essex and Kent in the Western District.

An Act to continue an Act passed in the Forty-fifth year of His Majesty's Reign, entitled "An Act to afford relief to those persons who may be entitled to claim lands in this Province as Heirs or Devisees of the Nominees of the Crown, in cases where no Patent hath issued for such lands, and further to extend the benefits of the said Act."

An Act to explain, amend, and reduce to one Act of Parliament, the several Laws now being for the raising and training the Militia of this Province.

An Act for the better representation of the Commons of this Province in Parliament, and to repeal part of an Act passed in the Fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province, and for the better defining the qualification of Electors."

An Act to extend the benefits of An Act passed in the Thirty-seventh year of His Majesty's Reign, entitled "An Act for the more easy Barring of Dower, and to repeal certain parts of the same."

Mr. Speaker then said:

May it please Your Excellency to approve of the Seven Bills, which the Assembly, with the concurrence of the Legislative Council, have passed for aid to His Majesty:—

An Act for applying certain sums of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant-Governor in pursuance of an Address.

An Act to amend an Act passed in the Forty-seventh year of His Majesty's Reign, entitled "An Act to establish Public Schools in each and every District of this Province."

An Act for granting to His Majesty an annual sum of money for the purposes therein mentioned.

An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new Roads, and building Bridges in the several Districts thereof.

An Act for the further encouragement of the growth and cultivation of Hemp within this Province, and for the exportation thereof.

An Act for granting to His Majesty a certain sum of money out of the Provincial Fund, to increase the salary of the Clerk of the Legislative Council, and the Clerk of the House of Assembly.

An Act to repeal certain parts of an Act passed in the Forty-sixth year of His Majesty's Reign, entitled "An Act to continue an Act passed in the Forty-third year of His Majesty's Reign, entitled 'An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned.'"

To which seven Bills His Excellency, the Lieutenant Governor, was pleased to give the Royal assent in His Majesty's name.

And then His Excellency, the Lieutenant Governor, was pleased to make the following Speech to both Houses of Parliament.

Honorable Gentlemen of the Legislative Council,  
and

Gentlemen of the House of Assembly,

The unusual length to which this Session of the Legislature has been prolonged by an event that could not have been foreseen, will not, I trust, operate as a material inconvenience to your private affairs. It will, however, be your pride to reflect that instead of repining at any expense of labour or of time, your zealous exertions for the Public service have terminated honorably to yourselves and advantageously to the Public.

In times like the present, of uncertainty and of danger, the first care of every good man is the safety of his country. The salutary provisions enacted by you in the Bill for regulating the Militia of this Province are the most substantial proofs that this has been the governing principle of your conduct.

The Act for extending the representation of the Commons in the House of Assembly I consider as a measure beneficially conducive to the dearest interests of the subjects of this Province at large: I therefore cheerfully concur in the adoption of it.

I am much gratified also to have in my power to observe that the growth and cultivation of Hemp in this Colony, the soil of which is so well calculated for that desirable branch of agriculture, has not escaped the serious attention of the House of Assembly; and no endeavors shall be wanting on my part to give activity to the measures which they have suggested to produce an abundant supply of an article of the first necessity to the Mother Country.

Your wisdom in providing against the difficulties of an Inland Communication, with a prudent management of the sums you have appropriated for the laying out and repairing the public Roads and Bridges, will, I trust, considerably improve them. They are, however, generally in so imperfect a state, that I have it in contemplation to call the next Session of the Legislature at a season of the year better calculated for an easy access to the Seat of Government.

The relations of amity which happily existed between Great Britain and the United States of America have been in some degree interrupted, and I regret that during this Session I have not been enabled to lay before you any communication on this interesting subject. But I cherish the hope that the voice of wisdom and of moderation will ultimately prevail, and that the people of the United States will justly appreciate the good will of His Majesty, and that two nations may not be involved in the calamities of War, whose mutual interests plainly point to peace and commercial intercourse; from whence naturally arises opulence, prosperity, and happiness to nations. It is, however, our essential duty to be prepared for every event, and, should occasion call for it, to be ready with firmness to defend the just rights of our King and the interests of his people.

I now close this Session of the Legislature, which, from its constitution, must soon be dissolved, fully confident that your utmost efforts will be exerted in promoting peace, harmony and good morals amongst the great body of the people; and that the same zeal for the prosperity of this Province which has distinguished your public character will govern and animate your private conduct.

After which the Honorable the Speaker of the Legislative Council said:

It is His Excellency the Lieutenant-Governor's will and pleasure that this Provincial Parliament be prorogued until Friday, the Twenty-second day of April next, to be then here held; and the Provincial Parliament is accordingly prorogued until Friday, the Twenty-second day of April next.

[I do hereby certify that the above and what is written on the foregoing pages is a transcript of the Journal of the House of Assembly in Upper Canada, being the Fourth Session of the Fourth Provincial Parliament assembled in the Town of York, on the Twentieth day of January last, agreeably to the Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada; and prorogued by His Excellency on the Sixteenth day of March last.

Clerk of the Assembly's Office, York,  
13th May, 1808.

DONALD McLEAN,  
Clerk Assembly.]

[Certified to be true copies from the original records in the Colonial Office.

GEORGE MAYER,  
Librarian and Keeper of the Records.

Colonial Office, Downing Street,  
October, 1856.]





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**JOURNAL**  
OF THE  
**HOUSE OF ASSEMBLY**  
OF  
**UPPER CANADA**

From the first day of February to the  
twelfth day of March,  
1810.

Both days inclusive.

In the Fiftieth Year of the Reign of  
**KING GEORGE THE THIRD**

Being the Second Session of the Fifth Provincial  
Parliament of this Province.

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**JOURNAL**  
OF THE  
**HOUSE OF ASSEMBLY**  
OF  
**UPPER CANADA**  
1810.

FRANCIS GORE, Lieutenant-Governor.

**PROCLAMATION.**

GEORGE THE THIRD, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith:

To all Our Loving Subjects, GREETING.

WHEREAS, by Our proclamation, bearing date the ninth day of March last, we thought fit, by and with the advice of our Executive Council, to prorogue Our Provincial Parliament until the fourteenth day of this present month of April, at which time, in Our Town of York, you were held and constrained to appear; but we, taking into Our Royal consideration the ease and convenience of Our loving subjects, have thought fit, by and with the advice of Our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you, and each of you, that on the twenty-second day of May next ensuing you meet us in Our Provincial Parliament, in our Town of York, there to take into consideration the state and welfare of Our Province of Upper 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 Francis Gore, Esquire, Our Lieutenant Governor of Our said Province, at York, this seventh day of April, in the Year of Our Lord One Thousand Eight Hundred and Nine, and in the Forty-ninth year of Our Reign.

(Signed) F. G.

WM. JARVIS, Secretary.

By a further proclamation of His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c., &c., dated at York, the tenth day of May, One Thousand Eight Hundred and Nine, the Meeting of the Legislative Council and House of Assembly stands prorogued to the twenty-ninth day of June, One Thousand Eight Hundred and Nine.

By a further Proclamation of His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c., &c., &c., dated at York, the twenty-third day of June, One Thousand Eight Hundred and Nine, the Meeting of the Legislative Council and House of Assembly stands prorogued to the fifth day of August, One Thousand Eight Hundred and Nine.

By a further Proclamation of His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c., &c., &c., dated at York.

the twenty-eighth day of July, One Thousand Eight Hundred and Nine, the Meeting of the Legislative Council and House of Assembly stands prorogued to the twelfth day of September, One Thousand Eight Hundred and Nine.

By a further Proclamation of His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c., &c., &c., dated at York, the ninth day of October, One Thousand Eight Hundred and Nine, the Meeting of the Legislative Council and House of Assembly stands prorogued to the twenty-eighth day of November, One Thousand Eight Hundred and Nine.

By a further Proclamation of His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c., &c., &c., dated at York, on the eighteenth day of November, One Thousand Eight Hundred and Nine, the Meeting of the Legislative Council and House of Assembly stands prorogued to the fourth day of January, One Thousand Eight Hundred and Ten.

FRANCIS GORE, Lieutenant Governor.

### PROCLAMATION.

GEORGE THE THIRD, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith:

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

WHEREAS, by Our Proclamation, bearing date the eighteenth day of November last, we thought fit, by and with the advice of Our Executive Council, to prorogue Our Provincial Parliament until the fourth day of the Month of January next ensuing; at which time, in Our Town of York, you were held and constrained to appear; but we, taking into Our Royal consideration the ease and convenience of Our loving subjects, have thought fit, by and with the advice of Our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you, and each of you, that on the first day of February next ensuing you meet us in Our Provincial Parliament in Our Town of York, for the actual dispatch of public business, there to take into consideration the state and welfare of Our Province of Upper 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 Francis Gore, Esquire, Our Lieutenant Governor of Our said Province, at York, this eleventh day of December, in the Year of Our Lord One Thousand Eight Hundred and Nine, and in the Fiftieth Year of Our Reign.

(Signed) F. G.

(Signed) WM. JARVIS, Secretary.

## HOUSE OF ASSEMBLY.

YORK, Thursday, 1st February, 1810.

At the Second Session of the Fifth Parliament of Upper Canada, begun and held in the Town of York, on Thursday, the fifth day of February, in the Fiftieth year of the Reign of Our Sovereign Lord, George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the Year of Our Lord One Thousand Eight Hundred and Ten.

His Excellency the Lieutenant Governor, having prorogued the Meeting of Parliament until the fourteenth day of April, One Thousand Eight Hundred and Nine, and by his proclamations annexed having further prorogued the same from time to time until this day.

The House being met, prayers were read.

A Message by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker,

It is His Excellency the Lieutenant-Governor's pleasure that this Honorable House do immediately attend him in the Legislative Council Chamber.

The House went up accordingly, and being returned:—

Mr. Speaker reported that the House attended His Excellency in the Legislative Council Chamber, where His Excellency had been pleased to open the following Session by a most gracious Speech to both Houses, and that to prevent mistakes he had obtained for the information of the House a copy of His Excellency's Speech, which was read as follows:—

Honorable Gentlemen of the Legislative Council,  
and

Gentlemen of the House of Assembly:—

On reviewing the situation of this Province I am happy in stating to you that I do not perceive any occurrence as taking place to interrupt its commerce or internal prosperity since the last Session of the Legislature.

It would have been an additional source of satisfaction to me to have been able to announce to you the restoration and renewal of friendship and amity between Great Britain and the United States of America, which, until of late, have so happily existed; and should the repeated efforts of His Majesty to accomplish so desirable an end not succeed, I trust that his brave and loyal subjects in this Province will evince, as many of them have already done, an unconquerable attachment to their King and Constitution.

Your respective situations in the Province will enable you to discover what may be still wanting to increase the happiness and prosperity of your fellow subjects, and to direct your deliberations to those points which may require Legislative assistance. It is the honorable task you are now called upon to perform.

It is incumbent upon me to call your attention to the evils resulting from the unskillful surveys of lands in this Province, instances of which have been reported to me by the Judges on their return from the circuits. A subject of such importance, will, I have no doubt, engage your most serious consideration.

Gentlemen of the House of Assembly,

I have directed the Public Accounts to be laid before you, in order that they may undergo such an examination as the nature of the subject requires.

Honorable Gentlemen of the Legislative Council,  
and

Gentlemen of the House of Assembly,

It is unnecessary for me to recommend to you an unremitting zeal for the Public Service, and a steady prosecution of those objects which may promote the general interests of the Province, as a prompt and faithful discharge of these duties will be most conducive to the interests of your constituents.

Henry Maule, Esquire, the Member returned at the last General Election to represent the County of Dundas, being heretofore unable to attend his duty in Parliament, appeared this day, and took the Oath as appointed by the Statute, and did subscribe the Roll. He accordingly repaired to his seat in the House.

Benajah Mallory, Esquire, the Member returned to represent the Counties of Oxford and Middlesex, being heretofore unable to attend his duty in Parliament, appeared this day, and took the Oath as appointed by the Statute, and did subscribe the Roll. He accordingly repaired to his seat in the House.

Donald McLean, Esquire, one of the Commissioners appointed by *dedimus potestatem* to administer the Oath to the Members of the House of Assembly, came to the Bar, and did inform Mr. Speaker, that John Wilson, Esquire, had taken the Oath, as prescribed by the Statute, and did sign the Roll. Then Thomas B. Gough and David McGregor Rogers, Esquires, introduced John Wilson, Esquire, Knight representing the West Riding of the County of York, who took his seat accordingly.

Mr. Rogers gave notice that he will to-morrow move that this House do then resolve itself into a Committee to take into consideration His Excellency's Speech at the opening of the present Session.

Mr. Gough gave notice that he will to-morrow move for a call of the House on Monday next.

On motion of Mr. Rogers, seconded by Mr. Gough, the House adjourned.

*Friday, 2nd February, 1810.*

Prayers were read.

The Sergeant-at-Arms being absent by leave in Europe, Thomas Hamilton, Gentleman, was permitted by the House to act as Deputy Sergeant-at-Arms.

Mr. Gough, seconded by Mr. Rogers, moved that the petition of the inhabitants of the Counties of Lennox and Addington be now brought up, and that it do lie upon the Table. Ordered accordingly.

Mr. Rogers, seconded by Mr. Mallory, moved that the House do now resolve itself into a Committee to take into consideration His Excellency the Lieutenant-Governor's Speech at the opening of the present Session. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Mr. Gough, seconded by Mr. Rogers, moved that this House be called over on Monday next. Ordered accordingly.

Mr. Wilcox moved, seconded by Mr. Mallory, for leave to bring in on Monday next, a Bill to alter and amend certain parts of an Act, passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of Electors." Leave was accordingly granted.

Mr. Willcocks, seconded by Mr. Rogers, moved for leave to bring in a Bill on Thursday next, to repeal certain parts of an Act passed in the forty-eighth year of

His Majesty's Reign, entitled "An Act to amend an Act passed in the forty-seventh year of His Majesty's Reign, entitled 'An Act to establish Public Schools in each and every District of this Province.'" Leave was accordingly granted.

Thomas Fraser and Henry Marcle, Esquires, rose in their places and acquainted the House that John Brownell, Member representing the Counties of Stormont and Russell, died in the month of December last. Therefore Capt. Fraser moved, seconded by Mr. Marcle, that the Speaker do acquaint His Excellency the Lieutenant-Governor that John Brownell, a Member of the House of Assembly, representing the Counties of Stormont and Russell, is dead, and that His Excellency be requested to issue a Writ for the election of a Knight to represent the same in the room of deceased. Ordered accordingly.

Mr. Gough, seconded by Mr. Rogers, moved for leave to bring in a Bill tomorrow for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty, through the Lieutenant-Governor. Leave was accordingly granted.

Mr. Willcocks, seconded by Mr. Sovereign, moved that the third Rule of this House be now dispensed with, and that he have leave to bring in a Bill on Tuesday next to alter and amend an Act passed in the forty-ninth year of His Majesty's reign, entitled "An Act for granting a sum of money in aid of the building of a bridge across the Grand River." Ordered, that the said Rule be dispensed with on this occasion, and leave given to bring in the said Bill.

Mr. Mallory moved, seconded by Mr. Willcocks, that the third Rule of this House be dispensed with, and that he have leave to bring in on Tuesday next, a Bill to authorize the inhabitants of the County of Haldimand to hold Annual Meetings for the purpose of electing Parish and Town Officers. The said rule was accordingly dispensed with on this occasion, and leave was granted to bring in the said Bill on Tuesday next.

Mr. Mallory again moved, seconded by Mr. Willcocks, to bring in a Bill on Thursday next, to repeal so much of an Act passed in the forty-third year of His Majesty's Reign, as extends to the payment of the Members of the House of Assembly, and to make further provision for the same." Leave was granted accordingly.

Mr. Willcocks, seconded by Mr. Sovereign, moved for leave to bring in a Bill on Monday next, to alter and amend an Act, passed in the forty-eighth year of His Majesty's Reign, entitled "An Act for granting to His Majesty an annual sum of money, for the purposes therein mentioned." On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.  
 MESSRS. JAS. WILSON  
 WILLCOCKS  
 MARCLE  
 GOUGH  
 SOVEREIGN  
 BURRITT  
 ROGERS  
 MALLORY  
 JNO. WILSON  
 ROBLIN  
 LEWIS.

Nays.  
 MESSRS. FRASER.  
 SECOND  
 C. WILSON.



Carried in the affirmative by a majority of eight. Leave was accordingly granted to bring in the said Bill on Monday next.

On motion of Mr. C. Wilson, seconded by Capt. Fraser, the House adjourned.

*Saturday, 3rd February, 1810.*

Prayers were read.

The Speaker reported that, in obedience to the commands of this House, he had sent notice to His Excellency the Lieutenant-Governor that the seat of the Member of the House of Assembly for the Counties of Stormont and Russell is vacant.

Mr. Burritt moved, seconded by Capt. Fraser, for leave to bring up a petition from the inhabitants of the County of Grenville, for the purpose of holding the Courts alternately in the Town of Johnstown and the Township of Elizabethtown, in the District of Johnstown. Leave was accordingly granted, and the said Petition ordered to lie on the Table.

Mr. Mallory moved, seconded by Mr. Sovereign, for leave to bring up the petition of the inhabitants of Block Number Two on the Grand River, in the West Riding of the County of York. Leave was granted accordingly, and the Petition was ordered to lie on the Table.

Read for the first time, the Bill to make good moneys advanced by the Lieutenant-Governor. Mr. Rogers moved, seconded by Mr. Gough, that the Bill for appropriating a sum of money to make good moneys advanced by the Lieutenant-Governor be read a second time on Monday, the 12th instant. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to take into consideration the draft of an Address to His Excellency the Lieutenant-Governor, in answer to his Speech at the opening of the Legislature. Mr. Speaker left the Chair. Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had gone through the consideration of the said draft, which he was directed to report to the House whenever it should be pleased to receive the same. On Mr. Speaker having put the question on the Report's being received, a division thereupon took place. The names being called for they were taken down, and are as follows:—

Yeas.	Nays.
MESSRS. BURRITT	MESSRS. JNO. WILSON
MARCLE	FRASER
GOUGH	ROGERS
ROBLIN	WILLCOCKS
MALLORY	
JAS. WILSON	
LEWIS	
SECORD	
C. WILSON	
SOVEREIGN	

Carried in the affirmative by a majority of eight. The Report was accordingly received.

Capt. Fraser then moved, seconded by Mr. Secord, that the said draft of the Address be engrossed, and read this day, which was ordered accordingly.

On motion of Mr. Mallory, seconded by Mr. Secord, Ordered, That Messrs. Burritt, Crowell, Wilson, Fraser and Marcle do wait upon His Excellency the Lieutenant-Governor, to know at what time he will be pleased to receive the House with its Address in answer to His Excellency's Speech.

Mr. C. Wilson moved, seconded by Mr. Secord, for leave to bring in a Bill on Saturday next for appropriating a certain sum of money for the purpose of establishing Common Schools in each and every District, and to alter and amend an Act passed in the forty-seventh year of His Majesty's Reign, entitled "An Act to establish Public Schools in each and every District in this Province,"

On Mr. Speaker having put the question, a division thereupon took place. The names being called for they were taken down, and are as follows:—

Yeas.  
**MESSRS. FRASER**  
**MARCLE**  
**BURRITT**  
**GOUGH**  
**SECORD**  
**JAS. WILSON**  
**LEWIS**  
**C. WILSON.**

Nays.  
**MESSRS. ROBLIN**  
**WILLCOCKS**  
**ROGERS**  
**JNO. WILSON**  
**SOVEREIGN**  
**MALLORY**

Carried in the affirmative by a majority of two. Leave was accordingly granted to bring in the said Bill.

Mr. Roblin, seconded by Mr. Rogers, moved for leave to bring in a Bill on Wednesday next, to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled "An Act for the more easy barring of dower." Leave was accordingly granted.

Read as engrossed, The Address to His Excellency the Lieutenant-Governor, which then passed, and was signed by the Speaker, and is as follows:—  
 To His Excellency Francis Gore, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c. :—

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of the Province of Upper Canada in Parliament assembled, beg leave to return you our unfeigned and sincere thanks for Your Excellency's Speech to both Houses of Parliament upon opening of the present Session.

We contemplate with satisfaction the increasing commerce and internal prosperity of this Province since our last Session.

We lament that His Majesty's repeated efforts for the restoration and renewal of friendship and amity between the United Kingdom of Great Britain and Ireland, and the United States of America, have heretofore failed of accomplishing so desirable an end; yet we cherish a hope that the wisdom and policy of that Nation will direct them to embrace His Majesty's overtures, should His Majesty's efforts prove unavailing to attain the happy event. We trust the confidence Your Excellency has so flatteringly expressed in the bravery and loyalty of His Majesty's subjects in this Province will be fully justified, animated with a continual desire to maintain that character, which many of them have purchased with all but life, and ever exert themselves to manifest their unconquerable attachment to their King and Constitution, and to repel any attempt to alienate their attachment from either.

The recommendation of Your Excellency to discover from our respective situa-

tions what may still be wanting to increase the happiness and prosperity of our fellow subjects shall meet our earnest and grateful attention, and we shall endeavor to direct our deliberations to those points which may require legislative assistance.

Your Excellency's calling our attention to provide a remedy for the unskilful surveys of lands in this Province is a further proof of the unremitting watchfulness of Your Excellency to the interests of His Majesty's subjects in this Province, and shall meet our most deliberate investigation.

The Public Accounts shall likewise undergo such an examination as the nature of the subject requires.

We shall endeavour, agreeable to Your Excellency's recommendation, to use an unremitting zeal for the public service, and a steady prosecution of those objects which may promote the general interests of the Province, and a prompt and faithful discharge of the honorable task we now have to perform, and will be most conducive to the interests of our constituents.

Commons House of Assembly,  
York, 3rd February, 1810.

(Signed) SAML. STREET,  
Speaker.

Mr. Sovereign moved, seconded by Mr. Willcocks, for leave to bring in a Bill on Thursday next, to repeal certain parts of an Act passed in the forty-seventh year of His Majesty's reign, the better to ascertain the mode of assessing wild lands in this Province. Leave was granted.

On motion of Mr. C. Wilson, seconded by Mr. Lewis, the House adjourned until Monday next.

*Monday, 5th February, 1810.*

Prayers were read.

Mr. Burritt, accompanied by the other Messengers, reported that, in obedience to the Order of this House, they had waited upon His Excellency the Lieutenant-Governor, to know His Excellency's pleasure when he would receive the House with its Address, and that His Excellency was pleased to appoint this day at one o'clock in the afternoon to receive the House with its Address.

On motion of Mr. Gough, seconded by Mr. Secord, the House adjourned for half an hour.

The House being met, agreeable to adjournment, at the hour appointed Mr. Speaker and the House went up with the Address of this House to His Excellency the Lieutenant-Governor, and being returned, Mr. Speaker reported that the House had attended upon His Excellency, the Lieutenant-Governor, with its Address, to which His Excellency had been pleased to make the following answer:—  
Gentlemen of the House of Assembly,

Your expressions of zeal and loyalty afford me the highest gratification. They are the honorable pledges of that fidelity which the original settlement of this Province was intended to assure, and which, I trust, will be rendered perpetual in yourselves and in your posterity.

Mr. Speaker also informed the House that he had received from Major Hatton, His Excellency the Lieutenant-Governor's Secretary, an answer to the letter written him by order of this House on the third instant, which is as follows:—

LIEUTENANT-GOVERNOR'S OFFICE,

YORK, 4th February, 1810.

SIR,—

I have had the honor of receiving and laying before the Lieutenant-Governor your letter of yesterday's date in the name of the House of Assembly, to inform

His Excellency that John Brownell, Esquire, Member representing the Counties of Stormont and Russell is dead, and that those Counties are at present unrepresented. His Excellency desires me to inform you that he will cause a new writ to be issued for those Counties without delay.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed) W. M. HALTON,  
Secretary.

To His Honor the Speaker  
of the House of Assembly.

Agreeably to the Order of the Day, the House was called over, when several of the Members appeared, and the names of such members as made default to appear were taken down and are as follows:—

Alex'r McDonnell, Allan McLean, John McGregor, Matthew Elliott, Tho's Mears, Tho's Wilson (sick in town, excused), and J. B. Baby.

Mr. Gough gave notice that he will to-morrow move that the House do take into consideration measures to enforce the punctual attendance of its Members.

Agreeably to the Order of the Day was read for the first time a Bill for the reduction of the salary of the Adjutant-General of the Militia of this Province. Mr. Willcocks moved, seconded by Mr. Rogers, that the Bill for reducing the salary of the Adjutant-General of the Militia be read a second time on Thursday next. Ordered accordingly.

On motion of Mr. Mallory, seconded by Mr. Secord, the Petition of the Inhabitants of Block number Two on the Grand River was read. Mr. Mallory, seconded by Mr. Willcocks, moved for leave to bring in a Bill on Thursday next for granting a certain sum of money to the Inhabitants of Block number Two on the Grand River in the West Riding of the County of York, for the purpose of opening and improving roads. Leave was accordingly granted.

Mr. Gough, seconded by Mr. Sovereign, moved for leave to bring in a Bill on Wednesday next for the more easy recovery of debts in this Province, and other purposes. Accordingly leave was granted.

Mr. Willcocks moved, seconded by Mr. Rogers, for leave to bring in a Bill to-morrow to repeal an Act passed in the forty-eighth year of His Majesty's Reign, entitled "An Act for granting to His Majesty a certain sum of money out of the Provincial Fund, to increase the salary of the Clerk of the Legislative Council and the Clerk of the House of Assembly. On Mr. Speaker having put the question for leave to bring in the Bill, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.

MESSRS. GOUGH  
WILLCOCKS  
ROGERS  
DORLAND  
ROBLIN  
SOVEREIGN  
JOHN WILSON

Nays.

MESSRS. FRASER  
BURRITT  
MARCLE  
HOWARD  
SECORD  
LEWIS  
McNABB  
C. WILSON  
MALLORY

So it passed in the negative by a majority of two.

Mr. Gough, seconded by Mr. Rogers, moved for leave to bring in a Bill on Wednesday next to prevent the fraudulent sale and transfer of lands in this Province. Leave was accordingly granted.

Mr. Gough, seconded by Mr. Sovereign, moved for leave to bring in a Bill on Wednesday next for the regulation of Lands, and also for the more exactly ascertaining the boundaries of lands in this Province. Accordingly leave was granted.

Mr. Rogers, seconded by Mr. Howard, moved for leave to bring in a Bill to-morrow to alter the mode of laying out, opening and keeping in repair the Public Highways in this Province. Leave was accordingly granted.

Mr. Howard moved, seconded by Mr. John Wilson, for leave to bring in a Bill on Wednesday next to regulate the practice of Physic and Surgery in this Province. Leave was granted.

On motion of Mr. Gough, seconded by Mr. Marle, the House adjourned.

*Tuesday, 6th February, 1810.*

Prayers were read.

Agreeable to the Order of the Day was read for the first time a Bill to enable the inhabitants of the County of Haldimand to hold Town Meetings for the purpose of electing Parish and Town Officers. Mr. Mallory moved, seconded by Mr. Willcocks, that the said Bill be read a second time to-morrow, which was ordered.

Agreeably to the Order of the Day was read for the first time a Bill for the laying out, amending and keeping in repair the Public Highways and Roads, and for the better regulation of performing the Statute Labour thereon. Mr. Rogers then moved, seconded by Mr. Mallory, that the said Bill be read for the second time to-morrow. It was ordered accordingly.

William Jarvis, Esquire, Secretary of the Province, came to the Bar of the House, and delivered in by order of His Excellency the Lieutenant-Governor the Provincial Public Accounts, the Schedule of which was read by the Clerk at the Table, and is as follows:—

Schedule of Accounts laid before the House of Assembly.

No. 1. General accounts of articles on which duties on importation are imposed by the Legislature of Lower Canada which have passed Coteau du Lac upwards from the 1st of January to the 30th of June, 1809, agreeable to the written accounts thereof received, or as ascertained on examination of carriages according to the Act.

No. 2. The Inspector's list of names of persons licensed as Shop and Inn-keepers in the several Districts of the Province of Upper Canada, between the 5th of January, 1808, and the 5th of January, 1809. These returns were not received in time to be laid before the Legislature in 1809.

No. 3. The Inspector's returns of Still licenses issued in the Midland and Niagara District, which expired on the 5th of January, 1809. These returns were not received in time to be laid before the Legislature in 1809.

No. 4. The Inspector's list of names of persons licensed as Shop and Inn-keepers in the several Districts of the Province of Upper Canada, from the 5th of January, 1809, to the 5th January, 1810.

No. 5. The Inspector's list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada, from the 5th of January, 1809, to the 5th of January, 1810.

No. 6. Account of moneys collected within the several Districts of the Province of Upper Canada on Licenses issued to Hawkers, Pedlars and Petty Chapmen,

for the year ending the 5th of April, 1809. The returns were not received in time to be laid before the Legislature during the last Session, after deducting ten per cent. allowed to the Collectors by the Act of the Forty-seventh of the King.

No. 7. Account of Moneys collected within the several Districts of the Province of Upper Canada on Licenses issued to Hawkers, Pedlars and Petty Chapmen, for the year ending the 5th of April, 1810 (so far as the returns have been received), after deducting the Collectors' allowance of ten per cent., and the sums repaid to such persons as have obtained certificates of residence agreeable to the Act of the Forty-seventh of the King.

No. 8. Provincial Revenue of the Crown arising from duties collected on goods imported under Acts of the Provincial Parliament, between the 1st of January and the 31st of December, 1809, including such duties as have not hitherto been stated.

No. 9. Provincial Revenue of the Crown arising from duties collected on Goods imported under authority of Acts of the Parliament of Great Britain, between the 1st of January and the 31st December, 1809, including such duties as have not been heretofore stated.

No. 10. Abstract of Warrants issued by His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature.

No. 11. Account of Lighthouse tonnage duty collected for the year ending the 31st December, 1809, so far as the returns have been received, including such duties as have not been heretofore stated.

No. 12. Supplementary abstract statement of moneys collected within the several Districts of the Province of Upper Canada, on Shop and Inn-keepers and Still licenses issued between the 5th of January, 1808, and 5th of January, 1809, under authority of Acts of the Provincial Parliament, after deducting ten per cent. allowed to the Inspectors by the Act of the Forty-third of the King.

No. 13. Supplementary abstract statement of moneys collected within the several Districts of the Province of Upper Canada, on Shop and Inn-keepers Licenses issued between the 5th of January, 1808, and the 5th of January, 1809, under authority of Acts of the Parliament of Great Britain, after deducting ten per cent. allowed to the Inspectors by the Act of the Forty-third of the King.

No. 14. Abstract statement of moneys collected within the several Districts of the Province of Upper Canada on Shop, Inn-keepers and Still licenses issued between the 5th of January, 1809, and the 5th of January, 1810 (so far as the returns have been received), after deducting ten per cent. allowed to the Inspectors by the Act of the Forty-third of the King.

No. 15. Abstract statement of moneys collected within the several Districts of the Province of Upper Canada on Shop and Inn-keepers licenses issued between the 5th of January, 1809, and the 5th of January, 1810, under authority of Acts of the Parliament of Great Britain (so far as the returns have been received), after deducting ten per cent. allowed to the Inspectors by the Act of the Forty-third of the King.

No. 16. General state of Cash received by the Receiver-General for duties and fines, under authority of Acts of the Parliament of Great Britain between the 1st of January and the 31st of December, 1809.

No. 17. General state of receipts and payments by the Receiver-General for duties and fines, likewise appropriations made under authority of the Acts of the Provincial Parliament between the 1st January and the 31st December, 1809.

York, 5th February, 1810.

(For Public Accounts as per Schedule see appendix.)

Read for the first time a Bill for granting a sum of money for erecting a Bridge across the Grand River. Mr. Willcocks then moved, seconded by Mr. Mallory, that the Bill for erecting a Bridge across the Grand River be read a second time tomorrow, which was ordered accordingly.

Mr. Mallory moved, seconded by Mr. Burrirt, that the Petition of the Inhabitants of the County of Grenville be now read. The Petition was accordingly read:—

To the Commons House of Assembly of the Province of Upper Canada.

The Petition of the Magistrates and principal Inhabitants of the County of Grenville

Most humbly showeth,

That by an Act passed in the Forty-eighth year of His Majesty's Reign it was enacted that it should and might be lawful for the Justices of the Peace for the District of Johnstown, in General Quarter Sessions assembled, to fix upon a site or situation on the front of Lot Number Ten, Eleven or Twelve on the first concession of the Township of Elizabethtown, adjoining the King's Highway, where a Court House and Gaol might be erected, and also that as soon as the Justices of the Peace in General Quarter Sessions assembled, or the majority of them, should be satisfied that the said Court House and Gaol would be sufficiently finished, the said Court House and Gaol should be declared the Court House and Gaol of the said District of Johnstown.

That the Inhabitants of the County of Grenville have been at great expense in building and finishing a Gaol and Court House in the Town of Johnstown, and building houses in the said Town for the accommodation of the Court of the said District, which, for no reason but the ambition and interest of a few individuals, have been moved to Elizabethtown.

That the County of Grenville and the Counties in the rear thereof contain more inhabitants than the Counties above, and therefore, although the Court House and Gaol in Elizabethtown are nearly in the centre of the District, they are not in the centre of the settlement.

That the situation of the Court House and Gaol in Elizabethtown renders it inconvenient for the inhabitants of the County of Grenville to attend the several Courts of the said District to discharge their public and private duties.

Your Petitioners therefore pray that the Court of the said District of Johnstown may be held alternately in the Town of Johnstown and Elizabethtown, each County supporting their respective Gaols, by which means Your Petitioners will be enabled to attend their Public and private concerns.

And Your Petitioners, as in duty bound, will ever pray.

Andrew Adams, Joel Hatton, Peleg Spencer, John Culbreath, and one hundred and thirteen others.

Also another Petition of the same tenor with sixty-two signatures.

Mr. Burrirt moved, seconded by Mr. Secord, for leave to bring in a Bill on Saturday next for the purpose of holding the Courts alternately in the town of Johnstown and the Township of Elizabethtown, and to repeal so much of an Act passed in the Forty-eighth year of His Majesty's Reign as relates to the Gaol and Court House in the District of Johnstown. Accordingly leave was granted.

Mr. Willcocks, seconded by Mr. Rogers, moved for leave to bring in a Bill on Saturday next to extend the Jurisdiction of the Court of Requests in this Province. Leave was granted.

Mr. McNabb moved, seconded by Mr. Dorland, that Captain Frazer, Mr. Gough, Mr. Rogers and Mr. Howard be a Committee to examine the Provincial Public Accounts. The House accordingly ordered the same.

Mr. Gough moved, seconded by Mr. Secord, that the Petition of the Inhabitants of the Counties of Lennox and Addington and Prince Edward be now read. The Petition was read accordingly, and is as follows:—

To the Honorable the Representatives of the Province of Upper Canada, in the House of Commons assembled.

The Petition of the undersigned inhabitants, Freeholders of the United Counties of Lennox and Addington, and the County of Prince Edward (except Ameliasburgh), in the Midland District.

Humbly Showeth,

That John Roblin and James Wilson, two of the Members returned as Representatives for the said Counties, have not been duly and lawfully elected and chosen, inasmuch as the said John Roblin and James Wilson, at the time of their being returned as Members of the House of Assembly for this Province, then were, and for many years before, and still are public Preachers and Teachers in that Society or Community of people called Methodists. Your Petitioners therefore humbly represent that the said John Roblin and James Wilson are not eligible to seats, or to be returned as Members of the House of Assembly of this Province; and pray that the said John Roblin and James Wilson may not be permitted to hold seats in Your Honorable House, and that the same may be vacated.

And Your Petitioners, as in duty bound, will ever pray.

Adolphustown, 25th January, 1810.

(Signed) John Ferguson, Reuben Bedell, Ebenezer Washburn, Simeon Washburn, and Thirteen others.

Mr. Gough moved, seconded by Mr. C. Wilson, that the said Petition be taken into consideration on Saturday next, which was ordered accordingly.

Mr. Willcocks moved, seconded by Mr. Mallory, for leave to bring in a Bill to-morrow to repeal an Act passed in the forty-sixth year of His Majesty's Reign, entitled "An Act to make provision for certain Sheriffs in this Province." On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.  
 MESSRS. GOUGH  
 JOHN WILSON  
 SECORD  
 MALLORY  
 ROGERS  
 WILLCOCKS  
 HOWARD  
 ROBLIN  
 JAMES WILSON  
 LEWIS  
 McNABB  
 SOVEREIGN

Nays.  
 MESSRS. BURRITT  
 MARCLE  
 FRAZER  
 DORLAND  
 C. WILSON.

Carried in the affirmative by a majority of seven. Leave was accordingly granted to bring in the said Bill to-morrow.



Mr. Gough then moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee, to take into consideration a mode of compelling the Members of this House to attend their duty in Parliament. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Capt. Frazer was called to the chair of the Committee. Mr. Speaker resumed the Chair, and Capt. Frazer reported that the Committee had come to a Resolution, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted, and is as follows:—

Resolved, that the Members who were absent when the House was called over yesterday be ordered into, and considered at this time as in the custody of the Serjeant at Arms, and shall not be discharged therefrom until they shall have paid the customary fees established in the Parliament of the United Kingdom in like cases, unless they shall shew to the satisfaction of this House sufficient cause for such absence.

Mr. Willcocks gave notice that he will to-morrow move that this House do address His Excellency the Lieutenant-Governor, requesting His Excellency to cause the proper Officer to lay before this Honorable House a Statement of all such moneys as have been appropriated by the Legislature for the repairing of the Public Highways and Roads within this Province, from the year One Thousand Eight Hundred and Three to the year One Thousand Eight Hundred and Nine, inclusive.

On motion of Mr. Burritt, seconded by Mr. Marcle, the House adjourned.

*Wednesday, 7th February, 1807.*

Prayers were read.

Read for the first time. The Bill for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of Electors. Mr. Willcocks moved, seconded by Mr. Rogers, that the Bill for altering the representation of the Commons be read a second time to-morrow, which was ordered accordingly.

Read for the first time, a Bill for the more easy Barring of Dower. Mr. Roblin then moved, seconded by Mr. Rogers, that the Bill for the more easy barring of Dower be read a second time to-morrow. Ordered accordingly.

Read for the first time, a Bill for the more easy recovery of Debts. Mr. Gough moved, seconded by Mr. Rogers, that the Bill for the more easy recovery of Debts be read a second time to-morrow. Which was ordered accordingly.

Read for the first time, a Bill to prevent the fraudulent sale of Lands. Mr. Gough then moved, seconded by Mr. Roblin, that the Bill to prevent the fraudulent sale of Lands be read a second time to-morrow. Ordered accordingly.

Read for the first time, a Bill for the Regulation of the Practice of Physic and Surgery.

Mr. Howard then moved, seconded by Mr. C. Wilson, that the Physic and Surgery Bill be read a second time to-morrow.

Mrs. Speaker having put the question, a division thereupon took place. The names being called for they were taken down, and are as follows:—

Yeas.  
 MESSRS. McNABB  
 BURRITT  
 FRAZER  
 MARCLE  
 HOWARD  
 McLEAN  
 ROGERS  
 LEWIS  
 DORLAND  
 C. WILSON.

Nays.  
 MESSRS. GOUGH  
 JNO. WILSON  
 SECOND  
 MALLORY  
 SOVEREIGN  
 WILLCOCKS  
 JAS. WILSON  
 ROBLIN.

Carried in the affirmative by a majority of two. The said Bill was then ordered to be read a second time to-morrow.

Read for the second time, the Bill for enabling the inhabitants of the County of Haldimand to hold Town Meetings, for the purpose of electing Parish and Town Officers. Mr. Mallory moved, seconded by Mr. Howard, that the House do now resolve itself into a Committee to take into consideration the Bill to authorize the Inhabitants of the County of Haldimand to hold Town Meetings, for the purpose of electing Parish and Town Officers. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Burritt was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which amendments he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Mr. Mallory then moved, seconded by Mr. Willcocks, that the County of Haldimand Parish and Town Officers Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the second time, the Bill for laying out, amending, and keeping in repair the Public Highways and Roads, and for the better regulation of the Statute Labour thereon. Mr. Rogers moved, seconded by Mr. Mallory, that the House do now resolve itself into Committee to go into the consideration of the said Bill. The House accordingly resolved itself into Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was granted to sit again to-morrow.

Mr. Gough moved, seconded by Mr. Willcocks, that as Mr. McLean had this day attended in his place, and paid his fees, he be now discharged from the custody of the Serjeant at Arms. Ordered accordingly.

Agreeably to the Order of the Day was read for the second time, the Bill for granting money to build a bridge across the Grand River. Mr. Willcocks moved, seconded by Mr. Mallory, that the House do now resolve itself into a Committee to go into the consideration of the Bill for erecting a Bridge across the Grand River. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Read for the first time, The Bill for the reduction of the salaries of certain Sheriffs in this Province. Mr. Willcocks moved, seconded by Mr. Mallory, that the Bill for reducing the Sheriffs' salaries be read a second time to-morrow. On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.  
MESSRS. JNO. WILSON  
SECORD  
WILLCOCKS  
MALLORY  
JAS. WILSON  
ROBLIN.

Nays.  
MESSRS. FRAZER  
McNABB  
BURRITT  
GOUGH  
HOWARD  
ROGERS  
SOVEREIGN  
LEWIS  
McLEAN.

The same passed in the negative by a majority of three.

Mr. McNabb, seconded by Mr. Burritt, moved for leave to bring in a Bill on Tuesday next, to raise the duties on licenses to Hawkers, Pedlars, and Petty Chapmen throughout this Province. Leave was accordingly granted.

Mr. Willcocks moved, seconded by Mr. Rogers, that this House do address His Excellency the Lieutenant-Governor, requesting His Excellency to direct to be laid before it all such Reports as may have been furnished him by the Commissioners of the Public Highways respecting the disbursement of the several sums of money which have been appropriated by the Legislature of this Province, subsequent to the year One Thousand Eight Hundred and Three, for the amending and keeping in repair of the Public Highways and Roads; and if such Reports have not been furnished to His Excellency that he will be pleased to direct that the said Commissioners do lay before this Honorable House full statements of the sums they have respectively received, and the manner in which they have been applied. Ordered accordingly.

On motion of Mr. McNabb, seconded by Mr. Burritt, the House adjourned.

*Thursday, 8th February, 1810.*

Prayers were read.

Mr. Gough moved, seconded by Mr. Rogers, for leave to bring up two petitions from sundry Menonists and Tunkers. Leave was accordingly granted.

Agreeably to the Order of the Day was read for the first time, a Bill to repeal the Act establishing Public Schools in this Province. Mr. Willcocks moved, seconded by Mr. Rogers, that the Bill for repealing the School Act be read a second time on Saturday next, which was ordered accordingly.

Read for the first time, a Bill to make further provision for the payment of wages to the Members of the House of Assembly. Mr. Mallory then moved, seconded by Mr. Lewis, that the Bill to repeal certain parts of an Act passed in the thirty-third year of His Majesty's Reign, relative to the payment of wages to the Members of the House of Assembly, be read a second time to-morrow. Ordered accordingly.

Agreeably to the Order of the Day was read for the second time, The Bill for the more equal representation of the Commons in Parliament, and for altering the qualifications of Electors.

Mr. Mallory moved, seconded by Mr. Secord, that so much of the Order of the Day as relates to the bringing in a Bill this Day to grant money to the inhabitants of Block No. 2 be dispensed with this day, and that he have leave to bring in the same to-morrow. Ordered accordingly, and leave was given to bring in the said Bill to-morrow.

Mr. Willcocks moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee to take into consideration the Bill for altering the qualification of Electors. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. James Wilson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilson reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed by the Committee to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Willcocks, seconded by Mr. Sovereign, moved that the Bill for altering the qualification of Electors be engrossed, and read for the third time to-morrow. Which was ordered accordingly.

Mr. Roblin moved, seconded by Mr. Secord, that the House do now resolve itself into a Committee, to go into the consideration of the Dower Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they have made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received and accepted.

Mr. Roblin again moved, seconded by Mr. James Wilson, that the Bill for the more easy barring of Dower be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the second time, the Bill for the more easy Recovery of Debts. Mr. Gough moved, seconded by Mr. Sovereign, that the House do now resolve itself into a Committee, to go into the consideration of the said Bill. The House resolved itself into a Committee accordingly, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Roblin was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Roblin reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Read for the second time, the Bill to prevent the fraudulent sale and transfer of Lands.

Mr. Gough then moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee, to go into the consideration of the Bill to prevent the fraudulent sale of Lands. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. McNabb was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Read for the second time, The Bill to regulate the Practice of Physic and Surgery. Mr. Howard moved, seconded by Mr. Mallory, that the House do now resolve itself into a Committee to go into the consideration of the Bill to regulate the Practice of Physic and Surgery. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had come to a Resolution that the said Bill be taken into consideration on this day three months, which report was accepted, and ordered accordingly.

Read for the third time, as engrossed, the Bill to enable the inhabitants of the County of Haldimand to hold Annual Town Meetings. On motion of Mr. Mallory, seconded by Mr. Willcocks, resolved, that the Bill do pass, and that the title be "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Meetings, for the purpose of electing Parish and Town Officers." The Bill then passed, and was signed by the Speaker.

Mr. Rogers then moved, seconded by Mr. Dorland, that Messrs. Mallory and Willcocks do carry up to the Honorable the Legislative Council the Bill entitled "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Meetings, for the purpose of electing Parish and Town Officers," and to request their concurrence in passing the same, which was ordered accordingly.

Mr. Willcocks moved, seconded by Mr. Roblin, that Messrs. Howard and John Wilson be a Committee to draft an Address to His Excellency the Lieutenant Governor, relative to the disbursement of money for the repairing and amending the Public Highways and Roads in this Province, which was ordered accordingly.

Mr. Mallory moved, seconded by Mr. C. Wilson, that the Road Bill be discharged from the Order of the Day, and that it be the first on the Order of the Day for to-morrow. The House accordingly ordered the same.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Grand River Bridge Bill. Mr. Speaker left the Chair. Mr. McLean again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had gone through the consideration of the said Bill, to which it had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. The House accordingly resolved that the Report be now received. Mr. Willcocks then moved, seconded by Mr. Sovereign, that the Bill for erecting a bridge across the Grand River be engrossed, and read a third time to-morrow. Ordered accordingly.

Mr. Willcocks moved, seconded by Mr. John Wilson, that so much of the Order of the Day as relates to the Adjutant-General's Salary Bill be dispensed with, and that it do make a part of the Order of the Day for to-morrow, which was ordered accordingly.

Mr. Willcocks, seconded by Mr. James Wilson, again moved for leave to bring in a Bill on Monday next, to reduce the Salary of the Speaker of the House of Assembly. On Mr. Speaker having put the question a division thereupon took place. The names being called for they were taken down and are as follows:—

Yeas.  
 MESSRS. JNO. WILSON.  
 HOWARD  
 ROGERS  
 JAS. WILSON  
 ROBLIN  
 WILLCOCKS.

Nays.  
 MESSRS. McNABB  
 MARCLE  
 FRAZER  
 BURRITT  
 SOVEREIGN  
 GOUGH  
 McLEAN  
 SECORD  
 LEWIS  
 DORLAND  
 C. WILSON  
 MALLORY.

Which passed in the negative by a majority of six.

Mr. Willcocks, seconded by Mr. Mallory, moved for leave to bring in a Bill on Monday next, to lay a duty on License to Public Billiard Tables. Leave was accordingly granted.

Mr. Howard moved, seconded by Mr. McLean, for leave to bring in a Bill on Monday next to grant relief to indigent persons in this Province. Leave was granted.

On motion of Mr. McNabb, seconded by Mr. Burritt, the House adjourned.

*Friday, 9th February, 1810.*

Prayers were read.

Mr. Howard moved, seconded by Mr. Willcocks, that so much of the Order of the Day as respects the Road Bill, being first on the Order of this Day, be dispensed with, and that it be the second thing that shall be taken up by the House this Day, which was ordered accordingly.

Read for the second time, the Bill for reducing the Salary of the Adjutant-General of the Militia. Mr. Willcocks then moved, seconded by Mr. Roblin, that the House do now resolve itself into a Committee to take into consideration the Bill for reducing the salary of the Adjutant-General of the Militia. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Gough was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Gough reported that the Committee had gone through the consideration of the said Bill, to which they had made no amendments, which he was directed to report to the House whenever it should be pleased to receive the same. On Mr. Speaker having put the question for the Report being received, a division thereupon took place. The names being called for they were taken down and are as follows:—

Yeas.  
 MESSRS. GOUGH  
 JNO. WILSON  
 DORLAND  
 HOWARD  
 MALLORY  
 WILLCOCKS  
 LEWIS  
 SOVEREIGN  
 JAS. WILSON  
 ROBLIN

Nays.  
 MESSRS. McNABB  
 BURRITT  
 MARCLE  
 FRASER  
 McLEAN  
 SECORD  
 C. WILSON

Carried in the affirmative by a majority of three. The Report was then accordingly received and accepted. Mr. Willcocks moved, seconded by Mr. Jas. Wilson, that the Bill for reducing the salary of the Adjutant of the Militia be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the further consideration of the Road Bill. Mr. Speaker left the Chair. Mr. Howard again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had directed him to inform the House that they had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. The House accordingly resolved that the Report be now received.

Read for the second time, The Bill for altering the mode of payment of wages to the Members of the House of Assembly.

Mr. Gough moved, seconded by Mr. C. Wilson, that the excuse of Messrs. Baby and McGregor, of being detained by the inclemency of the weather, be deemed sufficient, and that they be discharged from the custody of the Serjeant-at-Arms without paying Fees. Accordingly Messrs. Baby and McGregor were excused, and discharged from the custody of the Serjeant-at-Arms without paying Fees.

The Serjeant-at-Arms came to the Bar of the House, and informed the Speaker that Capt. Elliott, now in his custody by an Order of the House, was prevented from attending in his place in consequence of the bad state of his health. Mr. Gough therefore moved, seconded by Mr. C. Wilson, that Capt. Elliott be discharged from the custody of the Serjeant-at-Arms, without paying Fees.

Mr. Mallory, seconded by Mr. Sovereign, moved that the House do now resolve itself into a Committee, to go into the consideration of the Bill for making further provision for the payment of wages to the Members of the House of Assembly. The House accordingly resolved itself into a Committee to go into the further consideration of the said Bill. Mr. Speaker left the Chair. Mr. John Wilson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilson reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day three months. Leave was accordingly granted for the Committee to sit again this day three months.

Read for the first time, a Bill for granting a sum of money to the inhabitants of Block No. Two on the Grand River. Mr. Mallory then moved, seconded by Mr. Willcocks, that the Bill for granting money to the inhabitants of Block No. Two on the Grand River, for the purpose of opening and repairing roads, be read a second time to-morrow, which passed in the negative. The said Bill was then ordered to be read for the second time on this day three months.

Read for the third time, as engrossed, the Bill for the better defining the qualifications of Electors. On motion of Mr. Willcocks, seconded by Mr. Jas. Wilson, resolved, that the said Bill do pass, and that the title be "An Act for the better defining the qualifications of Electors for the Commons of Upper Canada." The Bill accordingly passed, and was signed by the Speaker.

Read for the third time, as engrossed, the Bill for the more easy Barring of Dower. On motion of Mr. Roblin, seconded by Mr. Willcocks, resolved that the said Bill do pass, and that the title be "An Act further to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's reign, entitled 'An Act for the more easy Barring of Dower.'" The Bill then passed, and was signed by the Speaker.

Mr. Willcocks, seconded by Mr. Roblin, moved that Messrs. Dorland and James Wilson do carry up to the Legislative Council the Bill entitled "An Act for the better defining the qualifications of Electors to the Commons of Upper Canada," and request their concurrence in passing the same, which was ordered accordingly.

Mr. Willcocks again moved, seconded by Mr. C. Wilson, that Messrs. Howard and Roblin do carry up to the Honorable the Legislative Council the Bill entitled "An Act further to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's reign, entitled 'An Act for the more easy Barring of Dower,'" and request their concurrence in passing the same. Ordered accordingly.

Mr. Willcocks, accompanied by the other Messengers, informed the House that they had carried up to the Honorable the Legislative Council the Act entitled "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Town Meetings for the purpose of electing Town and Parish Officers," and did request their concurrence in passing the same.

Mr. Gough moved, seconded by Mr. Secord, that so much of the Order of the Day as relates to the Bills for the more easy recovery of Debts, and for preventing the fraudulent sale of Lands, be dispensed with; and that they do make a part of the Order of the Day for Monday next, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for granting money for erecting a bridge across the Grand River, in the District of Niagara. On motion of Mr. Willcocks, seconded by Mr. Howard, resolved, that the said Bill do now pass, and that the title be "An Act for granting an additional sum of money for the purpose of erecting a bridge across the Grand River." The Bill accordingly passed and was signed by the Speaker. Mr. Willcocks, seconded by Mr. Howard, again moved, that Messrs. McGregor and John Wilson do carry up to the Honorable the Legislative Council the Bill for granting money for building a bridge across the Grand River, and to request their concurrence in passing the same, which was ordered accordingly.

Mr. McLean moved, seconded by Mr. Lewis, for leave to bring up sundry petitions from the inhabitants of the District of Niagara and the West Riding of York, with a subscription list. Leave was accordingly granted to bring up the said petitions and subscription papers, which were ordered to lie upon the Table.

On motion of Mr. C. Wilson, seconded by Mr. Secord, the House adjourned.

*Saturday, 10th February, 1810.*

Prayers were read.

Mr. Gough moved, seconded by Mr. Burrill, that the petitions of the Mennonists and Tunkers be now read. The said Petitions were accordingly read, and are as follows:

To the Honorable the Speaker and Members of the House of Commons of Upper Canada, in Parliament assembled.

The Petition of the Society of people called Mononists and Tunkers,  
Humbly Sheweth,

That by an Act of the Province, passed in the thirty-third year of His Majesty's reign, Your Petitioners, after producing a certificate from three or four respectable people, one of whom must be a preacher in the Society to which they belong, shall pay in time of peace Four Dollars a year, and in time of invasion or insurrection Twenty Dollars a year, for which favorable law and liberty of conscience we are thankful to God and the Government under which we live. And



whereas many of Our Sons now under age and incapable of judging in matters of conscience, are not as yet actually considered as Church members, and cannot of course secure the necessary certificates, we therefore humbly pray the same indulgence may be extended to them that is granted to ourselves, their parents, that is that they may be exempted from serving in the Militia by paying the commutation money until they arrive at the age of twenty-one, or until they be admitted as Church Members.

And Your Petitioners further pray that your Honorable Body will take into your consideration the many difficulties which poor people, with large families, have to labour under in new settlements, and if you in your wisdom should deem meet to lessen the burden of our commutation money Your Petitioners, as in duty bound, shall ever pray.

Signed by two Preachers, two Elders, and thirty-five members of the Society of Mennonists and Tunkers.

The other Petition is of the same tenor as the above, with thirty-four signatures to it.

Mr. Gough, seconded by Mr. Willcocks, moved for leave to bring in a Bill on Monday next for the relief of minors of the Religious Societies of Mennonists and Tunkers. Leave was granted to bring in the said Bill on Monday next.

Read for the first time, a Bill for establishing township schools in this Province.

Mr. C. Wilson moved, seconded by Mr. Lewis, that the said Bill be read a second time on Monday next. The said Bill was accordingly ordered to be read a second time on Monday next.

Mr. Burritt moved, seconded by Mr. Gough, for leave to withdraw his motion and Petition for leave to bring in a Bill this Day for holding the Courts alternately in the Town of Johnstown and the Township of Elizabethtown, in the District of Johnstown. Leave was accordingly granted to withdraw the Petition and motion.

Mr. Willcocks, seconded by Mr. Secord, moved that so much of the Order of the Day as relates to the Bill for extending the jurisdiction of the Court of Requests be dispensed with this day, and that it be placed on the Order of the Day for Thursday next, which was ordered accordingly.

Mr. McNabb moved, seconded by Mr. Gough, that upon the information of Mr. McGregor of the state of health of the family of Mr. McDonell, that Mr. McDonnell be excused from attending his duty in Parliament during the Session, and that he be discharged from the custody of the Serjeant at Arms without paying fees. Mr. McDonell was accordingly excused from attending this Session, and discharged from the custody of the Serjeant at Arms without paying fees.

Mr. Gough moved, seconded by Mr. C. Wilson, that the House do now resolve itself into a Committee to go into the consideration of the Petition of the Freeholders of the United Counties of Lennox and Addington, and the County of Prince Edward. The House accordingly resolved itself into a Committee to go into the consideration of the said Petition. Mr. Speaker left the Chair. Mr. Lewis was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next.

Mr. McNabb, seconded by Mr. Burritt, moved that so much of the Order of the Day as has not been proceeded upon be dispensed with for this day, and that it be on the Order of the Day for Monday next, which was ordered accordingly.

On motion of Mr. Willcocks, seconded by Mr. McNabb, the House adjourned until Monday next.

*Monday, 12th February, 1810.*

Prayers were read.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the merits of the Petition of the Freeholders of the Counties of Lennox and Addington, and the County of Prince Edward, against the eligibility of Messrs. Roblin and Wilson holding their seats in the House. Mr. Speaker left the Chair. Mr. Lewis was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had come to a resolution, which he was directed by the Committee to report, whenever the House should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted, and is as follows, viz. :—

Resolved, that it appears to this Committee that there is sufficient grounds in the Petition of the Freeholders of the Counties of Lennox and Addington, and the County of Prince Edward, against John Roblin and James Wilson, to proceed to trial; and that the House do proceed to the trial of each separately.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery:

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to acquaint this Honorable House that it has passed an Act entitled "An Act to render the Justices of the Peace more safe in the execution of their duty," to which they request the concurrence of this House in passing the same.

And then he withdrew.

On motion of Mr. Howard, seconded by Mr. McLean, ordered, that the said Bill be now read. The same Bill was accordingly read for the first time. Mr. Howard, seconded by Mr. McLean, moved that the Bill brought down from the Honorable the Legislative Council, entitled "An Act to render the Justices of the Peace more safe in the execution of their duty," be read a second time to-morrow, which was ordered accordingly.

Mr. Gough moved, seconded by Mr. Willcocks, that the House do proceed to the trial of the Controverted Election of James Wilson, Esquire, sitting member of this House, representing the County of Prince Edward (except Ameliasburgh) on Monday, the Twenty-sixth instant. Ordered accordingly.

Mr. Gough again moved, seconded by Mr. Willcocks, that the House do proceed to the trial of the Controverted election of John Roblin, Esquire, one of the sitting Members, representing the United Counties of Lennox and Addington, on Tuesday, the Twenty-seventh instant. The House accordingly resolved the same.

Then the House ordered that the Petitioners against the eligibility of James Wilson, sitting Member of this House, by themselves or Attorney, do give bond with two sufficient sureties, jointly and severally, in the sum of two hundred pounds, Provincial currency, to indemnify the said James Wilson his expenses, should he keep his seat as returned to represent the County of Prince Edward (except Ameliasburgh).

The House having been pleased to approve of Duncan Cameron, Esquire, and Mr. John Cameron, both of the Town of York, as joint security on the above amount :—

The House also have been pleased to order that the Petitioners against the eligibility of John Roblin, Esquire, sitting Member of this House, by themselves or attorney do give bond, with two sufficient sureties, jointly and severally, in the sum of Two Hundred Pounds, Provincial Currency, to indemnify the said John Roblin his expenses, should he keep his seat as returned as one of the Members representing the United Counties of Lennox and Addington. The House having been pleased to approve of Duncan Cameron, Esquire, and Mr. John Cameron, both of the Town of York, as joint security on the above amount.

Read for the second time, a Bill to repeal part of an Act passed in the forty-eighth year of His Majesty's Reign, entitled "An Act to amend an Act passed in the forty-seventh year of His Majesty's Reign, entitled "An Act to establish Schools in each and every District in this Province." Mr. Willcocks, seconded by Mr. Sovereign, moved that the House do now resolve itself into a Committee, to take into consideration the School Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Lewis was called to the Chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had come to a resolution that the said Bill be not adopted. On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.	Nays.
MESSRS. McNABB	MESSRS. GOUGH
BURRITT	JOHN WILSON
FRAZER	HOWARD
MARGLE	MALLORY
ELLIOTT	WILLCOCKS
BABY	BORLAND
McLEAN	JAMES WILSON
McGREGOR	ROBLIN
C. WILSON	SOVEREIGN
LEWIS	SECORD

The House being divided; Mr. Speaker gave his vote for the Report being received. The Report was then accordingly received and adopted.

Mr. Willcocks moved, seconded by Mr. Secord, that so much of the Order of the Day as relates to the Bill for reducing the salary of the Adjutant-General of the Militia, be postponed until Thursday next, and that it be on the Order of that Day.

Mr. Howard, seconded by Mr. Secord, moved that the House do now resolve itself into a Committee to go into the consideration of the Road Bill. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now accepted. Mr. Howard then moved, seconded by Mr. James Wilson, that the Road Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

Read for the second time, the Bill to make good moneys issued and advanced by His Majesty, through His Excellency, the Lieutenant Governor, in pursuance of two addresses. Mr. McLean then moved, seconded by Mr. Howard, that the House do now resolve itself into a Committee, to go into the consideration of the said Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Willcocks was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Wednesday next. Ordered, that the Committee have leave to sit again on Wednesday next.

Read for the first time, a Bill for laying a duty on Billiard Tables in this Province. Mr. Willcocks then moved, seconded by Mr. Sovereign, that the Bill for Licensing Billiard Tables be read a second time to-morrow, which was ordered accordingly.

Mr. Howard then moved, seconded by Mr. Mallory, that so much of the Order of the Day as gives him leave to bring in a Bill this day for the relief of indigent persons, be postponed; and that he have leave to bring in the same on Thursday next. Ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the consideration of the Bill to prevent the fraudulent sale of lands. Mr. Speaker left the Chair. Mr. McNabb was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. Gough then moved, seconded by Mr. McNabb, that the Bill to prevent the fraudulent sale of lands be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. Willcocks then moved, seconded by Mr. Lewis, for leave to bring in a Petition from the Freeholders of the Townships of Ancaster and Barton. Leave was accordingly granted, and the said Petition was ordered to lie upon the Table.

Read for the first time, a Bill for the relief of Mennonists and Tunkers. Mr. Gough then moved, seconded by Mr. Sovereign, that the Bill for the relief of Minors of the Societies of Mennonists and Tunkers be read a second time to-morrow. Ordered accordingly.

Mr. C. Wilson moved, seconded by Mr. Lewis, that so much of the Order of the Day as has not been proceeded upon be postponed for this day, and that it be on the Order of the Day for to-morrow. Ordered accordingly.

-On motion of Mr. Willcocks, seconded by Mr. C. Wilson, ordered, that the Speaker do direct the Serjeant at Arms to procure a Carpet for this House, and green baize for the several tables therein, and also that he be directed to get lined with suitable cloth the pew appropriated for the members of this House in the Church in the Town of York.

Mr. Mallory then moved, seconded by Mr. Sovereign, for leave to bring in a Bill on Friday next for the better regulation of Tavern Licenses within this Province. Leave was accordingly granted.

Mr. Mallory again moved, seconded by Mr. Sovereign, for leave to bring in a Bill to-morrow to repeal certain parts of an Act passed in the forty-third year of His Majesty's Reign, entitled "An Act to provide for the payment of

wages to the Members of the House of Assembly, and to make further provision for the payment of the same." Leave was accordingly granted.

Mr. Howard, seconded by Mr. Mallory, moved that it be a Rule of this House that the Members thereof do meet at the usual hour of ten o'clock in the forenoon, adjourn at three in the afternoon, and meet again at six in the afternoon of the same day, for the purpose of despatching Public Business. On Mr. Speaker having put the question a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.  
MESSRS. JOHN WILSON  
HOWARD  
SOVEREIGN  
ROBLIN  
MALLORY

Nays.  
MESSRS. MARCLE  
FRAZER  
BABY  
McLEAN  
GOUGH  
WILLCOCKS  
McNABB  
SECORD  
BURRITT  
DORLAND  
JAMES WILSON  
LEWIS  
C. WILSON

The same passed in the negative by a majority of eight.

Mr. McLean moved, seconded by Mr. Gough, for leave to bring in a Bill on Wednesday next, for the division of certain Districts in this Province. Leave was accordingly granted.

On motion of Mr. Gough, seconded by Mr. Willcocks, resolved, that this House, having received information of the death of Mrs. Rogers, wife of David McGregor Rogers, Esquire, a Member of this House, do, as a mark of our esteem for, and sympathy with him on the distressing event, at its rising to-morrow adjourn until Thursday next; in order that the Members of this House may attend at the funeral; and that the Order of the Day for Wednesday be postponed, and that it do make a part of the Order of the Day for Thursday next. The House accordingly resolved the same.

Mr. McLean moved, seconded by Mr. Marcle, for leave to bring in a Bill on Wednesday next, for granting to His Majesty a certain sum of money applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening New Roads, and building Bridges, from the Township of Cornwall to the line dividing this Province from the Province of Lower Canada. Leave was accordingly granted.

On motion of Mr. Lewis, seconded by Mr. Secord, the House adjourned.

*Tuesday, 13th February, 1810*

Prayers were read.

The Clerk of this House has the honor of informing Mr. Speaker and the House that the Clerks of the Peace of the different Districts in this Province did send him returns of all the rateable property in their respective Districts, in compliance with the tenth section of the Act for the more uniform laying of

Assessments and Rates throughout this Province. Mr. Speaker then ordered that the different returns received from the Clerks of the Peace be laid on the Table, to be entered in a Book to be of Record in this House.

Mr. Gough, seconded by Mr. Willcocks, moved for leave to bring up the petition of certain inhabitants of the Home District. Leave was accordingly granted to bring up the said Petition.

Then the Clerk, by order of the House, read two Bonds respecting the Controverted Election of James Wilson, Esquire, the sitting Member representing the County of Prince Edward (excepting the Township of Ameliasburgh) and John Roblin, Esquire, one of the sitting Members, representing the united Counties of Lennox and Addington, which are as follows.

Know all men by these presents, that we, Duncan Cameron, of the Town of York aforesaid, His Majesty's Printer, both of the Home District and Province of Upper Canada, are held and finally bound unto James Wilson of the County of Prince Edward, in the Midland District, of the Province aforesaid, Esquire, in the sum of Two Hundred Pounds of lawful money, to be paid to the said James Wilson, his heirs, executors, administrators or assigns, for which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed with our hands, sealed with our seals, and dated at York, this Fourteenth day of February, in the Year of Our Lord One Thousand Eight Hundred and Ten.

Whereas the said James Wilson has been returned as Member to represent the County of Prince Edward (except Ameliasburgh) in the Provincial Parliament of Upper Canada; and whereas several of the inhabitants, freeholders thereof, contest the legality of his holding a seat therein, now know ye that if the above bounden Duncan Cameron and John Cameron, or either of them, their heirs, executors, administrators or assigns shall after the House of Assembly have decided the said Return, pay or cause to be paid unto the said James Wilson all such costs and charges as he or they shall be directed to pay by the House, then the said obligation to be null and void; otherwise to be and remain in full force and virtue.

Signed, Sealed and Delivered  
in the presence of

(Signed) D. CAMERON (Seal)  
J. CAMERON (Seal)  
(Signed) J. McDONELL  
H. CARFRAE.

Know all men by these presents that we, Duncan Cameron, of the Town of York, Esquire, and John Cameron, of the Town of York aforesaid, His Majesty's Printer, both of the Home District of the Province of Upper Canada, are held and firmly bound unto John Roblin, of the United Counties of Lennox and Addington in the Midland District of the Province aforesaid, Esquire, in the sum of Two Hundred Pounds of lawful money, to be paid to the said John Roblin, his heirs, executors, administrators or assigns, for which payment to be well and truly made we bind ourselves, our heirs, executors, administrators and assigns firmly by these presents.

Signed with our hands, sealed with our seals, and dated at York, this Fourteenth day of February, in the Year of Our Lord One Thousand Eight Hundred and Ten.

Whereas the said John Roblin has been returned as one of the Members to represent the United Counties of Lennox and Addington in the Provincial Parliament of Upper Canada, and whereas several of the inhabitants, Freeholders thereof, contest the legality of his holding a seat therein.

Now know ye, that if the above Duncan Cameron and John Cameron, or either of them, their heirs, executors, administrators or assigns, shall, after the House of Assembly have decided the said Return, pay or cause to be paid unto the said John Roblin all such costs and charges as he or they shall be directed to pay by the House, then the said obligation to be null and void, otherwise to be and remain in full force and virtue.

Signed, Sealed and Delivered  
in the presence of

(Signed) J. MacDONELL  
H. CARFRAE.

(Signed) D. CAMERON (Seal)  
J. CAMERON (Seal)

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill for the more easy Recovery of Debts. Mr. Speaker left the Chair. Mr. Roblin took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Roblin reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Gough then moved, seconded by Mr. C. Wilson, that the Bill for the more easy recovery of debts be engrossed, and read for the third time on Thursday next, which was ordered accordingly.

Read for the Second time, the Bill for establishing Common Schools in the several Districts of this Province. Mr. C. Wilson, seconded by Mr. Lewis, moved that the House do now resolve itself into a Committee to go into the consideration of the School Bill. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Sovereign was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted to sit again this day.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act sent up from this House, entitled "An Act to authorize the inhabitants of the County of Haldimand, to hold annual Town Meetings for the purpose of electing Town and Parish Officers," to which they have made several amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

Mr. Willcocks then moved, seconded by Mr. Sovereign, that the amendments made by the Honorable the Legislative Council to the Act to authorize the inhabitants of Haldimand to hold annual Town Meetings, for the purpose of electing Town and Parish Officers, be now read. The said amendments were accordingly read for the first time. Mr. Willcocks again moved, seconded by Mr. Sovereign, that the said amendments be read for the second time on Thursday next, which was ordered accordingly.

Agreeably to leave given the House again resolved itself into a Committee to go into the further consideration of the Bill for establishing Common Schools in this Province. Mr. Speaker left the Chair. Mr. Sovereign was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Friday next. Leave was accordingly granted to sit again on Friday next.

Mr. McNabb then moved, seconded by Mr. Burritt that so much of the Order of the Day as relates to the Bill for imposing an additional duty on Licenses to Hawkers and Pedlars, be now dispensed with, and that it be on the Order of the Day for Saturday next. Ordered accordingly.

Mr. Willcocks, seconded by Mr. Sovereign, moved that so much of the Order of the Day as respects the Bill for extending the jurisdiction of the Court of Requests, be now dispensed with, and that the same be on the Order of the Day for Monday next, which was ordered accordingly.

Read for the Second time, a Bill sent down from the Honorable the Legislative Council entitled "An Act to render Justices of the Peace more safe in the execution of their duty." Mr. G. Wilson moved, seconded by Mr. Howard, that the House do now resolve itself into a Committee to go into the consideration of the said Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. G. Wilson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilson reported that the Committee had come to a Resolution that the further consideration of the said Bill be postponed for three months. On Mr. Speaker having put the question, a division thereupon took place. The names being called for they were taken down, and are as follows:—

Yeas.	Nays.
MESSRS. GOUGH	MESSRS. McNABB
JNO. WILSON	FRAZER
HOWARD	BURRITT
WILLCOCKS	MARCLE
MALLORY	BABY
ROBLIN	McLEAN
SOVEREIGN	LEWIS
SECORD	C. WILSON
JAS. WILSON	McGREGOR
DORLAND	

The same was carried in the affirmative by a majority of one. And the further consideration of the said Bill was accordingly postponed for three months.

Read for the third time, as engrossed, the Bill for laying out, amending and keeping in repair, the public Highways and Roads throughout this Province. On motion of Mr. Howard, seconded by Mr. Sovereign, resolved, that the Bill do now pass, and that the title be "An Act to provide for the laying out, amending, and keeping in repair the public Highways and Roads in this Province, and to repeal the laws now in force for that purpose." The Bill accordingly passed, and was signed by the Speaker. Mr. Mallory then moved, seconded by Mr. Sovereign, that Mr. Gough and Capt. Frazer do carry up to the Honorable the Legislative Council the Act entitled "An Act to provide for the laying out, amending, and keeping in repair the public Highways and Roads in this Province, and to repeal the laws



now in force for that purpose," and to request their concurrence in passing the same, which was ordered accordingly.

Then was read for the second time, the Bill for laying a duty on Billiard Tables.

Read for the first time, a Bill to make further provision for the payment of wages to the Members of the House of Assembly. Mr. Mallory then moved, seconded by Mr. Sovereign, that the Bill to make further provision for the payment of wages to the Members of the House of Assembly, be read for the second time on Thursday next, which was ordered accordingly.

Read for the third time, as engrossed, the Bill to prevent the fraudulent sale of lands. On motion of Mr. Gough, seconded by Mr. Sovereign, resolved, that the Bill do pass, and that the title be "An Act to prevent the fraudulent sale and transfer of lands in this Province." The Bill accordingly passed, and was signed by the Speaker. Mr. Howard then moved, seconded by Mr. Sovereign, that Messrs. Gough and Frazer do carry up to the Honorable the Legislative Council the Act entitled "An Act to prevent the fraudulent sale and transfer of lands in this Province," and request their concurrence thereto, which was ordered accordingly.

Mr. Burritt moved, seconded by Mr. McLean, that so much of the Order of the Day as has not been proceeded with be postponed until Thursday next. Ordered accordingly.

Mr. Willcocks, seconded by Mr. McNabb, moved that the Members of this House with its Officers do meet here at the hour of eleven o'clock in the forenoon to-morrow, for the purpose of going in a body to attend the funeral of the late Mrs. Rogers, wife of David McGregor Rogers, Esquire, a Member of this House. The House accordingly resolved the same.

On Motion of Mr. Marle, seconded by Mr. Burritt, the House adjourned until Thursday next.

*Thursday, 15th February, 1810.*

Prayers were read.

Read for the second time, the Bill for the relief of Mennonists and Tunkers.

Mr. Gough moved, seconded by Mr. Willcocks, that the House do now resolve itself into a Committee, to go into the consideration of the Bill for the relief of Mennonists and Tunkers. The House accordingly resolved itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. McGregor was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had gone through the consideration of the said Bill without amendment, which was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Mr. Gough then moved, seconded by Mr. McNabb, that the Bill for the relief of Mennonists and Tunkers be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. Willcocks, seconded by Mr. Mallory, moved that so much of the Order of the Day as relates to the Bill for granting money to replace moneys advanced by the Lieutenant Governor, be dispensed with for this day, and that the same be on the Order of the Day for Thursday next, which was passed in the negative.

Mr. Gough then moved, seconded by Mr. Burritt, that the House do now resolve itself into a Committee, to go into the consideration of the Bill for granting to his Majesty a certain sum of money in lieu of moneys issued and advanced by

the Lieutenant Governor, in pursuance of two addresses. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Willcocks was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had gone through the consideration of the said Bill, to which they had made no amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. Mr. Gough, seconded by Mr. McNabb, moved that the said Bill be engrossed, and read a third time on Thursday the twenty-second instant. Ordered, that the said Bill be engrossed, and read a third time on Thursday, the twenty-second instant.

Mr. McLean moved, seconded by Mr. James Wilson, that so much of the Order of the Day as relates to the Bill for the creation of a new District, be dispensed with, and that the same be on the Order of the Day to-morrow. The same was dispensed with, and so ordered accordingly.

Mr. McLean, seconded by Mr. Howard, again moved, that so much of the Order of the Day as relates to the Bill for granting money for the repairing of roads and bridges from Cornwall to the line dividing this Province from that of Lower Canada, be dispensed with for this day, and that he have leave to bring in the same to-morrow. It was accordingly dispensed with, and leave given to bring in the same to-morrow.

Mr. Willcocks, seconded by Mr. Roblin, moved that so much of the Order of the Day, as regards the Bill for reducing the salary of the Adjutant General of the Militia, be now dispensed with, and that the same be on the Order of the Day for Monday next. Ordered accordingly.

Read for the first time, a Bill for the relief of casual indigent persons in this Province. Mr. Howard then moved, seconded by Mr. Willcocks, that the Bill to make provision for needy persons be read a second time to-morrow. Ordered that the said Bill be read for the second time to-morrow.

Read for the third time, as engrossed, the Bill for the more easy recovery of debts. On motion of Mr. Gough, seconded by Mr. Willcocks, resolved, that the Bill do now pass, and that the title be "An Act for the more easy recovery of Debts in this Province, and other purposes." The Bill then accordingly passed, and was signed by the Speaker. Mr. Mallory moved, seconded by Mr. Roblin, that Messrs. Willcocks and McNabb do carry up to the Honorable the Legislative Council the Act entitled "An Act for the More Easy Recovery of Debts in this Province, and other purposes," and requests their concurrence thereto. Ordered accordingly.

Messrs. Gough and Frazer, the messengers named to carry up to the Honorable the Legislative Council two Acts from this House, reported that, in obedience to the commands of this House, they had carried up to the Honorable the Legislative Council an Act entitled "An Act to prevent the fraudulent sale and transfer of lands in this Province," to which they did request their concurrence.

Also an Act entitled "An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose," to which they did request their concurrence in passing the same.

Messrs. McGregor and John Wilson, the messengers named to carry up to the Honorable the Legislative Council the Act from this House entitled "An Act for granting an additional sum of money for the purpose of erecting a bridge across the Grand River," reported that they had carried up the same, and did request their concurrence thereto.

Messrs. Howard and Roblin, the messengers ordered to carry up to the Honorable the Legislative Council an Act from this House, entitled "An Act further to extend the benefits of an Act passed in the thirty seventh year of His Majesty's Reign, entitled 'An Act for the more easy Barring of Dower,'" reported that they had carried up the said Act, and did request their concurrence in passing the same.

Mr. Mallory, seconded by Mr. Willcocks, moved that the House do now resolve itself into a Committee to go into the consideration of the amendments made by the Honorable the Legislative Council, in and to an Act entitled "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Meetings, for the purpose of electing Town and Parish Officers."

The House accordingly resolved itself into a Committee, to go into the consideration of the said amendments. Mr. Speaker left the Chair. Mr. Baby was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Baby reported that the Committee had gone through the consideration of the said amendments, and that he was directed by the Committee to recommend that the said amendments be adopted by this House. Mr. Mallory then moved, seconded by Mr. Roblin, that the said amendments be engrossed and read a third time to-morrow. Which was ordered accordingly.

Messrs. Willcocks and McNabb, the Messengers ordered to carry up to the Honorable the Legislative Council an Act from this House entitled "An Act for the more easy recovery of Debts in this Province, and other purposes," reported that in obedience to the commands of this House they had carried up the said Act, and did request their concurrence in passing the same.

Mr. Mallory, seconded by Mr. Sovereign, moved that the House do now resolve itself into a Committee to go into the consideration of the Bill for making further provision for the Payment of Wages to the Members of this House. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Captain Frazer was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Frazer reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. On Mr. Speaker having put the question for the Report being received, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

## Yeas.

MESSRS. BURRITT  
JOHN WILSON  
HOWARD  
MALLORY  
ROBLIN  
WILLCOCKS  
SECORD  
SOVEREIGN  
DORLAND  
McNABB  
JAMES WILSON  
C. WILSON

## Nays.

MESSRS. FRAZER  
MARCLE  
GOUGH  
ELLIOTT  
McGREGOR  
BABY  
LEWIS  
McLEAN

Carried in the affirmative by a majority of four. The Report was accordingly received. Mr. Mallory then moved, seconded by Mr. Secord, that the Bill for making further provision for the Payment of Wages to the Members of the House of Assembly be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. Gough, from the Committee appointed to draft an Address to His Excellency the Lieutenant-Governor, requesting that His Excellency would be pleased to furnish the House with such Reports as have been made by the Commissioners appointed under the authority of the several Acts of this Province, appropriating moneys for improving the Highways and Roads, subsequent to the year One Thousand Eight Hundred and Three; reported that the Committee had drafted an Address, which he was directed by the Committee to submit to the House whenever it should be pleased to receive the same. The House then Ordered that the Address be now received. He then read the Address in his place, and afterwards delivered in the same at the Table, where it was again read by the Clerk, and is as follows:—

To His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of the Province of Upper Canada in Parliament Assembled, being anxious faithfully to discharge the duties of the important task we have to perform, beg leave humbly to request Your Excellency will be pleased to direct to be laid before this House, all such reports as may have been received by the late Lieutenant-Governor Hunter, Mr. President Grant, and by Your Excellency, from the Commissioners of Public Highways, respecting the disbursements of the several sums of money which have been appropriated by the Legislature of this Province in conformity to several Acts thereof subsequent to the year One Thousand Eight Hundred and Three, for amending and repairing the Public Highways and Roads, laying out and opening new Roads and building Bridges in the several Districts thereof; and if such report has not been furnished to Your Excellency, that you will be pleased to direct the said Commissioners to lay before this House full statements of the sums they have respectively received and the manner in which they have been applied.

Commons House of Assembly,

19th February. 1810.

Mr. Gough then moved, seconded by Mr. Burritt, that the House do on to-morrow resolve itself into a Committee to go into the consideration of the said Address. The same was ordered accordingly.

Mr. McLean moved, seconded by Mr. Marcle, for leave to bring in a Bill to-morrow for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Roads and Bridges in the several Districts thereof. Leave was accordingly granted.

Mr. Howard, seconded by Mr. Sovereign, moved for leave to bring in a Bill on Monday next to prevent irregularity at Elections in future. Leave was granted accordingly.

Mr. Howard again moved, seconded by Mr. Sovereign, for leave to bring in a Bill on Monday next, to authorize the Justices of the Peace throughout this Province to convict in a summary way any person or persons coming into or travelling through this Province, and exhibiting in Public any play or Show therein. Accordingly leave was granted.

Mr. Gough then moved, seconded by Mr. C. Wilson, that the Bill for ascertaining the Boundaries of Lands in this Province be read to-morrow. Ordered that the said Bill be read to-morrow.

Mr. Mallory gave notice that he will to-morrow move that this House do address His Excellency, the Lieutenant-Governor, to request that His Excellency will be pleased to direct the Adjutant-General to lay before this House the state of the Militia of this Province.

Mr. Gough, seconded by Mr. Lewis, moved that the petition of the Inhabitants of the Home District be now read. The said Petition was accordingly read, and is as follows:—

To the Honorable the House of Assembly of Upper Canada, in Parliament Assembled.

The Petition of the Inhabitants of the Home District in said Province,  
Most humbly Showeth,

That Your Petitioners, by the blessing of God, have experienced great benefits from the Salmon Fishery; and whereas divers persons do catch them at a time when they are not eatable, and selling them to the Inhabitants and Public for good, and fearing that by catching them so, at a time when they ought to spawn, it will be the means of destroying them altogether, Your Petitioners therefore most humbly pray that the Honorable House will pass an Act to prohibit the catching salmon after the Fifteenth of October, and also that no mill-gates be hoisted, or no sluices be stopped for the purpose of stopping or catching said salmon.

And Your petitioners, as in duty bound, will ever pray.

(Signed) Nicholas Delong, Wm. Cooper, Oliver Prentice, John Holly, James Weiant, Michael Miller, and forty other signatures.

On Motion of Mr. Howard, seconded by Mr. McLean, the House adjourned.

*Friday, 16th February, 1810.*

Prayers were read.

Mr. Gough moved, seconded by Mr. Willcocks, for leave to bring in the Petition of the Inhabitants of the Township of Toronto in the Home District. Leave was granted to bring up the said Petition.

Mr. Speaker informed the House that application in writing had been made to him by the Clerk of the House, which he read, and is as follows:—

Mr. Speaker,

The Clerk respectfully informs the House that the wages now due the Copying Clerks exceed the sum appropriated by law for that purpose; he therefore prays the permission and sanction of this House to employ Copying Clerks in his Office.

Commons House of Assembly,  
16th February, 1810.

(Signed) DONALD McLEAN,  
Clerk, Assembly.

Mr. Willcocks, seconded by Mr. Secord, moved that the Clerk be authorized to employ such number of Copying Clerks as may be found necessary during the present Session. Mr. Speaker did then, by permission of the House, authorize the Clerk to employ Copying Clerks to assist him in his Office.

Mr. Mallory moved, seconded by Mr. Sovereign, that so much of the Order of the Day as relates to leave for him to bring in a Bill this day for the better

regulating Tavern Licenses in this Province be dispensed with, and that he have leave to bring in the same on Tuesday next. The same was dispensed with, and leave given to bring in the same on Tuesday next.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill for establishing Common Schools in this Province. Mr. Speaker left the Chair. Mr. Sovereign was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was granted to sit again on Monday next.

Read for the third time, as engrossed, the Bill for the relief of Mennonists and Tunkers. On motion of Mr. Gough, seconded by Mr. Sovereign, resolved, that the Bill do pass, and that the title be "An Act for the relief of Minors of the Societies of Mennonists and Tunkers."

The Bill then passed, and was signed by the Speaker.

Mr. Willcocks, seconded by Mr. Mallory, moved that Messrs. Gough and Burritt do carry up to the Honorable the Legislative Council the Act entitled "An Act for the relief of Minors of the Societies of Mennonists and Tunkers," and request their concurrence thereto, which was ordered accordingly.

On motion of Mr. McLean, seconded by Mr. Howard, was read the Petitions and subscription paper of the Inhabitants of the District of Niagara, and the West Riding of the County of York, praying that the site of the intended Town may be at Coot's Paradise; which are as follows:—

To the Commons House of Assembly of the Province of Upper Canada, in Parliament assembled.

The Petition of the Inhabitants of part of the District of Niagara, the County of Haldimand, and the West Riding of the County of York,

Humbly Showeth,

That Petitions were forwarded to Your Honorable House last Session, praying the creation of a new District from a part of the Niagara District, the West Riding of the County of York, and the County of Haldimand.

That Your Petitioners have heard the Beach was named in Your Honorable House as the most central place for the County Town.

Your Petitioners humbly beg leave to remind Your Honorable House that the proposed place at the Beach is entirely on private property, which originally belonged to the family of the late Captain Brant, which by him was in part parcelled out into small and irregular tracts, and sold to individuals without any allowance or reserves for roads, either to lands sold, or in any way through it; and in which from this circumstance, there is at present great confusion, as well as strife and contention, about roads; and from this trouble made to prevent roads being carried through that tract it is not to be supposed as it becomes more valuable it will be less contended for.

That in the neighborhood of the Beach no supplies or materials for building, or accommodation, are to be procured at present from the country immediately round it, and as a further bar to convenience or comfort to be expected there in the new purchase, three or four concessions only are purchased, and the few settlers in them have everything to buy for themselves, and it will be no more convenience for the persons who in all probability will compose the Bench of Justices to attend there than at York or Niagara, it being too far generally for them to go and return the same day; and as your Petitioners contemplate the present division as

merely temporary, for when a further purchase is made in the late purchased tract, and it becomes tolerably populous, there will be territory enough for two districts.

That the Inhabitants in every stage of settlement in this Province, who settled on Dundas Street, were required to perform a settlement duty in consequence of being indulged with lots on the Great Western Road; that Governor Simcoe, seeing so advantageous and proper a situation, with the advice and concurrence of the Executive Council, reserved at the head of the water communication, from which Dundas Street proceeds to the westward, a Town plot, in which are reserves for the purpose of erecting all the various public buildings, place of worship, etc., necessary in a County Town; which we conceive to be in the heart of a good settlement, from which every supply may easily be drawn to make persons settled in a Town comfortable, and that the river, down which all the produce from this part of the country, as well as further westward, must necessarily pass, has been cleared out last Summer at the expense of private individuals; that boats of a very considerable magnitude may now commodiously be brought up to the town reserve, and that access by land to and from it is easy and good by the various roads which pass through and to it.

That Your Petitioners have further to remark to Your Honorable House that the natural requisites for building a town with are very near to the reserve: there is plenty of good limestone and timber, that the reserve is well watered, healthy, and immediately in the neighborhood of all the mills in this part of the Country.

Wherefore Your Petitioners pray Your Honorable House may take their case into consideration, and if a division in the district should be found expedient, the original town plot reserve at the head of the water communication may be appropriated for the county town, and, as in duty bound, your Petitioners will ever pray.

(Signed) Richard Hatt, Wm. Nellis, Eph. L. Philips, Wm. Hepburne, Andrew Nellis, Jun., Henry Ellis, and eighty-two other signatures.

Four other petitions to the same purpose, with four hundred and sixty-six signatures, were brought up and laid on the Table.

And also was read a paper of which the following is a copy:—

To the Commons House of Assembly of the Province of Upper Canada, in Parliament met.

Whereas several petitions have gone forward to Your Honorable House, stating that a division of the districts has been solicited, and praying that the place originally appropriated under the administration of Governor Simcoe might be applied as the County Town for the new district, that is, the village reserved at the head of the water communication at Coot's Paradise; and should it appear to the wisdom of Your Honorable House that the village above recited is the most proper place, and Your Honorable House should deem it proper to name the reserve above mentioned as the place for the County Town, and it passes into a law, then, and in that case, we, the subscribers, do bind ourselves, our heirs and administrators, jointly and severally, to subscribe and pay the sum affixed to our respective names, for the purpose of furnishing materials and defraying the expenses in erecting a Gaol and Court House in the aforesaid town plot, at the head of the water communication, at Coot's Paradise in Ancaster and Flamboro' West.

January 29th, 1810.

Richard Hatt, five hundred dollars.

W. G. Hepburne, one hundred dollars.

Titus G. Simons, one hundred dollars.

Manuel Overfield, two hundred dollars.

Hector S. McKay, two hundred dollars.

Caleb Forsythe, one hundred dollars.

And seventy-two other signatures, subscribing the sum of two thousand seven hundred and sixty dollars.

On motion of Mr. Willcocks, seconded by Mr. Mallory, was read another Petition of the Inhabitants of the Township of Nelson, East and West Flamboro', Beverley, Blocks Nos. 1, 2 and 3 on the River Ouse (more commonly known as the Grand River) Salt Fleet, Barton, Ancaster, Glanford, and Binbrook, including that part of the County of Haldimand which lies between the Onondaga Village and the Dundas Street, which is as follows:—

To the Honorable the Commons House of Assembly in Parliament assembled.

We, the inhabitants, freeholders of the Townships of Nelson, East and West Flamboro', Beverley, Blocks 1, 2 and 3 on the River Ouse (more commonly known as the Grand River), Saltfleet, Barton, Ancaster, Glanford and Binbrook, including that part of the County of Haldimand which lies between the Onondaga Village and the Dundas Street, labouring under many inconveniences, and attended with heavy expenses, which necessarily occur in travelling from our remote situation to the places of public business; and having ample means to erect and support public buildings nigh home, are desirous of being separated from the Counties of York and Lincoln, and becoming established in our own; and that a Bill nominating the head of the Beech in the Township of Nelson to be the proper place for the County Town did pass Your Honorable House last Session:—

And we, humbly conceiving that you did not receive the most accurate information respecting the most eligible site for a new County Town, and the incalculable inconvenience that must necessarily await the inhabitants if established in that part of the proposed district; beg leave humbly to present those objections which appear to us most prominent.

In the first place the materials necessary for the erection of public buildings cannot be procured without enormous difficulty and expense; neither is the situation a central one,—of course it will not remedy the great evil of which we complain in travelling such an immense distance in attending to the several Courts of Justice, etc., as above stated. That the settlements adjacent to the proposed place are new and unproductive, consequently destitute of all articles immediately necessary for the establishment of a County Town.

We beg leave also to inform Your Honorable House that we are apprised of a petition intended to be brought before you, recommending the head of Coot's Paradise as a proper place for the County Town, which was at an early period, and in the infancy of this country, ordered by General Simcoe to be laid out into Town lots; but from the unhealthy situation of the place, owing to the ground being principally low, and the waters overflowing both in Spring and Fall, it being at the head of a long frog marsh which is navigable only at particular seasons of the year, all attempts to establish a town in that quarter of the district have proved unsuccessful, and is now only sought for by those who wish to promote their personal interest on the inconvenience and expense of four-fifths of the inhabitants of the proposed district.

Therefore Your Petitioners take the liberty of recommending to Your Honorable House the south side of Burlington Bay, and nigh the head, on the main Road leading to the Grand River, Dundas Street, etc., on Number 14 in the



second concession of the Township of Barton, owned by James Durand and Nathaniel Hughson, as the most convenient part of the proposed district for the inhabitants and the public in general; having immediately adjacent a sufficiency of building timber, a redundancy of excellent stone and water that may be commanded at the pleasure and to the convenience of every individual at a trifling expense; together with conveniences of every other kind suitable to the establishment of a County Town.

We beg leave also to mention that the Road already opened on the division line leading from the said lot, and distant only one mile and a quarter to the best harbour on Burlington Bay, with every access to the water, there being no impediment to a free communication to the water's edge or to interrupt the navigation of small crafts to the immediate boundary of the water.

We also pledge ourselves that James Durand or Nathaniel Hughson will each or either of them appropriate such a quantity of lands as shall be deemed necessary for the public buildings, etc.

We therefore humbly request that Your Honorable House will be pleased in your wisdom to establish the County Town at the last mentioned place.

And Your Petitioners, as in duty bound, will ever pray.

(Signed) John Drake, Ezra Barnum, M. Marcle, Elijah Secord, Benj. Springer, Rich'd Beasley, Thomas Dowlin, Thos. Shaw, and two hundred and fifty-four other subscribers.

Read for the first time, a Bill for the creation of a new district. Mr. McLean moved, seconded by Mr. Howard, that the Bill for the creation of a new district be read a second time on Monday next, which was ordered accordingly.

Read for the second time, the Bill for the relief of indigent persons in this Province. Mr. Howard then moved, seconded by Mr. Mallory, that the House do now resolve itself into a Committee to take into consideration the Bill to make provision for the poor. The House accordingly resolved itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Burritt was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted to sit again on Monday next.

Mr. Gough, one of the messengers named to carry up to the Honorable the Legislative Council the Act entitled "An Act for the relief of minors of the Society of Mennonists and Tunkers," reported that, in obedience to the commands of this House, they had carried up the same, and did request their concurrence thereto.

Read for the third time, as engrossed, the amendments made by the Honorable the Legislative Council in and to the Act entitled "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Meetings, for the purpose of electing Town and Parish Officers." The said amendments as read were then adopted by the House. Mr. Howard then moved, seconded by Mr. Secord, that Messrs. C. Wilson and Mallory do acquaint the Honorable the Legislative Council that this House concurred in and to the amendments made by them to the Act entitled "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Town Meetings, for the purpose of electing Town and Parish Officers. Ordered accordingly.

A Written Message to the Honorable the Legislative Council by Messrs. C. Wilson and Mallory.

MR. SPEAKER,—

We are commanded by the Commons House of Assembly to acquaint this Honorable House that they have concurred in adopting the amendments made by the Honorable the Legislative Council, in and to the Act entitled "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Meetings, for the purpose of electing Town and Parish Officers."

Commons House of Assembly,  
16th February, 1810.

(Signed) SAM'L STREET,  
Speaker.

Read for the third time, as engrossed, the Bill for altering the mode of payment of wages to the Members of the House of Assembly. Mr. Willcocks moved, seconded by Mr. Sovereign, that the said Bill be re-committed to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the draft of an Address to His Excellency the Lieutenant Governor, respecting the expenditure of the various sums of money granted by the Parliament of this Province for the purpose of amending and repairing the Highways and Bridges, subsequent to the year one thousand eight hundred and three. Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Address, without any amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. On motion of Mr. Willcocks, seconded by Mr. Gough, ordered, that the said Address be engrossed, and read a third time to-morrow.

Read for the first time, A Bill for granting a sum of money for the purpose of amending and repairing the Highways and Bridges in this Province. Mr. McLean, seconded by Mr. Wilson, moved that the Bill for appropriating money for roads and bridges, be read a second time on Tuesday next, which was ordered accordingly.

Mr. McNabb moved, seconded by Mr. Burritt, that so much of the Order of the Day as has not been proceeded upon, be now dispensed with, and that the same be on the Order of the Day to-morrow. The same was dispensed with, and ordered accordingly.

On motion of Mr. Burritt, seconded by Mr. McGregor, the House adjourned.

*Saturday, 17th February, 1810*

Prayers were read.

Read for the first time, A Bill for the more accurately ascertaining the boundaries of lands in this Province. Mr. Gough then moved, seconded by Mr. C. Wilson, that the Bill for ascertaining the boundaries of lands be read a second time on Thursday next, which was ordered accordingly.

Read for the first time, A Bill for laying an additional duty on licenses to Hawkers, Pedlars, and Petty Chapmen. Mr. McNabb moved, seconded by Capt. Frazer, that the Bill for raising the duty on licenses to Hawkers and Pedlars be read a second time on Wednesday next. Mr. Gough, seconded by Mr. Sovereign, moved as an amendment to Mr. McNabb's motion, that the words "this day three months" be inserted, which was carried in the affirmative.

The main question accordingly passed in the negative, and the said Bill was ordered to be read on this day three months.

Mr. Willcocks, seconded by Mr. Roblin, moved that so much of the Order of the Day as relates to the Bill for altering the mode of payment of the wages to the Members of the House of Assembly, be dispensed with, and that the same be on the Order of the Day for Monday next. Which was ordered accordingly.

Mr. Willcocks again moved, seconded by Mr. Roblin, that the Address to His Excellency the Lieutenant Governor, respecting the disbursement of public money upon the highways and roads, be re-committed on Monday next. The House accordingly resolved the same.

Mr. Gough, seconded by Mr. Willcocks, moved for leave to bring in a Bill on Monday next, to amend an Act passed in the forty-seventh year of His Majesty's Reign, entitled "An Act for the preservation of Salmon." Leave was accordingly granted.

Mr. Speaker then read a letter from William Hatton, Esquire, Secretary to His Excellency the Lieutenant Governor, which is as follows:—

Lieutenant Governor's Office,  
16th February, 1810.

SIR:—

In compliance with your letter of yesterday's date, I have the honor of transmitting to you fifty copies of the Acts passed in 1809, and I regret that it is not in my power to send you more than twelve of those passed in 1808, as they are nearly the whole number which remain in the Lieutenant Governor's Office.

I have the honor to be,

Sir,

Your most obedient humble Serv't

(Signed) WM. HATTON.

His Honor the Speaker of the  
House of Assembly.

Mr. McNabb moved, seconded by Mr. Burrill, for leave to bring in a Bill on Tuesday next, to lay a tax on Dogs in this Province. Leave was accordingly granted.

On motion of Mr. McNabb, seconded by Mr. Marcle, the House adjourned until Monday next.

*Monday, 19th February, 1810.*

Prayers were read.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill for altering the mode of paying the wages to the Members of the House of Assembly. Mr. Speaker left the Chair. Capt. Frazer was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Frazer reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Mallory moved, seconded by Mr. Rogers, that the Bill to alter the mode of payment of wages to the Member of the House of Assembly be engrossed, and read a third time to-morrow. Ordered accordingly.

A Message from the Honorable the Legislative Council, by Mr. Burns, Master in Chancery.

MR. SPEAKER,—

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act entitled "An Act for preventing the forgery and counterfeiting of foreign Bills of Exchange, and of Foreign Notes, and Orders for the Payment of Money," to which they request the concurrence of this House in passing the same.

Also that they have passed an Act, sent up from this House, entitled "An Act for granting an additional sum of money for the purpose of erecting a bridge across the Grand River," to which they have made several amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

Read for the first time, An Act sent down from the Honorable the Legislative Council entitled "An Act to prevent forging and counterfeiting foreign Bills of Exchange." Mr. Howard then moved, seconded by Mr. Sovereign, that the Bill brought down from the Legislative Council for preventing the forging and counterfeiting foreign Bills of Exchange, be read a second time on Wednesday next, which was ordered accordingly.

Read for the first time, the amendments made by the Honorable the Legislative Council, in and to the Act sent up from this House, entitled "An Act for granting an additional sum of money, for the purpose of erecting a bridge across the Grand River." Mr. Willcocks then moved, seconded by Mr. Mallory, that the amendments made by the Honorable the Legislative Council to a Bill entitled "An Act for granting an additional sum of money, for the purpose of erecting a bridge across the Grand River," be read a second time to-morrow. Ordered accordingly.

Mr. C. Wilson, one of the messengers named to carry up to the Honorable the Legislative Council the Message of this House, respecting the Act entitled "An Act to authorize the inhabitants of the County of Haldimand to hold Annual Meetings, for the purpose of electing Town and Parish Officers," reported that they did carry up the same message to the Legislative Council.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Address to His Excellency the Lieutenant Governor, respecting the expenditure of money on the highways and roads. Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Address, to which they had made no amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the report be now received and accepted. Mr. Rogers, seconded by Mr. Jas. Wilson, moved that the Address to His Excellency the Lieutenant Governor be engrossed, and that messengers be appointed to wait upon His Excellency with the same, which was ordered accordingly.

Read for the first time, A Bill to extend the Jurisdiction of the Court of Requests. Mr. Willcocks then moved, seconded by Mr. Sovereign, that the Bill for extending the jurisdiction of the Court of Requests be read a second time to-morrow, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for the reduction of the salary of the Adjutant General.

Mr. Willcocks then moved, seconded by Mr. Roblin, that the Bill do now pass, and that the title be, "An Act to amend an Act passed in the forty-eighth year of His Majesty's Reign, entitled 'An Act for granting to His Majesty an Annual Sum of Money, for the purposes therein mentioned.'" On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.	Nays.
MESSRS. GOUGH	MESSRS. BURRITT
JNO. WILSON	MARCLE
WILLCOCKS	ELLIOTT
ROGERS	BABY
SECORD	McGREGOR
HOWARD	McLEAN
SOVEREIGN	McNABB
MALLORY	C. WILSON
ROBLIN	
DORLAND	
LEWIS	
JAS. WILSON	

Carried in the affirmative by a majority of four. The Bill then passed, and was signed by the Speaker. Mr. McGregor, seconded by Mr. Howard, then moved that Messrs. Willcocks and Mallory do carry up to the Legislative Council the Act entitled "An Act to amend an Act passed in the forty-eighth year of His Majesty's Reign, entitled 'An Act for granting to His Majesty an Annual Sum of Money for the purposes therein mentioned,'" and request their concurrence thereto. Ordered accordingly.

Mr. Howard, seconded by Mr. Sovereign, moved that so much of the Order of the Day as gives leave to bring in a Bill for the better regulation of elections in this Province, be dispensed with for this day, and that he have leave to bring in the same to-morrow. The same was dispensed with, and ordered accordingly.

Read for the first time, A Bill for the discouragement of Public Plays and Exhibitions in this Province. Mr. Howard then moved, seconded by Mr. Jas. Wilson, that the Bill for the discouragement of Plays and Shows, be read a second time to-morrow. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the School Bill. Mr. Speaker left the Chair. Mr. Sovereign took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was granted to sit again to-morrow.

Read as engrossed, the Address to His Excellency the Lieutenant Governor, which passed, and was signed by the Speaker.

Mr. Willcocks moved, seconded by Mr. Frazer, that Messrs. McGregor and Frazer do wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the Address of this House; and that the same gentlemen do present the same at such time as His Excellency shall be pleased to appoint, which was ordered accordingly.

Read for the first time, A Bill for the preservation of Salmon. Mr. Gough

then moved, seconded by Mr. Mallory, that the Bill for the further preservation of Salmon be read a second time to-morrow. Ordered accordingly.

Mr. McNabb moved, seconded by Mr. Dorland, that so much of the Order of the Day as has not been proceeded upon be dispensed with for this Day, and that it be on the Order of the Day for to-morrow, which was ordered accordingly.

Mr. McNabb again moved, seconded by Mr. Dorland, for leave to bring in a Bill on Wednesday next, to alter the construction of Mill dams on the River Moira, so that rafts of timber and crafts may pass over them in safety. Leave was accordingly granted.

Mr. Willcocks moved, seconded by Mr. Sovereign, for leave to bring in a Bill on Wednesday next, to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled "An Act to repeal certain parts of an Act, passed in the thirty-fourth year of His Majesty's Reign, entitled 'An Act to establish a Supreme Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province, to regulate certain fees, costs and charges therein mentioned.'" Leave was accordingly granted.

Mr. Rogers gave notice, that he will to-morrow move that the House do request the Judges of the Court of King's Bench to direct that there be laid before this House, as soon as it can be done, a list of all such fees as have been by them allowed in consequence of the power in them vested by an Act passed in the forty-fourth year of His Majesty's Reign.

Mr. McLean, seconded by Mr. Dorland, moved for leave to bring in a Bill on Wednesday next, for the relief of the different Districts of this Province from such charges as may arise from Bastard Children being born within this Province. Leave was accordingly granted.

Mr. McGregor gave notice that he will to-morrow move, that no new Bill be brought into the House after Saturday next.

On motion of Mr. Willcocks, seconded by Mr. Mallory, the House adjourned.

*Tuesday, 20th February, 1810.*

Prayers were read.

Mr. Gough, seconded by Mr. Mallory, moved that the petition of the inhabitants of the Township of Toronto be now read.

The said Petition was accordingly read, and is as follows:—

To the Honorable the Commons House of Assembly in Parliament assembled.

The humble Petition of the undersigned inhabitants of the Township of Toronto, in the Home District,

Respectfully Sheweth,

That Your Petitioners reside in the said Township, on or near Dundas Street, leading from Cooper's Mills on the River Humber to the head of Lake Ontario.

That Your Petitioners have not the means of getting to Cooper's Mills to get their grain ground, there being no established road for four miles or thereabouts.

That Your Petitioners are willing to make a road there at their own expense in the event of the same being established. They are also willing to erect a bridge across the Humber at their own expense.

Your Petitioners presume to state that the road as now marked out by the inhabitants avoids all swamps and mountains, and is as direct as it is capable of being and that there is no part of the labour necessary but they are willing to perform, except a bridge across the River Credit, on the Dundas Road.

Your Petitioners therefore respectfully pray that the Honorable House will be pleased to pass a Bill establishing the said road, and give such pecuniary assistance to effect the building of a bridge across the River Credit, as to the wisdom of this Honorable House shall seem meet.

And Your Petitioners, as in duty bound, will ever pray.  
York, February 9th, 1810.

(Signed) Allen Robinett, Jr., William Cooper, Allen Robinett, Caleb Humphrey, and thirty-three others.

Mr. Gough moved, seconded by Mr. Willcocks, for leave to bring in a Bill on Thursday next, for granting a sum of money in aid of building a bridge over the River Credit, adjoining Dundas Street, between the Townships of Etobicoke and Toronto, in the Home District. Leave was accordingly granted.

Mr. Willcocks gave notice that he will to-morrow move, that the House do resolve itself into a Committee, to take into consideration the Bill for imposing a tax upon Billiard Tables in this Province.

Mr. Gough, seconded by Mr. Mallory, moved for leave to bring up the Petition of Augustus Jones, Deputy Surveyor. Leave was accordingly granted to bring up the said Petition.

Mr. Rogers moved, seconded by Mr. Willcocks, that the Judges of His Majesty's Court of King's Bench in this Province be requested by the Speaker to lay before this House, as soon as it can be conveniently done, a list of all such fees as have been by them allowed in consequence of the power in them vested by an Act passed in the forty-fourth year of His Majesty's Reign. Ordered accordingly.

Read for the second time, the Bill for the creation of a new District. Mr. McLean then moved, seconded by Mr. Howard, that the House do now resolve itself into a Committee to go into the consideration of the new District Bill. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Burritt was called to the chair of the Committee.

Mr. Speaker resumed the Chair. And Mr. Burritt reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill to make provision for the Poor. Mr. Speaker left the Chair. Mr. Burritt took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. The House then resolved that the Report be now received and accepted. Mr. Howard, seconded by Mr. James Wilson, moved that the Poor Bill be engrossed, and read for the third time to-morrow, which was ordered accordingly.

Mr. Mallory moved, seconded by Mr. Gough, that so much of the Order of the Day as gives him leave to bring in a Bill this Day, to regulate Tavern Licenses, be dispensed with for this day, and that he have leave to bring the same in on Thursday next. The same was dispensed with, and ordered accordingly.

Read for the second time, the Bill for granting a sum of money for repairing the Roads and Bridges. Mr. McLean then moved, seconded by Mr. James Wilson, that the House do now resolve itself into a Committee, to go into the consideration of the Bill for appropriating a sum of money for the purpose of repairing the

Roads and Bridges in this Province. The House accordingly resolved itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Read for the first time, the Bill for discouraging the practice of keeping useless cur dogs. Mr. McNabb then moved, seconded by Mr. C. Wilson, that the Bill for discouraging the practice of keeping useless cur dogs, be read a second time to-morrow. Ordered accordingly.

Read for the third time, as engrossed, the Bill to alter the mode of paying wages to the Members of the House of Assembly. On motion of Mr. Mallory, seconded by Mr. Roblin, resolved, that the Bill do pass, and that the title be "An Act to alter the mode of paying wages to the Members of the House of Assembly." The Bill then passed, and was signed by the Speaker. Mr. Rogers moved, seconded by Mr. Dorland, that Messrs. Secord and McNabb do carry up to the Honorable, the Legislative Council, the Bill entitled "An Act to alter the mode of paying the wages of the Members of the House of Assembly," and request their concurrence in passing the same. Mr. Howard, seconded by Mr. Burritt, moved as an amendment to Mr. Rogers' motion, that the names "Secord and McNabb" in Mr. Rogers motion be expunged and the names "Mallory and John Wilson" be inserted, which was carried in the affirmative, and ordered accordingly. The main question accordingly passed in the negative.

Read for the second time, the amendments made by the Legislative Council, in and to the Grand River Bridge Bill. Mr. Willcocks then moved, seconded by Mr. Mallory, that the House do now resolve itself into a Committee, to go into the consideration of the amendments made by the Honorable the Legislative Council in and to the Act sent up from this House, entitled "An Act for granting an additional sum of money for erecting a bridge across the Grand River." On Mr. Speaker having put the question, a division thereupon took place. The names being called for were taken down, and are as follows:—

## Yeas.

MESSRS. McNABB  
J. WILSON  
MALLORY  
WILLCOCKS  
SOVEREIGN  
JAS. WILSON.

## Nays.

MESSRS. BURRITT  
MARCLE  
GOUGH  
FRAZER  
BABY  
HOWARD  
McLEAN  
C. WILSON  
McGREGOR  
SECORD  
DORLAND  
LEWIS  
ROGERS.

The same passed in the negative by a majority of eight. Mr. Willcocks, seconded by Mr. Mallory, moved for leave to bring in a Bill to-morrow, for the purpose of granting a sum of money, to erect a bridge across the Grand River. Leave was accordingly granted.



A Message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, entitled "An Act to declare the Common Goals in the several Districts of this Province to be Houses of Correction for certain purposes," to which they request the concurrence of this House in passing the same.

And also that they have passed an Act sent up from this House, entitled "An Act for the relief of Minors of the Society of Mennonists and Tunkers," to which they have made several amendments, to which amendments they request the concurrence of this House in passing the same.

And then he withdrew.

Read for the first time, the Act sent down from the Honorable the Legislative Council, entitled "An Act to declare the Common Goals of this Province to be Houses of Correction for certain purposes. Mr. McLean then moved, seconded by Mr. Rogers, that the said Bill be read for the second time on Thursday next, which was ordered accordingly.

Then was read for the first time, the amendments made by the Honorable the Legislative Council, in and to an Act sent up from this House, entitled "An Act for the relief of Minors of the Societies of Mennonists and Tunkers." Mr. Gough then moved, seconded by Mr. McNabb, that the said amendments be read a second time on Wednesday next, which was ordered accordingly.

Messrs. Mallory and J. Wilson reported that, in obedience to the commands of this House, they had carried up to the Honorable the Legislative Council the Act entitled "An Act to alter the mode of paying the wages of the Members of the House of Assembly," to which they did request their concurrence in passing the same.

Read for the second time, a Bill for extending the jurisdiction of the Court of Requests. Mr. Willcocks then moved, seconded by Mr. Secord, that the House do now resolve itself into a Committee, to go into the consideration of the said Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Read for the first time, the Bill for preventing bribery and corruption at future elections in this Province. Mr. Howard then moved, seconded by Mr. James Wilson, that the said Bill be read a second time to-morrow. Ordered accordingly.

Mr. McGregor then moved, seconded by Mr. Marcle, that no new Bills be introduced into this House after Saturday next. Passed in the negative.

Mr. Burritt moved, seconded by Mr. Dorland, that so much of the Order of the Day, as has not been proceeded on, be dispensed with for this day, and that the same be the first on the Order of the Day for to-morrow, which was ordered accordingly.

Mr. Rogers gave notice, that he will to-morrow move, that it be a standing Rule of this House, that all business remaining on the Order of the Day and not proceeded on when the House adjourns, shall stand as a part of the Order of the next day.

Mr. Gough gave notice, that he will to-morrow move, that ten o'clock be the

hour appointed on the respective days fixed on for taking into consideration the Petition complaining of the undue election of Messrs. James Wilson and John Roblin, and that the Speaker do give the Petitioners and the Sitting Members, or their respective agents, notice thereof in writing, accompanied with an order to attend this House at the time appointed, either in person, or by their counsel or agents.

On motion of Mr. McGregor, seconded by Mr. Burritt, the House adjourned.

*Wednesday, 21st February, 1810.*

Prayers were read.

Mr. Howard, seconded by Mr. Roblin, moved that the House do now resolve itself into a Committee, to go into the consideration of the Show Bill. The House accordingly resolved itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Jas Wilson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilson reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow. Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the School Bill. Mr. Speaker left the Chair. Mr. Sovereign took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. On Mr. Speaker having put the question for the Report being received a division thereupon took place. The names being called for they were taken down and are as follows:—

Yeas.

MESSRS. McNABB  
BURRITT  
J. WILSON  
HOWARD  
SOVEREIGN  
ROGERS  
MALLORY  
WILLCOCKS  
J. WILSON  
DORLAND  
GOUGH  
ROBLIN  
SECORD

Nays.

MESSRS. MARCLE  
FRAZER  
BABY  
C. WILSON  
LEWIS  
McLEAN.

Carried in the affirmative by a majority of seven. The Report was accordingly received and accepted. Mr. Gough then moved, seconded by Mr. Rogers, that the School Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the second time, the Bill for the preservation of Salmon. Mr. Gough then moved, seconded by Mr. Sovereign, that the House do now resolve itself into a Committee, to go into the consideration of the Salmon Bill. The House accordingly resolved itself into a Committee, to go into the consideration of the said Bill.

Mr. Speaker left the Chair. Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the Bill, to which they had made several amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received and accepted. Mr. Gough, seconded by Mr. Mallory, then moved that the Salmon Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

Read for the second time, the Bill for preventing the Forging and Counterfeiting of Foreign Bills of Exchange. Mr. Howard then moved, seconded by Mr. Secord, that the House do now resolve itself into a Committee, to go into the consideration of the said Bill. The House accordingly resolved itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Roblin was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Roblin reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Read for the first time, the Bill to alter the construction of mill-dams. Mr. Gough then moved, seconded by Mr. Willcocks that the Mill-dam Bill be read a second time this day three months. The said Bill was accordingly ordered to be read again on this day three months.

Read for the first time, the Bill for the better regulation of the Fees taken in the Court of King's Bench in this Province. Mr. Willcocks, seconded by Mr. Sovereign, moved that the Bill for regulating the Fees to be taken in the Court of King's Bench be read a second time to-morrow. On Mr. Speaker having put the question, a division thereupon took place. The names being called for they were taken down, and are as follows:—

Yeas.  
 MESSRS. GOUGH  
 MARCLE  
 BABY  
 ELLIOTT  
 J. WILSON  
 HOWARD  
 WILLCOCKS  
 ROGERS  
 C. WILSON  
 MALLORY  
 SECORD  
 ROBLIN  
 DORLAND  
 LEWIS  
 SOVEREIGN.

Nays.  
 MESSRS. McNABB  
 FRAZER  
 McLEAN.

Carried in the affirmative by a majority of twelve, and the said Bill was ordered to be read for the second time to-morrow.

Mr. Gough moved, seconded by Mr. Lewis, that ten o'clock in the morning be the hour appointed on the respective days fixed on for taking into consideration the petition of the Freeholders of the Counties of Lennox, Addington and Prince Edward, complaining of the undue election of Messrs. James Wilson and John Roblin, and that the Speaker do give the Petitioners and the Sitting Members, or their re-

spective agents, notice thereof in writing; accompanied with an order to attend this House at the time appointed, either in person or by their Counsel or Agent. The House accordingly resolved the same.

Mr. Rogers, seconded by Mr. Gough, moved that it be a standing Rule of this House that all matters remaining on the Order of the Day unproceeded upon when the House adjourns shall stand as the first part of the Order of the next day. The House unanimously resolved the same.

On Motion of Captain Elliott, seconded by Mr. Gough, the House adjourned.

*Thursday, 22nd February, 1810.*

Prayers were read.

A message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act sent up from this House entitled "An Act to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled 'An Act for the more easy Barring of Dower,'" to which they have made several amendments, to which amendments they request the concurrence of the House in passing the same. And then he withdrew.

Read for the first time, the amendments made by the Honorable the Legislative Council in and to the Act sent up from this House, entitled "An Act to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled 'An Act for the more easy Barring of Dower.'" Mr. Rogers then moved, seconded by Mr. McNabb, that the amendments to the Dower Bill be read a second time tomorrow, which was ordered accordingly.

Captain Frazer and Mr. McGregor, the Messengers ordered to wait upon His Excellency, the Lieutenant-Governor, to know when His Excellency would be pleased to receive the Address of this House, reported that they had waited upon His Excellency, and that he was pleased to appoint this day at the hour of twelve o'clock at noon.

The Messengers being returned, reported that they had waited upon His Excellency, the Lieutenant-Governor, and did present to His Excellency the Address which passed this House on the nineteenth instant, respecting the expenditure of moneys on the Public Highways and Roads in this Province; to which His Excellency was pleased to make the following answer.

Gentlemen of the House of Assembly,

I shall direct the Commissioners of the Public Highways to furnish accounts of the disbursements of the several sums of money which have been appropriated by the Legislature for Public Roads, and intrusted to them for expenditure, in order that they may be laid before you.

22nd February, 1810.

Mr. Rogers, seconded by Mr. Willcocks, moved that so much of the Rules of this House as require one day's previous notice to be given be dispensed with so far as to allow him to make a motion for an Address to His Excellency, the Lieutenant-Governor, to request His Excellency to direct the Judges of His Majesty's Court of King's Bench in this Province, to lay before this House an account of all such fees as have been allowed to them in consequence of the power vested in them by an Act of the Parliament of this Province, passed in the Forty-fourth year of His Majesty's Reign. The said Rule was accordingly dispensed with on this occasion.

Mr. Rogers then moved, seconded by Mr. Willcocks, that an Address be presented to His Excellency, the Lieutenant-Governor, to request that His Excellency will be pleased to direct the Judges of His Majesty's Court of King's Bench in this Province to lay before this House a list of all such fees as have been by them allowed, in consequence of the power in them vested by an Act passed in the forty-fourth year of His Majesty's Reign. Which was ordered accordingly.

Mr. Rogers again moved, seconded by Mr. Willcocks, that Messrs. Gough and Burritt be a committee to draft an Address to His Excellency, the Lieutenant-Governor, agreeably to the resolution of the House this day; and that they do report the same with all convenient speed. The same was ordered accordingly.

Mr. Gough, from the Committee appointed to draft an Address to His Excellency, the Lieutenant-Governor, reported that they had drafted an Address to His Excellency, which he was directed by the Committee to report to the House whenever it shall be pleased to receive the same. Ordered that the report be now received. The report was accordingly received.

He then read the draft of the Address in his place, and afterwards delivered the same in at the Table, where it was read again by the Clerk, and is as follows:—

To His Excellency Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c.  
May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, conceiving it necessary in order to enable us to discharge our duty in Parliament that we should be made acquainted with the fees taken in His Majesty's Court of King's Bench, do most respectfully request that Your Excellency will be pleased to direct the Judges of His Majesty's Court of King's Bench in this Province to lay before this House an account of all such fees as by them have been allowed in consequence of the power vested in them by an Act passed in the forty-fourth year of His Majesty's Reign.

Mr. Rogers then moved, seconded by Mr. Willcocks, that the Draft of an Address to His Excellency, the Lieutenant-Governor, be engrossed, and that Messengers be appointed to wait upon His Excellency to know when he will be pleased to receive the Address of this House; and to present the same at such time as His Excellency shall be pleased to appoint, which was ordered accordingly. The said Address as engrossed was read, passed, and signed by the Speaker.

Mr. Rogers moved, seconded by Mr. Willcocks, that Messrs. Baby and McNabb do wait upon His Excellency the Lieutenant-Governor, to know when he will be pleased to receive the Address of this House, and that those gentlemen do present the same at such time as His Excellency shall be pleased to appoint. Ordered accordingly.

Mr. Rogers then moved, seconded by Mr. Roblin, that the Order of the Day on the Grand River Bill be now proceeded upon. The said Bill was accordingly read for the first time. Mr. Willcocks moved, seconded by Mr. Mallory, that so much of the rules of this House as requires one day's previous notice be now dispensed with, so far as relates to a Bill for granting an additional sum of money for the purpose of erecting a bridge across the Grand River. The said Rule was accordingly dispensed with. Mr. Willcocks again moved, seconded by Mr. Sovereign, that the Bill for granting an additional sum of money for the purpose of erecting a bridge across the Grand River be now read a second time. The said Bill was accordingly read for the second time. On motion of Mr. Willcocks, seconded by Mr. Sovereign, the House resolved itself into a Committee, to go into the consideration

of the said Bill. Mr. Speaker left the Chair. Mr. McNabb was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had gone through the consideration of the said Bill, without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the report be now received. The Report was accordingly received and accepted. Mr. Willcocks moved, seconded by Mr. Sovereign, that the Bill for granting an additional sum of money, for building a bridge across the Grand River, be engrossed, and read a third time to-morrow. Ordered accordingly.

Mr. McLean moved, seconded by Mr. Howard, that so much of the Order of the Day be discharged as gives leave to bring in a Bill for the relief of the different Districts of this Province, from such charges as may arise from bastard children born within this Province. The said Order was accordingly discharged.

Mr. Willcocks moved, seconded by Mr. Roblin, that the House do now resolve itself into a Committee, to go into consideration of the Bill for imposing a tax upon Billiard Tables. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill for the creation of a new District. Mr. Speaker left the Chair. Mr. Burritt was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Read for the third time, as engrossed, the Bill to make provision for the poor in this Province. On motion of Mr. Howard, seconded by Mr. McGregor, resolved that the Bill do pass, and that the title be "An Act to make provision for the poor throughout this Province." The Bill then passed and was signed by the Speaker. Mr. Mallory moved, seconded by Mr. Dorland, that Messrs. Howard and Lewis do carry up to the Honorable the Legislative Council the Act entitled "An Act to make provision for the poor throughout this Province," and request their concurrence thereto. The House accordingly resolved the same.

Mr. Mallory moved, seconded by Mr. Willcocks, that the petition of Augustus Jones, Deputy Surveyor, be now read. The Petition of Augustus Jones, Deputy Surveyor, was accordingly read, and is as follows:—

To the Honorable the Commons House of Assembly of the Province of Upper Canada, in Parliament assembled.

The Petition of Augustus Jones, Deputy Surveyor, Humbly Sheweth,

That Your Petitioner was employed as Assistant Surveyor at Niagara in the year 1789, by the then Deputy Surveyor of the District, Philip Frey, Esq., by the desire of the Commanding Officer and the concurrence of the then established Law Board, and has been continued in the Surveyor General's Department ever since; that during the periods of June, 1787, and February, 1789, Your Petitioner, with his party, surveyed the greatest part of fifteen Townships, containing 2,537 lots of 100 acres each, amounting in all to Five Hundred and Twenty-Six Pounds, Fifteen Shillings, and Two-Pence, Provincial Currency, no part of which has been paid. Petitioner, owing to the irregularity of Mr. Frey's Accounts, he having about that time obtained leave of absence to visit his father in the State of New York, from whence he never returned.

That your Petitioner nevertheless continued the survey in the absence of Mr. Frey, until after the division of the Province of Quebec, and a Surveyor General for this Province was appointed, and your Petitioner's accounts were regularly paid. After such division of the Province of Quebec Your Petitioner made out an attested copy of his accounts of surveying the fifteen Townships, and laid them before the Law Board, who gave him the necessary certificates and recommendations, which were sent to the Surveyor General at Quebec, through the Surveyor General of this Province, and which, together with the documents, are now in that Office.

Your Petitioner begs leave to state that the irregularity of Mr. Frey's accounts, his absence from the Province, and the unexpected division thereof, has so operated against Your Petitioner that he has, without any fault on his part, been deprived both of his own wages, as well as the expenses incurred in performing the aforesaid surveys.

Your Petitioner therefore humbly prays that Your Honorable Body will be pleased to consider his case, and grant him such relief as the nature thereof may require. Should any documents be required by Your Honorable House Your Petitioner is ready to produce such as are in existence, and which he presumes will be satisfactory.

And your Petitioner, as in duty bound, will ever pray.

(Signed)

AUGUSTUS JONES, Deputy Surveyor.

York, 19th February, 1810.

Mr. McNabb moved, seconded by Capt. Frazer, for leave to bring in a Bill on Saturday next to alter the construction of mill-dams throughout this Province on navigable streams, where rafts of timber and crafts might otherwise pass down in safety. Accordingly leave was granted.

On motion of Mr. Mallory, seconded by Mr. Willcocks, the House adjourned.

*Friday, 23d, February, 1810.*

Prayers were read.

Messrs. McNabb and Baby, the messengers ordered to wait upon His Excellency the Lieutenant Governor with the Address of this House, reported that they had waited upon His Excellency the Lieutenant-Governor, and did present His Excellency the said Address, to which His Excellency was pleased to make the following answer:—

Gentlemen of the House of Assembly,—

I shall direct an Account of the Fees allowed by the Court of King's Bench, under the authority of an Act passed in the forty-fourth year of His Majesty's Reign, to be laid before you.

23d February, 1810.

Capt. Frazer moved, seconded by Mr. Willcocks, for leave to bring in the Petition of John Brikie, Esquire. Leave was accordingly granted to bring up the said Petition.

Mr. Rogers, seconded by Mr. Gough, moved that the Order of the Day for the third reading of the Bill for applying a certain sum of money to make good moneys issued and advanced by His Majesty, through the Lieutenant-Governor, in pursuance of Addresses of this House, be discharged, and that the said Bill be re-committed to-morrow, which was ordered accordingly.

Mr. Willcocks moved, seconded by Mr. Gough, that so much of the Order of the Day, as directs the third reading of the Bill for limiting the duration of the

Act establishing schools, be discharged, and that the said Bill be now re-committed. The said Order was discharged accordingly, and the House resolved itself into a Committee, to go into the further consideration of the said Bill. Mr. Speaker left the Chair. Mr. Gough was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Gough reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which amendments he was directed to report to the House whenever the House shall be pleased to receive the same. Ordered, that the Report be now received and accepted. Mr. Willcocks moved, seconded by Mr. Jas. Wilson, that the School Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

Read for the third time, as engrossed, the Bill for granting money for erecting a bridge across the Grand River. On motion of Mr. Willcocks, seconded by Mr. Sovereign, resolved, that the Bill do pass, and that the title be "An Act granting an additional sum of money for erecting a bridge across the Grand River. The Bill then passed, and was signed by the Speaker. Mr. Mallory moved, seconded by Mr. Sovereign, that Messrs. Dorland and Roblin do carry up to the Honorable the Legislative Council the Act for granting an additional sum of money for the purpose of erecting a bridge across the Grand River, and request their concurrence thereto, which was ordered accordingly.

Mr. Howard gave notice that he will to-morrow move, that the House do resolve itself into a Committee, to take into consideration the Bill for the discouragement of Public Plays and Puppet Shows in this Province.

Mr. Gough moved, seconded by Mr. Lewis, that the Order of the Day for the third reading of the Bill for the preservation of Salmon, be discharged, and that the House do now resolve itself into a Committee to take the said Bill into consideration. The said Order was accordingly discharged, and the House resolved itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Jas. Wilson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilson reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Mr. Gough then read, seconded by Mr. Dorland, that the Salmon Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

Mr. Howard, one of the messengers named to carry up to the Honorable the Legislative Council, the Act entitled "An Act to make provision for the poor throughout this Province," reported that they had carried up the said Act, and did request their concurrence thereto.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill for appropriating money for the purpose of repairing the highways and roads throughout this Province. Mr. Speaker left the Chair. Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Mr. Rogers, seconded by Mr. Dorland, moved that the Order of the Day, respecting the Dower Bill, be now proceeded on. Accordingly was read for the second time the amendments made by the Honorable the Legislative Council, in and to



the Dower Bill. Mr. Rogers then moved, seconded by Mr. Roblin, that the House do now resolve itself into a Committee, to go into the consideration of the said amendments. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Lewis was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had gone through the consideration of the said amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered that the Report be now received. The Report was accordingly received and accepted.

Mr. Howard moved, seconded by Mr. Dorland, that the amendments made by the Honorable the Legislative Council, in and to the Dower Bill, be read a third time to-morrow. Which was ordered accordingly.

Read for the second time, the Bill sent down from the Legislative Council for making Gaols Houses of Correction for certain purposes. Mr. Rogers then moved, seconded by Mr. Howard, that the House do now resolve itself into a Committee, to go into the consideration of the Bill for making Gaols Houses of Correction for certain purposes. The House accordingly resolved itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Willcocks was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had gone through the consideration of the said Bill without any amendments, which he was directed to report whenever the House shall be pleased to receive the same. Ordered that the Report be now received. Mr. Howard then moved, seconded by Mr. Roblin, that the Bill sent down from the Legislative Council for making the Common Gaols Houses of Correction, be read a third time to-morrow, which was ordered accordingly.

Mr. Mallory gave notice, that he will to-morrow move that this House do then resolve itself into a Committee to go into the consideration of the Petition of Augustus Jones.

Mr. Gough gave notice, that it appears to this House that there is not a sufficient number of the statutes of this Province for the use and necessary accommodation of the House and the Members thereof, and that — copies thereof ought to be printed. And that an Address be presented to His Excellency, the Lieutenant-Governor, requesting him to order the same to be done, and to issue his warrant to the Receiver General to pay the expense thereof, not exceeding the sum of — Pounds, and that this House will make good the same.

On motion of Mr. C. Wilson, seconded by Mr. Lewis, the House adjourned.

*Saturday, 24th February, 1810.*

Prayers were read.

Read for the third time, as engrossed, the Bill for limiting the duration of the Act establishing Public Schools in this Province. On motion of Mr. Willcocks, seconded by Mr. Sovereign, resolved, that the Bill do pass, and that the title be "An Act to repeal certain parts of an Act passed in the forty-eighth year of His Majesty's Reign, entitled 'An Act to amend an Act passed in the forty-seventh year of His Majesty's Reign' entitled 'An Act to establish Public Schools in each and every District of this Province.'" The Bill accordingly passed, and was signed by the Speaker. Mr. Mallory, seconded by Mr. Secord, moved that Messrs. Dorland and Howard do carry up to the Honorable the Legislative Council the Act entitled "An Act to repeal certain parts of an Act passed in the forty-eighth year of His Majesty's Reign, entitled 'An Act to amend an Act passed in the forty-

seventh year of His Majesty's Reign, entitled 'An Act to establish Public Schools in each and every District of this Province,' and request their concurrence thereto. Ordered accordingly.

Read for the third time, as engrossed, the Bill for the preservation of Salmon. On motion of Mr. Gough, seconded by Mr. Secord. Resolved, That the Bill do pass, and that the title be "An Act to extend the provisions of an Act passed in the forty-seventh year of His Majesty's Reign, entitled 'An Act for the preservation of Salmon.'" The Bill then passed, and was signed by the Speaker. Mr. Rogers moved, seconded by Capt. Elliott, that Messrs. Gough and John Wilson do carry up to the Honorable the Legislative Council the Act entitled "An Act to extend the provisions of an Act passed in the forty-seventh year of His Majesty's Reign, entitled 'An Act for the preservation of Salmon,'" and request their concurrence thereto, which was ordered accordingly.

Read for the third time, the Dower Bill, as amended by the Legislative Council, which amendments were adopted by the House. Mr. Rogers then moved, seconded by Capt. Elliott, that Messrs. Howard and Dorland do inform the Legislative Council that this House has concurred in adopting the amendments made by them, in and to the Act entitled "An Act further to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled 'An Act for the more easy Barring of Dower.'" The same was ordered accordingly; and the message is as follows:—

Mr. Speaker,—

We are commanded by the Commons House of Assembly to acquaint this Honorable House that they have concurred in adopting the amendments made by the Legislative Council, in and to the Acts entitled "An Act further to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled 'An Act for the more easy Barring of Dower.'"

Commons House of Assembly,  
24th February, 1810.

(Signed) SAML. STREET, *Speaker.*

Read for the third time, the Bill sent down from the Honorable the Legislative Council, entitled "An Act to render the Gaols in the several Districts of this Province Houses of Correction for certain purposes," to which Act the House concurred. Mr. Rogers, seconded by Mr. Howard, moved that Messrs. McLean and Fraser do inform the Honorable the Legislative Council that this House has concurred in adopting the Act sent down from the Legislative Council entitled "An Act to render the Gaols in the several Districts of this Province Houses of Correction for certain purposes." Ordered accordingly; and the message is as follows:—

Mr. Speaker,—

We are commanded by the Commons House of Assembly to acquaint this Honorable House that they have concurred in and to the Act entitled "An Act to render the Gaols in the several Districts of this Province Houses of Correction for certain purposes."

(Signed) SAML. STREET, *Speaker.*

Commons House of Assembly,  
24th February, 1810.

Mr. McNabb moved, seconded by Mr. Burrill, that so much of the Order of the Day as relates to the Bill for discouraging the practice of keeping useless dogs and curs, be discharged. The said Order was accordingly discharged.

Read for the second time, the amendments made by the Legislative Council, in and to the Act for the relief of minors of the Society of Mennonists and Tunkers. Mr. Gough then moved, seconded by Mr. Secord, that the House do now resolve itself into a Committee to go into the consideration of the amendments made by the Honorable the Legislative Council, in and to the Act for the relief of minors of the Societies of Mennonists and Tunkers. The House accordingly resolved itself into a Committee, to go into the consideration of the said amendments. Mr. Speaker left the Chair. Mr. Secord was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Secord reported that the Committee had gone through the consideration of the said amendments, which amendments he was directed by the Committee to recommend that the House doth concur thereto. The House accordingly concurred in adopting the said amendments. Mr. Gough again moved, seconded by Mr. Secord, that the amendments made by the Legislative Council, in and to the Bill for the relief of minors of the Societies of Mennonists and Tunkers be read a third time on Wednesday next, which was ordered accordingly.

Mr. Gough, one of the messengers ordered to carry up to the Honorable the Legislative Council the Act entitled "An Act to extend the provisions of an Act passed in the forty-seventh year of His Majesty's Reign, entitled 'An Act for the preservation of Salmon,'" reported that they had carried up the said Bill to the Legislative Council, and did request their concurrence in passing the same.

Messrs. Howard and Dorland, the Members ordered to carry up to the Honorable the Legislative Council the Message of this House, that this House has concurred in adopting the amendments made by the Legislative Council, in and to the Act for the more easy Barring of Dower, reported that they had carried up the same,

And also that they had, in obedience to the command of this House, carried up to the Legislative Council, the Act entitled "An Act to repeal certain parts of an Act passed in the forty-eighth year of His Majesty's Reign, entitled 'An Act to amend an Act passed in the forty-seventh year of His Majesty's Reign, entitled 'An Act to establish Public Schools in each and every District of this Province,'" to which they did request their concurrence in passing the same.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into consideration of the Court of Requests Bill. Mr. Speaker left the Chair. Mr. McLean was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted to sit again this day.

A message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery.

Mr. Speaker,—

I am commended by the Legislative Council to acquaint this House that they have passed an Act entitled "An Act to provide for obtaining the benefits of the process of outlawry in Civil Actions within this Province," to which they request the concurrence of this House in passing the same.

And then he withdrew.

The said Bill was then read for the first time.

Mr. Rogers moved, seconded by Mr. Gough, that the Bill to provide for the process of outlawry be read a second time on Monday next, which was ordered accordingly.

Agreeably to leave given, the House again resolved itself into a Committee,

to go into the further consideration of the Court of Requests Bill. Mr. Speaker left the Chair. Mr. McLean again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted to sit again on Monday next.

Read for the second time, the Bill to prevent Bribery and Corruption at Elections for the Commons of this Province. Mr. Howard then moved, seconded by Mr. Gough, that the House do now resolve itself into a Committee to go into the consideration of the said Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. C. Wilson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. C. Wilson reported that the Committee had made a progress and had directed him to ask for leave to sit again on Tuesday next. Leave was accordingly granted to sit again on Tuesday next.

Mr. Mallory moved, seconded by Mr. Willcocks, that the House do now resolve itself into a Committee, to go into the consideration of the petition of Augustus Jones. The House accordingly resolved itself into a Committee to go into the consideration of the said Petition. Mr. Speaker left the Chair. Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Ordered, that the Committee have leave to sit again.

Read for the first time, the Bill for altering the construction of Mill-dams on navigable streams throughout this Province.

Mr. McNabb then moved, seconded by Captain Frazer, that the Bill for altering the construction of Mill-dams be read a second time on Tuesday next. Ordered, that the said Bill be read a second time on Tuesday next.

Mr. Gough, seconded by Mr. Dorland, moved for leave to bring in a Bill on Monday next for printing the Statutes of this Province, which passed in the negative.

Mr. Mallory moved, seconded by Mr. Howard, for leave to bring in a Bill on Monday next to repeal part of the Act passed in the thirty-fourth year of His Majesty's Reign, and also part of an Act passed in the thirty-seventh year of His Majesty's Reign, respecting Sheriffs in this Province; and to make further provision for the same. Leave was accordingly granted.

Mr. McLean, seconded by Mr. James Wilson, moved for leave to bring up the Petition of William Jarvis, Esquire. Leave was accordingly granted.

On motion of Mr. McNabb, seconded by Mr. Willcocks, the House adjourned until Monday next.

*Monday, 26th February, 1810.*

Prayers were read.

Read for the third time, the Amendments made by the Honorable the Legislative Council, in and to the Act for the relief of Minors of the Societies of Mennonists and Tunkers. Mr. Gough then moved, seconded by Mr. Secord, that the amendments made by the Honorable the Legislative Council in and to the Act entitled "An Act for the relief of Minors of the Societies of Mennonists and Tunkers," be now adopted by the House. The said amendments were accordingly adopted by the House. Mr. Rogers, seconded by Mr. McNabb, moved that Messrs. Gough and Secord do acquaint the Legislative Council that this House has concurred in adopting the amendments made by them in and to the Act entitled "An Act for the relief of Minors of the Societies of Mennonists and Tunkers." The same was ordered accordingly; and the Message is as follows:—

Mr. Speaker,

We are commanded by the Commons House of Assembly to acquaint this Honorable House that they have concurred in adopting the amendments made by the Legislative Council in and to the Act entitled "An Act for the relief of Minors of the Societies of Mennonists and Tunkers."

Commons House of Assembly,

26th February, 1810.

(Signed)

SAM'L STREET, Speaker.

On motion of Mr. Gough, seconded by Captain Elliott, the House resolved itself into a Committee, to go into the consideration of the Bill for appropriating money to make good moneys issued and advanced by His Majesty through the Lieutenant-Governor, in pursuance of two Addresses of this House. Mr. Speaker left the Chair. Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had made several amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Mr. Gough then moved, seconded by Mr. Marcle, that the Appropriation Bill as amended be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House went into the consideration of the Petition of the Inhabitants, Freeholders of the Incorporated Counties of Lennox and Addington, and the County of Prince Edward (except the Town of Ameliasburgh), complaining that James Wilson, Esquire, the sitting Member representing the County of Prince Edward (except Ameliasburgh) was not duly and lawfully elected and chosen.

In conformity to an Act passed in the First Session of the Fourth Provincial Parliament, entitled "An Act to regulate the Trial of Controverted Elections," the Speaker and the Members present were sworn by the Clerk at the Table.

Members present:—The Speaker, Thomas B. Gough, James McNabb, Thomas Frazer, Henry Marcle, Stephen Burritt, Matthew Elliott, J. B. Baby, Peter Howard, Allan McLean, John Wilson, John McGregor, Crowell Wilson, Joseph Willcocks, Benajah Mallory, John Roblin, Philip Sovereign, Thomas Dorland, Levi Lewis, David Secord, D. McG. Rogers.

The Clerk then read at the Table the Petition of the Inhabitants, Freeholders of the United Counties of Lennox and Addington, and the County of Prince Edward (except Ameliasburgh).

The Solicitor-General came to the Bar as Counsel for James Wilson, Esquire, the sitting Member. A place was allotted for him by the House within the Bar, but not to be a precedent hereafter.

John McDonell, Esquire, Barrister-at-Law, of Counsel for the Petitioners of the Counties of Lennox, Addington and Prince Edward, complaining that James Wilson, Esquire, the sitting Member, was not duly and lawfully elected and chosen, came to the Bar. A place was allotted for him by the House within the Bar, but not to be a precedent in the future.

John Lowe, one of the witnesses in support of the Petition of the Inhabitant Freeholders of the County of Prince Edward (except Ameliasburgh) was sworn at the Bar.

John McDonell, Esquire, Counsel for the Petitioners, by permission of the House began to examine witnesses on the part of the said Petitioners.

The Solicitor-General did also obtain the permission of the House to cross-

examine such witnesses as were brought forward in support of the Petition of the Freeholders of the County of Prince Edward (except Ameliasburgh).

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled "An Act to provide for the laying out, amending and keeping in repair the public highways and roads in this Province, and to repeal the law now in force for that purpose," to which they have made several amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

The House again went into the consideration of the Controverted Election. Tobias Ryckman, a witness in support of the Petition, was sworn at the Bar. The evidence of Tobias Ryckman, the witness for the petitioners, having been gone through, the Clerk of the Crown appeared at the Bar, and delivered in a written paper, signed by himself, which was read by the Clerk at the Table, and is as follows:—

The Clerk of the Crown and of the Common Pleas, in pursuance of directions to him given, begs leave respectfully to state to the House of Assembly that no Rule or Order has been pronounced by the Court of King's Bench to ascertain, determine, declare and adjudge what fees shall or may be taken, or be allowed to be taken, by any Clerk of the Crown, Counsel, Attorney, Sheriff, Officer or other person, in consequence of the power vested in the said Court by an Act passed in the forty-fourth year of His present Majesty's Reign; excepting the Rule of Easter Term, 46 Geo. III., whereby it is ordered that in future the quantum of costs on all proceedings in this Court be governed by the Rule of Allowance in Westminster Hall; and that the practice of this Court do conform in all possible respects to that laid down in Tidd and Sellon.

(Signed) JOHN SMALL,

Clerk of the Crown, etc.

Peter Vallean, on evidence also for the Petitioners, was sworn at the Bar, as was also in his place, John Roblin, Esquire, a Member of this House, in support of the Petition.

Mr. McLean then moved, seconded by Mr. John Wilson, that the further consideration of the contested Election be postponed until ten o'clock to-morrow morning, which was ordered accordingly.

Agreeably to the Order of the Day was read for the second time the Bill for the more accurate adjustment of the Survey and admeasurement of Lands in this Province.

Mr. Gough then moved, seconded by Mr. Burritt, that the House do on Wednesday next resolve itself into a Committee to take into consideration the Bill for the more accurate admeasurement of Lands in this Province, and for the better ascertaining the boundaries thereof. The same was ordered accordingly.

Then was read for the first time the amendments made by the Legislative Council in and to the Act for keeping in repair the Highways and Roads. Mr. Howard then moved, seconded by Mr. Dorland, that his amendments made by the Legislative Council in and to the Road Bill be read a second time to-morrow, which was ordered accordingly.

On motion of Mr. Lewis, seconded by Mr. C. Wilson, the House adjourned.

*Tuesday, 27th February, 1810.*

Prayers were read.

Agreeably to the Order of the Day was read for the third time, as engrossed, the Bill for appropriating a sum of money to make good moneys advanced by the Lieutenant-Governor in pursuance of several Addresses of this House. On motion of Mr. Gough, seconded by Captain Elliott, resolved, that the Bill do pass, and that the title be "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant-Governor, in pursuance of several Addresses of this House." The Bill then passed, and was signed by the Speaker. Mr. Howard moved, seconded by Mr. Baby, that Messrs. Gough and Dorland do carry up to the Legislative Council the act entitled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant-Governor, in pursuance of several Addresses of this House," and request their concurrence in passing the same, which was ordered accordingly.

On motion of Mr. Howard, seconded by Mr. James Wilson, the House resolved itself into a Committee, to go into the consideration of the Bill for the discouragement of Public Plays and Shows in this Province. Mr. Speaker left the Chair. Mr. James Wilson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilson reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow.

Leave was accordingly granted to sit again to-morrow.

Agreeably to the Order of the Day, the House went into the further consideration of the Controverted Election of James Wilson, Esquire.

John Lowe, was called to the Bar, and re-examined by the Council for the Petitioners; as was also Peter Vallean.

Mr. Gough then moved, seconded by Mr. Secord, that the further consideration of the Petition of the Freeholders of the County of Prince Edward be adjourned until to-morrow, and that the Petitioners do pay to the sitting Member, James Wilson, Esquire, such additional expense as he may incur by such indulgence to them, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill to prevent Forgery in this Province. Mr. Speaker left the Chair. Mr. Roblin was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Roblin reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was granted accordingly.

Read for the second time, the Bill to regulate the Fees to be taken in the Court of King's Bench. Mr. Willcocks then moved, seconded by Mr. Rogers, that the Bill for regulating the Fees to be taken in the Court of King's Bench be referred to a Committee of the whole House, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill for laying a Duty upon Billiard Tables. Mr. Speaker left the Chair. Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received. Mr. Willcocks then moved, seconded by Mr. Roblin, that the Bill for imposing a Tax upon Billiard Tables be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the consideration of the Bill for creating a new District. Mr. Speaker left the Chair. Mr. Burritt was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted to sit again this day.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled "An Act granting an additional sum of money for erecting a Bridge across the Grand River," without any amendment.

And then he withdrew.

Mr. Gough, one of the Messengers named to carry up to the Honorable the Legislative Council the Act entitled "An Act applying a certain sum of money therein mentioned to make good moneys issued and advanced by His Majesty through the Lieutenant-Governor in pursuance of several Addresses of this House," reported that they had carried up the said Bill, and request their concurrence in passing the same.

Mr. Gough, one of the Messengers named to carry up the Message of this House to the Honorable the Legislative Council, that this House had concurred in the amendments made by the Legislative Council in and to the Act entitled "An Act for the relief of minors of the Societies of Mennonists and Tunkers," reported that they had carried up the same.

Agreeably to leave given, the House again resolved itself into a Committee to go into the consideration of the Bill for the creation of a New District. Mr. Speaker left the Chair. Mr. Burritt again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received.

On motion of Mr. Willcocks, seconded by Mr. Rogers, the House adjourned.

*Wednesday, 28th February, 1810.*

Prayers were read.

Read for the third time, as engrossed, the Bill for laying a Duty upon Billiard Tables. On motion of Mr. Willcocks, seconded by Mr. James Wilson, resolved, that the Bill do pass, and that the title be "An Act for Licensing Billiard Tables." The Bill accordingly passed, and was signed by the Speaker. Mr. McNabb, seconded by Mr. Baby, moved that Messrs. Willcocks and Sovereign do carry up to the Honorable the Legislative Council the Act entitled "An Act for Licensing Billiard Tables," and request their concurrence thereto, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill for appropriating a sum of money for improving the roads and building Bridges throughout the Province. Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Ordered, that the Committee have leave to sit again this day.



Agreeably to the Order of the Day, the House went into the further consideration of the Petition of the Inhabitants of the County of Prince Edward (except Ameliasburgh) stating that James Wilson, Esquire, the sitting Member, was not duly and lawfully elected and chosen. Mr. McNabb, Esquire, a Member of this House, was sworn in his place as an evidence in support of the Petition of the Freeholders of the County of Prince Edward (except Ameliasburgh).

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act, sent up from this House, entitled "An Act to extend the provisions of an Act passed in the forty-seventh year of His Majesty's Reign, entitled "An Act for the Preservation of Salmon," to which they have made several amendments, to which amendments they request the concurrence of this House.

And then he withdrew.

The amendments made by the Honorable the Legislative Council were then read for the first time. Mr. Gough then moved, seconded by Mr. Lewis, that the amendments made by the Legislative Council in and to the Salmon Bill be read a second time to-morrow, which was ordered accordingly.

Agreeably to leave given, the House again resolved itself into a Committee to go into the further consideration of the Bill for appropriating money for Roads and Bridges. Mr. Speaker left the Chair. Mr. Howard again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly given to sit again this day.

A Message from His Excellency, the Lieutenant-Governor, signed by His Excellency, was presented by William Hatton, Esquire, His Excellency's Secretary, which Message was read, all the Members of the House being uncovered, and is as follows:—

(Signed) FRANCIS GORE, Lieutenant-Governor.

The Lieutenant-Governor thinks it proper to acquaint the House of Assembly that, with a view to encourage the infant manufactures in this Province, a contract has been made to supply His Majesty's ships and vessels on these lakes with cordage of our own manufacture.

It is therefore expedient that the Commissioners for the purchase of hemp, under the provisions of the Statute passed in the forty-first year of His Majesty's Reign, should be at liberty to dispose of the same without its being transported out of the Province, and the Lieutenant-Governor submits to the wisdom of the House to make a provision to that effect.

28th February, 1810.

F. G.

Mr. McLean moved, seconded by Mr. Rogers, that the House do on to-morrow resolve itself into a Committee, to go into the consideration of His Excellency the Lieutenant-Governor's Message to this House. The House accordingly resolved the same.

Agreeably to leave given, the House resolved itself into a Committee to go into the further consideration of the Bill for granting money for the purpose of amending and repairing the roads and bridges. Mr. Speaker left the Chair. Mr. Howard again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. McLean then moved, seconded by Mr. Jas. Wilson, that the Bill for appropriating money for roads and bridges be engrossed, and read a third time on Thursday next, which was ordered accordingly.

Mr. Willcocks then moved, seconded by Mr. Secord, that the further consideration of the Contested Election of James Wilson, Esquire, be postponed until to-morrow. Ordered accordingly.

Read for the second time, the Bill to provide for obtaining the benefits of the process of outlawry in Civil Actions.

Mr. Gough then moved, seconded by Mr. C. Wilson, that the House do to-morrow resolve itself into a Committee, to go into the consideration of the outlawry Bill, which was ordered accordingly.

Mr. Mallory moved, seconded by Capt. Frazer, that so much of the Order of the Day as gives leave to bring in a Bill to regulate Tavern Licenses in this Province, be discharged. The said was accordingly discharged.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill to prevent Bribery and Corruption at Elections. Mr. Speaker left the Chair. Mr. C. Wilson took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilson reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received.

Mr. McLean moved, seconded by Mr. John Wilson, that the Bill for creating a New District be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. Howard then moved, seconded by Mr. Rogers, that the Bill to prevent Bribery and Corruption at Elections be engrossed and read a third time to-morrow. Ordered accordingly.

On motion of Mr. Burritt, seconded by Mr. McNabb, the House adjourned.

*Thursday, 1st March, 1810.*

Prayers were read.

Read for the first time, a Bill respecting Sheriffs in this Province. Mr. Mallory moved, seconded by Mr. Secord, that the Bill respecting Sheriffs be read a second time to-morrow. Ordered accordingly.

Read for the second time, the amendments made by the Honorable the Legislative Council in and to the Bill for the further preservation of Salmon. Mr. Gough then moved, seconded by Captain Elliott, that the House do now resolve itself into a Committee, to go into the consideration of the amendments made by the Honorable the Legislative Council in and to the Bill for the further preservation of Salmon. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Baby was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Baby reported that the Committee had gone through the consideration of the said amendments, and that he was directed by the Committee to report to the House that the amendments be adopted. The Report was then received, and ordered accordingly. Mr. Gough then moved,

seconded by Capt. Frazer, that the amendments made by the Honorable the Legislative Council, in and to the Salmon Bill, be read a third time-to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day Mr. Speaker put the question for the third reading of the Bill to prevent Bribery and Corruption at Elections in this Province. A division thereupon took place; the names being called for were taken down, and are as follows:—

Yeas.	Nays.
MESSRS. BURRITT	MESSRS. McNABB
GOUGH	FRAZER
ROGERS	BABY
J. WILSON	SECORD.
HOWARD	
C. WILSON	
WILLCOCKS	
ROBLIN	
LEWIS	
MALLORY	

Carried in the affirmative by a majority of six, and the said Bill was accordingly read for the third time. On motion of Mr. Howard, seconded by Mr. Willcocks, resolved, that the Bill do now pass, and that the title be "An Act to prevent Bribery and Corruption at any future election of a Member to serve in the House of Assembly in this Province." On Mr. Speaker having put the question a division thereupon took place. The names being called for they were taken down, and are as follows:—

Yeas.	Nays.
MESSRS. BURRITT	MESSRS. McNABB
GOUGH	FRAZER
ELLIOTT	MARCLE
WILSON	BABY
HOWARD	McGREGOR
C. WILSON	SECORD
ROGERS	McLEAN.
WILLCOCKS	
JAMES WILSON	
ROBLIN	
LEWIS	
MALLORY	

Carried in the affirmative by a majority of five. The Bill then passed, and was signed by the Speaker.

Mr. Rogers moved, seconded by Mr. Willcocks, that Messrs. Howard and Burritt do carry up to the Honorable the Legislative Council the Bill to prevent Bribery and Corruption at elections, and request their concurrence in passing the same. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Court of Requests Bill. Mr. Speaker left the Chair. Mr. McLean was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee

had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted.

Mr. Willcocks then moved, seconded by Mr. Mallory, that the Bill for extending the jurisdiction of the Court of Requests be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. Willcocks, seconded by Mr. Rogers moved, that the further consideration of the contested election of James Wilson, Esquire, be postponed until to-morrow. The same was accordingly postponed until to-morrow.

Read for the second time, the Bill for altering the construction of Mill-dams in this Province.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Message from His Excellency the Lieutenant-Governor. Mr. Speaker left the Chair. Mr. McGregor was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had come to a resolution, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Accordingly the Report was unanimously received and is as follows:—

The Committee do recommend that a respectful address be presented to His Excellency the Lieutenant-Governor, thanking him for his message of the 28th ult. respecting the contract made for the sale of hemp, the growth of this Province; and that the Committee do take into its consideration the adoption of measures to carry the Lieutenant-Governor's Message into effect.

Mr. Rogers moved, seconded by Mr. Willcocks, that Messrs. McLean and Gough be a Committee to draft an address to His Excellency the Lieutenant-Governor, agreeably to the resolution of the House this day, respecting the culture of hemp in the Province, which was ordered accordingly. Mr. Gough moved, seconded by Captain Elliott, for leave to bring in a Bill to-morrow to repeal and amend part of an Act passed in the forty-fourth year of His Majesty's Reign, for encouraging the growth and cultivation of hemp in this Province. Leave was accordingly granted.

Mr. McNabb moved, seconded by Mr. Burritt, that the House do now resolve itself into a Committee to go into the consideration of the Bill to alter the construction of Mill-dams. Ordered accordingly.

Read for the second time, the amendments made by the Legislative Council in and to the Act for laying out, amending and keeping in repair the Public highways and roads in this Province. Mr. Howard then moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee to go into the consideration of the amendments made by the Legislative Council in and to the Act for laying out, amending and keeping in repair the Highways and Roads. The House accordingly resolved itself into a Committee to go into the consideration of the amendments made to the said Bill. Mr. Speaker left the Chair. Captain Frazer was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Frazer reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Ordered, that the Committee have leave to sit again this day.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled "An Act for applying a certain sum of money therein mentioned, to make good moneys issued and advanced by His Majesty through the Lieutenant-Governor, in pursuance of several Addresses of this House," without any amendment.

And then he withdrew.

Mr. Gough, from the Committee appointed to draft an Address to His Excellency, the Lieutenant-Governor, in answer to His Excellency's Message to this House, respecting the sale of Hemp in this Province, reported that they had drafted an Address, which he was directed by the Committee to submit to the House whenever it shall be pleased to receive the same. Ordered, that the draft of an Address be now received. He then read the draft of the Address in his place, and afterwards delivered in the same at the Table, where it was again read by the Clerk throughout. Mr. Gough, seconded by Mr. Roblin, moved that the House do now resolve itself into a Committee to go into the consideration of the draft of the Address to the Lieutenant-Governor. The House accordingly resolved itself into a Committee, to go into the consideration of the draft of an Address to the Lieutenant-Governor. Mr. Speaker left the Chair. Mr. Burritt was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had gone through the consideration of the Address without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Gough then moved, seconded by Mr. Burritt, that the Address to His Excellency, the Lieutenant-Governor, be engrossed, and read a third time this day. Ordered accordingly.

The said Address was then read as engrossed, which passed, and was signed by the Speaker, and the same is as follows:—

To His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, beg leave to return you our most respectful thanks for Your Excellency's Message to this House of the Twenty-eighth ultimo, respecting the contract made for the sale of Hemp, the growth of this Province; and to assure Your Excellency that this House will immediately take into their consideration the adopting of measures to carry into effect an object so highly advantageous to the general interests of this Province.

Commons House of Assembly,  
1st March, 1810.

(Signed) SAMUEL STREET,  
Speaker.

Mr. Rogers then moved, seconded by Mr. Willcocks, that Messrs. Gough and Howard do wait upon His Excellency, the Lieutenant-Governor, to know when His Excellency will be pleased to receive the Address of this House respecting Hemp; and that those gentlemen do present the said Address at such time as His Excellency shall be pleased to appoint. Which was ordered accordingly.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the amendments made by the Legislative Council in and to the Bill for laying out, amending and keeping in repair the Public

Highways and Roads. Mr. Speaker left the Chair. Captain Frazer was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Frazer reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

On the motion of Mr. Burritt, seconded by Mr. Marcle, the House adjourned.

*Friday, 2nd March, 1810.*

Prayers were read.

Messrs. Gough and Howard, the Messengers ordered to wait upon His Excellency, the Lieutenant-Governor, to know at what time His Excellency would be pleased to receive the Address of this House, respecting the encouragement of the culture of hemp in this Province, reported that they had waited on His Excellency, and that His Excellency was pleased to appoint this Day at the hour of eleven o'clock in the forenoon to receive the said Address.

At the hour appointed, the Messengers ordered to present the Address of this House to His Excellency, the Lieutenant-Governor, went up with the said Address accordingly, and being returned, reported that they had presented the said Address to His Excellency, the Lieutenant-Governor, to which His Excellency was pleased to make the following answer:—

Gentlemen of the House of Assembly,

I thank you for this Address, and it affords me much satisfaction to find you are so well disposed to adopt measures for the encouragement of the infant manufactures of this Province.

Government House, York,

2nd March, 1810.

Agreeably to the Order of the Day, was read for the third time the amendments made by the Legislative Council in and to the Bill for the further Preservation of Salmon. Mr. Gough then moved, seconded by Mr. Lewis, that Messrs. McGregor and Baby be a Committee to inform the Honorable the Legislative Council that this House has concurred in the amendments made by them in and to the Salmon Bill. Ordered accordingly.

Mr. Speaker,—

We are commanded by the Commons House of Assembly to acquaint this Honorable House that they have concurred in adopting the amendments made by the Legislative Council in and to the Act entitled "An Act to extend the provisions of an Act passed in the forty-seventh year of His Majesty's Reign, entitled 'An Act for the Preservation of Salmon.'"

Commons House of Assembly,  
2nd March, 1810.

(Signed) SAM'L STREET,

Speaker.

Mr. McLean moved, seconded by Mr. Howard, that the the third reading of the Bill for the division of Districts be discharged, and that the said Bill be recommitted. The same was accordingly discharged, and the said Bill was ordered to be recommitted. The House then resolved itself into a Committee to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Burritt was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had gone through the consideration of the said Bill, to which they had

made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

On Mr. Speaker having put the question for the Report being received, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

## Yeas.

MESSRS. McNABB  
BURRITT  
FRAZER  
MARCLE  
GOUGH  
BABY  
McLEAN  
HOWARD  
ROGERS  
McGREGOR  
LEWIS

## Nays.

MESSRS. C. WILSON  
SECORD  
ELLIOTT

Carried in the affirmative by a majority of eight. The Report was accordingly received.

Read for the third time, as engrossed, the Bill to extend the Jurisdiction of the Court of Requests. On motion of Mr. Howard, seconded by Mr. Gough, Resolved, That the Bill do pass, and that the title be "An Act to extend the Jurisdiction of the Court of Requests throughout this Province." The Bill then passed, and was signed by the Speaker. Mr. Rogers moved, seconded by Captain Elliott, that Messrs. C. Wilson and McNabb do carry up to the Honorable the Legislative Council the Act entitled "An Act to extend the Jurisdiction of the Court of Requests throughout this Province," and request their concurrence thereto, which was ordered accordingly.

Mr. McLean moved, seconded by Mr. Howard, that so much of the Rules of this House as requires one day's previous notice before certain questions can be put, be now dispensed with inasmuch as it respects the third reading of the Bill for the division of sundry Districts. The said Rule was accordingly dispensed with as far as respects the said Bill. Mr. McLean again moved, seconded by Mr. Howard, that the Bill for the division of sundry Districts be engrossed, and read a third time this day, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the amendments made by the Legislative Council in and to the Bill for laying out, amending and keeping in repair the Highways and Roads. Mr. Speaker left the Chair. Captain Frazer was called to the Chair of the Committee. Mr. Speaker resumed the Chair, and Captain Frazer reported that the Committee had come to a resolution that a conference be requested with the Honorable the Legislative Council in and upon the amendments made by them in and to the Act entitled "An Act for laying out, amending and keeping in repair the Public Highways and Roads in this Province; and to repeal the laws now in force for that purpose," which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received. Mr. Gough then moved, seconded by Mr. Burritt, that Messrs. Rogers and Howard do carry up to the Honorable the Legislative Council a message from this House,

requesting a conference with them on the subject of the amendments made by the Legislative Council in and to the Road Bill, which was ordered accordingly, and the message is as follows:—

MR. SPEAKER,—

I am commanded by the Commons House of Assembly to request a conference with the Honorable the Legislative Council on the subject matter of the amendments made by them in and to an Act entitled "An Act to provide for the laying out, amending, and keeping in repair the Public Highways and Roads in this Province; and to repeal the laws now in force for that purpose.

Commons House of Assembly,  
2nd March, 1810.

(Signed) SAM'L STREET,  
Speaker.

On motion of Mr. McLean, seconded by Mr. Gough, resolved, that the Speaker be directed to order medical assistance immediately to attend on Benajah Mallory, Philip Sovereign, Joseph Willcocks, John Roblin, John Wilson and James Wilson; and report the state of their health at the Bar of this House.

On Mr. Speaker having put the question a division thereupon took place. The names being called for they were taken down, and are as follows:—

Yeas.

MESSRS. McNABB  
FRAZER  
BURRITT  
MARCLE  
McGREGOR  
BABY  
McLEAN  
GOUGH  
ELLIOTT  
C. WILSON  
SECORD

Nays.

MESSRS. HOWARD  
ROGERS  
LEWIS

Carried in the affirmative by a majority of eight. The Speaker did then order Doctors Richardson and Lee to visit those gentlemen, and enquire into the state of their health, and report the same to the House as soon as possible.

Messrs. Wilson and McNab, the messengers appointed to carry up to the Honorable the Legislative Council the Act entitled "An Act to extend the jurisdiction of the Court of Requests throughout this Province," reported that they had carried up the same, and did request their concurrence thereto.

Messrs. Rogers and Howard, the Members named to carry up to the Honorable the Legislative Council the message of the House, requesting a conference with them, reported that they had carried up to the Legislative Council the said message.

Read for the third time, as engrossed, the Bill for the creation of a new District.

Doctors Richardson and Lee came to the Bar of the House, and did acquaint the Speaker that, in obedience to his orders, they had called at the lodgings of several of the Members, absent from this House on account of indisposition, and have the honor of making a written report of the state of health of Joseph Willcocks, James Wilson, John Wilson, and John Roblin, Esquires, which report is as follows:—



Mr. Speaker,—

We have seen and examined Mr. Willcocks, Mr. James Wilson, Mr. John Wilson, and Mr. Roblin, and are of opinion, from Mr. Willcocks' statement, and from his present state, that it would not be proper for him to attend the House this day. Mr. James Wilson states that he has taken medicine this morning, but we think (if it is absolutely necessary) he might attend in his place. The other two gentlemen complain very much, but have taken no medicine; we think they might come to the House, whether they would remain it is impossible for us to say. These gentlemen all state that they think they will be able to attend to-morrow. We are of the same opinion.

(Signed) R. RICHARDSON.

W. LEE.

A written message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery.

Mr, Speaker,—

A Committee of the Honorable the Legislative Council will meet a Committee of the House of Assembly forthwith in the Legislative Council Chamber, to confer on the subject matter of the amendments made by them in and to a Bill entitled "An Act to provide for the laying out, amending, and keeping in repair the Public Roads and Highways in this Province, and to repeal the laws now in force for that purpose."

Legislative Council Chamber,

2nd March, 1810.

(Signed) THOS. SCOTT,

Speaker.

Mr. Gough, seconded by Mr. McNabb, moved that Messrs. Rogers, Howard, McLean and C. Wilson be a Committee of conference, to meet a Committee of the Honorable the Legislative Council, on the subject matter of the amendments made by them in and to the Road Bill, which was ordered accordingly.

Mr. Rogers, from the Committee appointed by this House to confer with a Committee of the Honorable the Legislative Council on the subject matter of the amendments made by the Legislative Council in and to the Bill, reported that they had met the managers on the part of the Legislative Council, and have reason to believe that the Legislative Council will so modify their amendments as to do away with the objections made by the House of Assembly.

Read for the first time, A Bill respecting the Sale of Hemp in this Province. Mr. Gough moved, seconded by Mr. Secord, that the Hemp Bill be read a second time to-morrow, which was ordered accordingly.

A written message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery:—

Mr. Speaker,—

The Honorable the Legislative Council have acceded to the alteration agreed upon this day by the Committees of Conference upon the subject matter of the amendments made by them in and to a Bill entitled "An Act to provide for the laying out, amending and keeping in repair of the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose

Legislative Council Chamber,

2nd March, 1810.

(Signed) THOS. SCOTT,

Speaker.

And then he withdrew.

Read for the third time, as engrossed, the Bill for appropriating a sum of money for repairing roads and bridges throughout this Province.

On motion of Mr. McLean, seconded by Mr. Gough, the House adjourned.

*Saturday, 3rd March, 1810.*

Prayers were read.

Mr. Burritt moved, seconded by Mr. Gough, that the memorial of John Beikie, Esquire, be now read.

The said memorial was accordingly read, and is as follows:—  
To the Honorable the Speaker and the Honorable the Members of the House of Assembly.

The Memorial of John Beikie Most Respectfully Sheweth,

That Your Memorialist has done the work of Clerk to the Commission under the Heir and Devisee Acts, since the 1st June, 1805, to the present time.

That he has constantly furnished the Commission with stationery, for which he has had no allowance, there being none made, either under the former or the present Act. That he feels confident the duty has been faithfully discharged towards the Public, and therefore humbly prays that his past services may be considered, and that he may be allowed for stationery.

And Your Memorialist will ever pray.

York, 1st March, 1810.

(Signed) JOHN BEIKIE.

Mr. Rogers moved, seconded by Mr. Gough, for leave to bring up the Petition of Hugh McLean, Door-keeper to the Commissioners for securing titles to lands in this Province. The said petition was accordingly brought up, and ordered to lie upon the Table.

Mr. Rogers moved, seconded by Mr. Gough, that the House be cleared of strangers. The House was accordingly cleared of strangers. The door being opened, Mr. Burritt then moved, seconded by Capt. Elliott, that the House do now enter into the consideration of the Contested Election of James Wilson, Esquire.

The House accordingly proceeded on the merits of the Petition of the Freeholders of the County of Prince Edward (except Ameliasburgh), complaining of the undue return of James Wilson, Esquire, to represent that County in the House of Assembly. The Solicitor-General, of Counsel for James Wilson, Esquire, the sitting Member, by permission of the House, proceeded upon the defence in behalf of James Wilson, Esquire, to whom John McDonell, Esquire, Barrister-at-Law, by permission of the House, replied.

After Counsel having been heard in support of the allegations set forth in the petition of the Freeholders of the County of Prince Edward, and that on the part of the sitting Member, they were ordered to retire within the Bar. The House then examined Mr. McNabb, a Member of this House, touching the merits of the said petition. Mr. Rogers then moved, seconded by Mr. Gough, that John Dettor be examined by the House, which was ordered accordingly. John Dettor was then called to the Bar and sworn.

Mr. Gough, seconded by Mr. McGregor, moved that the House do now resolve that it appears to this House that the Petitioners complaining of the undue election and return of James Wilson, Esquire, the sitting Member representing the County of Prince Edward (except Ameliasburgh), have proved the allegations of their petition; it being the opinion of this House that he comes within the contemplation of the twenty-first clause of an Act of the Parliament of Great Britain, passed in the thirty-first year of His Majesty's Reign, entitled, "An Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, entitled 'An Act to make further provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said

Province," and has therefore vacated his seat. On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down and are as follows:—

## Yeas.

MESSRS. McNABB  
BURRITT  
FRAZER  
MARCLE  
ELLIOTT  
BABY  
GOUGH  
McLEAN  
G. WILSON  
SECORD  
McGREGOR

## Nays.

MESSRS. J. WILSON  
HOWARD  
WILLCOCKS  
ROGERS  
ROBLIN  
LEWIS

Carried in the affirmative by a majority of five. The House accordingly resolved the same.

On motion of Mr. Burritt, seconded by Mr. Marcle, the House adjourned.

*Monday, 5th March, 1810.*

Prayers were read.

Agreeably to the Order of the Day, was read for the third time, as engrossed, the Bill for appropriating money for amending and repairing the highways and roads.

On motion of Mr. McLean, seconded by Capt. Frazer, resolved, that the Bill do pass and that the title be "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening New Roads, and building Bridges in the several Districts thereof." The Bill then passed, and was signed by the Speaker.

Agreeably to the Order of the Day, was read for the third time, as engrossed, the Bill for appropriating money for amending and repairing the highways and roads.

On motion of Mr. McLean, seconded by Captain Frazer, resolved, that the Bill do pass, and that the title be "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public highways and roads, laying out and opening new roads, and building bridges in the several Districts thereof." The Bill then passed, and was signed by the Speaker.

Agreeably to the Order of the Day, was read for the third time, as engrossed, a Bill for the division of sundry Districts. On motion of Mr. McLean, seconded by Mr. Jas. Wilson, resolved, that the Bill do now pass, and that the title be "An Act for the better division of sundry Districts of this Province, and to constitute a District therefrom, called the District of Nelson, and to provide for the administration of justice in the said District." The Bill then passed and was signed by the Speaker. Mr. McLean, seconded by Mr. Gough, moved that Messrs. Rogers and Lewis do carry up to the Honorable the Legislative Council the Bill entitled "An Act for the better division of sundry Districts of this Province, &c.," and that they

may have permission to take up the petitions and subscription paper relative to the said Bill, and that they do also carry up to the Legislative Council the Act entitled "An Act for the appropriation of a sum of money for roads and bridges throughout this Province." The same was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill for regulating the Fees in the Court of King's Bench. Mr. Speaker left the Chair. Mr. Roblin was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Roblin reported that the Committee had gone through the consideration of the said Bill, to which they have made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received and accepted. Mr. Willcocks, seconded by Mr. Secord, moved that the Bill for regulating the Fees to be taken in the Court of King's Bench be re-committed this day. Ordered accordingly.

Mr. Gough moved, seconded by Capt. Elliott, that the House do now resolve itself into a Committee, to go into the consideration of the Hemp Bill.

The House accordingly resolved itself into a Committee, to go into the further consideration of the said Bill. Mr. Speaker left the Chair. Mr. McNabb was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had gone through the consideration of the said Bill, to which they have made several amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received.

The report was accordingly received and accepted.

Mr. Gough, seconded by Capt. Elliott, again moved that the fifth Standing Rule of this House be now dispensed with, as far as it relates to the Hemp Bill. The said Rule was accordingly dispensed with as far as respects the said Bill. Mr. Gough then moved, seconded by Capt. Elliott, that the Hemp Bill be engrossed, and read a third time this Day, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill to prevent the forging and counterfeiting of Foreign Bills of Exchange. Mr. Speaker left the Chair. Mr. Roblin was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Roblin reported that the said Bill be read again on this day three months, which he was directed by the Committee to report to the House whenever it shall be pleased to receive the same. Mr. Rogers moved, seconded by Mr. McLean, that the Report of the Committee be not received, but that the Committee be directed to sit again to-morrow. The same was ordered accordingly.

Read for the third time, as engrossed, the Bill to prevent the exportation of Hemp from this Province. On motion of Mr. Gough, seconded by Mr. Baby, resolved, that the Bill do pass, and that the title be "An Act to amend an Act, passed in the forty-fourth year of His Majesty's reign, entitled 'An Act for granting to His Majesty a certain sum of money, for the further encouragement of the growth and cultivation of Hemp within this Province and the exportation thereof.'" The Bill then passed, and was signed by the Speaker. Mr. Gough, seconded by Mr. Mallory, moved that Messrs. Rogers and Lewis do carry up to the Legislative Council the Bill entitled "An Act to amend an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act for granting to His Majesty a certain sum

of money for the further encouragement of the growth and cultivation of hemp within this Province, and the exportation thereof." Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill for discouraging Public Plays and Shows in this Province. Mr. Speaker left the Chair. Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, to which they had made an amendment, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the report be now received. The Report was accordingly received and accepted. Mr. Howard then moved, seconded by Mr. Willcocks, that the Bill to prevent Public Plays and Exhibitions be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill respecting Land Surveyors, and the ad-measurement of land in this Province. Mr. Speaker left the Chair. Mr. John Willson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. John Wilson reported that the Committee had come to a resolution, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

The Report was accordingly received, and is as follows:—

The Committee do recommend to the House that the Bill respecting Land Surveyors and the better ascertaining the boundaries of lands, be printed, and that four copies thereof be delivered to each Member of this House.

The House accordingly concurred with the Committee, and the said Bill was ordered to be printed for the use of the Members.

Messrs. Rogers and Lewis, the messengers named to carry up to the Honorable the Legislative Council the Act entitled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of the Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new roads, and building bridges in the several districts thereof," reported that they had carried up the same, and did request their concurrence thereto.

Also that they had carried up to the Legislative Council the Act entitled "An Act for the better division of sundry Districts of the Province, and to constitute a District therefrom, called the District of Nelson; and to provide for the administration of justice in the said District," with the petition and subscription paper of the Petitioners for the new District, to which they did request their concurrence.

Also an Act entitled "An Act to amend an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act for the granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of hemp within this Province, and for the exportation thereof,'" to which they did request their concurrence in passing the same.

Messrs. McGregor and Baby, the Messengers named to carry up to the Honorable the Legislative Council the Message of concurrence from this House respecting the amendments made by the Legislative Council, in and to the Bill for the preservation of Salmon, reported that they had carried up the said Message.

Mr. Willcocks, seconded by Mr. Rogers, moved that the Order of the Day for recommitting the Bill for regulating the Fees of the Officers of the Court of King's

Bench be discharged, and that the said Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House went into the consideration of the Petition of the Inhabitants, Freeholders of the United Counties of Lennox and Addington, and the County of Prince Edward (except Ameliasburgh), complaining that John Roblin, Esquire, one of the sitting Members, representing the United Counties of Lennox and Addington, was not duly and lawfully elected and chosen.

In conformity to an Act passed in the First Session of the Fourth Provincial Parliament, entitled "An Act to regulate the Trial of Controverted Elections," the Speaker and the Members present were sworn by the Clerk at the Table.

Members present:

The Speaker, Thomas B. Gough, James McNabb, Thomas Frazer, Henry Marcle, Stephen Burritt, Matthew Elliott, J. Willson, Peter Howard, Alexander McLean, John McGregor, C. Willson, Joseph Willcocks, Benajah Mallory, Levi Lewis, D. McG. Rogers, Philip Sovereign.

The Clerk at the Table read the Petition of the Inhabitant Freeholders of the United Counties of Lennox and Addington, and the County of Prince Edward (except Ameliasburgh).

John McDonell, Esquire, Barrister-at-Law, of Counsel for the Petitioners of the United Counties of Lennox and Addington, and the County of Prince Edward (except Ameliasburgh), complaining that John Roblin, Esquire, was not duly and lawfully elected and chosen, came to the Bar. A place was allotted for him by the House within the Bar, but not to be a precedent hereafter.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker:

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, entitled "An Act for granting to His Majesty a Duty upon Billiard Tables," to which they have made several amendments, to which they request the concurrence of this House.

And then he withdrew, and Mr. Willcocks moved, seconded by Mr. Gough, for leave to bring in a Bill to-morrow for Licensing Billiard Tables.

On Mr. Speaker having put the question, a division thereupon took place.

The names being called for, they were taken down, and are as follows:—

Yeas:

MESSRS. GOUGH  
McLEAN  
J. WILLSON  
HOWARD  
WILLCOCKS  
ROGERS  
ROBLIN.

Nays:

MESSRS. McNABB  
FRAZER  
BURRITT  
MARCLE  
BABY  
SECORD  
G. WILLSON  
MALLORY  
SOVEREIGN  
McGREGOR  
LEWIS  
ELLIOTT.

The same was carried in the negative by a majority of five.

Then John Lowe, an evidence in support of the Petition of the Inhabitants of the United Counties of Lennox and Addington, and the County of Prince Edward, was sworn at the Bar. John McDonell, Esquire, Counsel for the Petitioners, by permission of the House began to examine witnesses on the part of the said Petitioners. John Roblin, Esquire, sitting Member petitioned against, cross-examined the witness. Peter Valleau, Tobias Ryckman and Joseph Trompeau were sworn and severally examined by the Counsel for the Petitioners, and cross-examined by the sitting Member.

On motion of Mr. Mallory, seconded by Mr. Sovereign, the House adjourned.

*Tuesday, 6th March, 1810.*

Prayers were read.

Mr. Willcocks moved, seconded by Mr. Sovereign, that the Rule of the House which requires one day's notice, be dispensed with, as far as relates to the Billiard Table Bill, and that he have leave to bring in the said Bill this day. The said Rule was accordingly dispensed with on this occasion, and leave was granted to bring in the said Bill this day.

Then was read for the first time a Bill for Licensing Billiard Tables. Mr. Willcocks moved, seconded by Mr. Sovereign, that the Bill for Licensing Billiard Tables be read a second time this day. The said Bill was accordingly read for the second time. Mr. Willcocks again moved, seconded by Mr. Sovereign, that the House do now resolve itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Gough was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Gough reported that the Committee had gone through the consideration of the said Bill, without any amendment, which he was directed by the Committee to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received.

Mr. Willcocks, seconded by Mr. Sovereign, moved that the Bill for imposing a Duty upon Billiard Tables be engrossed, and read a third time this day. Ordered accordingly.

Mr. McNabb, seconded by Mr. Burritt, moved that the Petition of William Jarvis, Esquire, be now read. The said Petition was accordingly read, and is as follows:—

To the Honorable the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled.

The Petition of William Jarvis, Esquire, Keeper of the Rolls.

Most respectfully sheweth,

That since the establishment of a Parliament in this Province your Petitioner has been Keeper of the Rolls, for which service your Petitioner has never received any remuneration.

Your Petitioner therefore prays the Honorable House will be pleased to take this Petition into their consideration, and make him such annual allowance as the nature of the trust reposed in him shall to them seem meet.

And in duty bound will ever pray.

(Signed) WM. JARVIS.

Keeper of the Rolls.

23rd February, 1810.

Mr. Gough moved, seconded by Mr. Burritt, that the Speaker do order the Bill for the ascertaining the Boundaries of Lands in this Province to be printed, in conformity to the resolution of this House yesterday. Mr. Speaker did then order the said Bill to be printed.

Read for the third time, as engrossed, the Bill to prohibit Public Plays and Shows in this Province. On motion of Mr. Howard, seconded by Mr. Roblin, resolved, that the Bill do pass, and that the title be "An Act to prevent all Plays of interludes, Puppet Shows, Rope Dancers, or Stage Plays from performing in this Province for hire or gain." The Bill accordingly passed and was signed by the Speaker.

Read for the third time, as engrossed, the Bill for regulating the Fees in the Court of King's Bench.

On motion of Mr. Willcocks, seconded by Mr. Secord, resolved, that the Bill do pass, and that the title be "An Act to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act to repeal certain parts of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled 'An Act to repeal certain parts of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled 'An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal; and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned.'" The Bill then passed, and was signed by the Speaker.

Mr. Rogers, seconded by Mr. Secord, moved that Messrs. Howard and Willcocks do carry up to the Honorable the Legislative Council the Bill entitled "An Act to prevent all Plays of interludes, Puppet Shows, Rope Dancers, or Stage Plays from performing in this Province for hire or gain."

And also the Bill entitled "An Act to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act to repeal certain parts of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled 'An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal; and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned,'" and request their concurrence in passing the said Acts. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill to prevent Forgery and the Counterfeiting of Foreign Bills of Exchange. Mr. Speaker left the Chair. Mr. Roblin was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Roblin reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same. The House resolved that the Report be now received.

Mr. Gough gave notice, that he will to-morrow move that the House do then resolve itself into a Committee, to consider of an Address to Our Most Gracious Sovereign, congratulating him on his having entered into the fiftieth year of his Reign.

Mr. McLean moved, seconded by Mr. McGregor, that the fifth Rule of this House be now dispensed with, as far as relates to the third reading of the Bill to prevent forgery this day. The said Rule was accordingly dispensed with on this occasion.

Mr. McLean again moved, seconded by Mr. McGregor, that the amendments



made in and to the Bill for preventing forgery, be engrossed, and that the Bill as amended be read a third time this day. The same was ordered accordingly.

Read for the third time as engrossed, the Bill for licensing Billiard Tables. On motion of Mr. Willcocks, seconded by Mr. Mallory, resolved, that the Bill do pass, and that the title be "An Act for granting to His Majesty a duty upon Billiard Tables." The Bill then passed and was signed by the Speaker. Mr. Gough, seconded by Mr. C. Wilson; moved that Messrs. Willcocks and John Wilson do carry up to the Honorable the Legislative Council the Bill entitled "An Act for granting to His Majesty a duty upon Billiard Tables," and request their concurrence thereto.

Mr. Willcocks gave notice, that he will to-morrow move that the House do then resolve itself into a Committee, for the purpose of adopting some eligible method to remunerate Samuel Street, Esq., our Honorable Speaker, for the great and unparalleled expenses he has been at in supporting the high dignity of his station during the present Session.

Mr. Rogers, seconded by Mr. Sovereign, moved that the House do now resolve itself into a Committee, to go into the consideration of the amendments made by the Legislative Council, in and to the Bill for the better regulating the Statute Labour on the highways and roads, as modified by the Committee of conference of the two Houses, which met thereupon. The House accordingly resolved itself into a Committee to go into the consideration of the said amendments. Mr. Speaker left the Chair. Mr. Lewis was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had gone through the consideration of the amendments, made by the Legislative Council, in and to the Bill for laying out, amending and keeping in repair the Public Highways and Roads in this Province, as modified by the Committee of Conference of the two Houses, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered, that the Report be now received. Mr. Rogers then moved, seconded by Mr. Gough, that the fifth Rule of this House be dispensed with as far as respects the amendments made to the Road Bill, and that the said amendments be now read a third time. The said Rule was dispensed with on this occasion and the said amendments were ordered to be read a third time this day.

Messrs. Howard and Willcocks, the messengers ordered to carry up to the Honorable the Legislative Council two Acts from this House, reported that in obedience to the commands of this House, they had carried up to the Legislative Council the Act entitled "An Act to prevent all Plays of Interludes, Puppet Shows, Rope Dancers and Stage Plays from performing in this Province for hire or gain."

And also the Act entitled "An Act to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act to repeal certain parts of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled 'An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal; and to authorize His Majesty's Court of King's Bench in the Province to regulate certain Fees, Costs and Charges therein mentioned,'" to which two Bills they did request the concurrence of the Legislative Council.

Messrs. Willcocks and John Willson, the messengers named to carry up to the Honorable the Legislative Council an Act from this House, entitled "An Act for granting to His Majesty a duty upon Billiard Tables," reported that they had carried up the said Act, and did request their concurrence thereto.

Read for the third time, as engrossed, the amendments made by the Legis-

lative Council, in and to the Road Bill, as modified by the Committee of conference which met thereupon, which amendments were then adopted by the House; passed, and signed by the Speaker.

Mr. Gough then moved, seconded by Mr. Mallory, that Messrs. Rogers and Secord do inform the Legislative Council that this House has concurred in adopting the amendments made by the Legislative Council in and to the Road Bill, as modified by the Committee of conference. Ordered accordingly, and the message of conference is as follows:—

Mr. Speaker,

We are directed by the Commons House of Assembly to inform this Honorable House that the House of Assembly have agreed to pass the Bill entitled "An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose," with the amendments, as modified by the Committee of conference of the Honorable the Legislative Council and the House of Assembly.

Commons House of Assembly,  
6th March, 1810.

(Signed) SAM'L STREET,

Speaker.

Mr. Willcocks gave notice, that he will move to-morrow, that the House do then resolve itself into a Committee for the purpose of adjusting the allowances to be made to the Counsel and Witnesses in the case of the petitioners of the County of Prince Edward against James Wilson, Esquire, late a Member of this House.

Messrs. Rogers and Secord, the messengers ordered to carry up to the Legislative Council the message of this House respecting the amendments made by the Legislative Council, in and to the Road Bill, as modified by the Committee of conference, reported that they had carried up the said message.

Read for the first time, a Bill for erecting a Bridge across the River Credit, on the Dundas Road. Mr. Gough then moved, seconded by Mr. Willcocks, that the Bill for erecting a Bridge across the River Credit be read a second time to-morrow, which was ordered accordingly.

Read for the third time, as amended by this House, the Bill sent down from the Honorable the Legislative Council for preventing forgery and the counterfeiting of Foreign Bills of Exchange; which passed, and was signed by the Speaker. Mr. Rogers then moved, seconded by Capt. Elliott, that Messrs. McLean and Frazer do inform the Legislative Council that this House have passed the Bill sent down by them for the prevention of forgery, with amendments. The same was ordered accordingly. Messrs. McLean and Frazer, the messengers ordered to carry up an Act sent down from the Legislative Council, entitled "An Act for preventing forgery, and the counterfeiting of Foreign Bills of Exchange, and Foreign notes, and Orders for the payment of money," reported that they had carried up the said Act as amended, to which amendments they did request the concurrence of the Legislative Council.

Agreeably to the Order of the Day, the House went into the further consideration of the Contested Election of John Roblin, Esquire, one of the sitting Members, representing the united Counties of Lennox and Addington.

Daniel Bidel was sworn at the Bar, and examined by the Counsel for the Petitioners, and cross-examined by John Roblin, Esquire, the sitting Member.

James McNabb, Esquire, a Member of this House, was sworn in his place, and examined by the Counsel for the Petitioners, and cross-examined by John Roblin, Esquire, the sitting Member.

Thomas Dorland, Esquire, a Member of this House, was sworn in his place, and examined by the Counsel for the Petitioners, and cross-examined by the sitting Member.

John Willson was sworn at the Bar, and examined by the Counsel for the Petitioners, and cross-examined by the sitting Member.

The evidence on the part of the Petitioners having been gone through, John Roblin, Esquire, the sitting Member, was permitted by the House to call evidence to confute the allegations set forth in the petition of the Inhabitants, Frecholders of the United Counties of Lennox and Addington.

Tobias Ryckman was again called to the Bar, and re-examined by John Roblin, Esquire, the sitting Member, and cross-examined by the Counsel for the Petitioners.

Then John Willson, Esquire, a Member of this House, was sworn in his place as a witness on the part of John Roblin, Esquire, the sitting Member, and cross-examined by the Counsel for the Petitioners.

On motion of Mr. Willcocks, seconded by Mr. Mallory, the House adjourned.

*Wednesday, 7th March, 1810.*

Prayers were read.

Mr. Burritt moved, seconded by Mr. McNabb, that Thomas Dorland, Esquire, a Member of this House, have leave of absence during the remainder of this Session, in consequence of the bad state of his health. Ordered, that Mr. Dorland have leave of absence.

Mr. Rogers, seconded by Mr. Lewis, moved that the Petition of Hugh McLean be now read. The said Petition was accordingly read, and is as follows:—  
To the Honorable the Commons House of Assembly of Upper Canada.

The petition of Hugh McLean, of York,  
Humbly Sheweth,

That the Commissioners appointed under and by virtue of an Act of the Provincial Parliament, passed in the forty-eighth year of His Majesty's Reign, entitled "An Act to continue an Act passed in the forty-fifth year of His Majesty's Reign, entitled 'An Act to afford relief to those persons who may be entitled to claim lands as heirs or Devisees of the Nominees of the Crown, in cases where no patent hath issued for such lands, and further to extend the benefits of the said Act,'" employed Your Petitioner as Doorkeeper and Messenger to the Commission during their sittings in the year 1809.

That Your Petitioner during twenty days performed the duties of such situation to the best of his ability (as will appear by the annexed certificates) and hath not received any compensation for the same.

Your Petitioner therefore humbly prays Your Honorable House to grant him such remuneration for his service as to your wisdom may seem meet.

And Your Petitioner, as in duty bound, will every pray.

York, 28th February, 1810.

(Signed) HUGH McLEAN.

Mr. Rogers moved, seconded by Mr. Willcocks, that the Petitions of William Jarvis, John Beikie, and Hugh McLean, be referred to the Committee which shall be appointed to investigate the Contingent Accounts of this Session of Parliament. The same was ordered accordingly.

Agreeably to the Order of the Day, the House went into the further consideration of the Contested Election of John Roblin, Esquire, one of the sitting Members, representing the united Counties of Lennox and Addington.

George Duggan was sworn at the Bar as a witness on the part of John Roblin,

Esquire, the sitting Member, who was then examined by him, and cross-examined by the Counsel for the Petitioners.

Tobias Ryckman was again called to the Bar, and re-examined by the sitting Member, and cross-examined by the Counsel for the Petitioners.

John Willson, Esquire, a Member of this House was re-examined in his place by the sitting Member, and cross-examined by the Counsel for the Petitioners.

Peter Valleau was again called to the Bar and re-examined by the sitting Member, and cross-examined by the Counsel for the Petitioners.

John Lowe was also called to the Bar, and re-examined by the sitting Member and cross-examined by the Counsel for the Petitioners.

John Willson, Esquire, a Member of this House, was again re-examined in his place.

George Duggan was again called to the Bar, and re-examined.

Daniel Bidel was also called to the Bar, and re-examined by the House.

The evidence on the part of John Roblin, Esq., having been gone through, the Counsel for the Petitioners was then ordered to withdraw without the Bar.

A written message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery:—

Mr. Speaker,

The Honorable the Legislative Council have concurred in the amendments made by the Commons House of Assembly in and to a Bill entitled “An Act for preventing the Forgery and Counterfeiting of Foreign Bills of Exchange, and of Foreign Notes, and Orders for the Payment of Money.”

(Signed) THO'S SCOTT, Speaker.

Legislative Council Chamber,

7th March, 1810.

The Legislative Council have also passed an Act sent up from this House, entitled “An Act to amend an Act passed in the forty-fourth year of His Majesty's Reign, entitled ‘An Act for granting to His Majesty a certain sum of money for the further growth and cultivation of hemp within this Province, and the exportation thereof,’” without any amendment.

And also an Act sent up from this House entitled “An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new roads, and building bridges in the several Districts thereof,” without any amendment.

And then he withdrew.

Mr. Gough, seconded by Mr. McGregor, moved, that it appears to this House that the Petition of the United Counties of Lennox and Addington, complaining of the undue election and return of John Roblin, Esquire, one of the sitting Members, representing the said Counties, have fully proved the allegations of their petition, and that he is ineligible to a seat in this House.

On Mr. Speaker having put the question a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.  
 MESSRS. BURRITT  
 MARCLE  
 MCGREGOR  
 GOUGH  
 BABY  
 McLEAN  
 McNABB  
 SECORD  
 C. WILLSON  
 SOVEREIGN  
 ELLIOTT  
 FRAZER

Nays.  
 MESSRS. J. WILLSON  
 HOWARD  
 LEWIS  
 ROGERS  
 WILLCOCKS  
 MALLORY

Carried in the affirmative by a majority of six; and the seat of John Roblin, Esquire, is accordingly become vacant.

Mr. Gough then moved, seconded by Capt. Elliott, that the Speaker do inform His Excellency the Lieutenant Governor, that there is a vacancy in this House for a Member to represent the County of Prince Edward, (except Ameliasburgh) in the room of James Wilson, Esquire, he having vacated his seat; also that there is a vacancy in this House for one of the Members to represent the United Counties of Lennox and Addington, in the room of John Roblin, Esquire, he having vacated his seat under the twenty-first clause of an Act passed in the thirty-first year of His Majesty's Reign, entitled:— (Omitted in MS.)

Mr. Rogers, seconded by Mr. Willcocks, moved as an amendment to Mr. Gough's motion that the words "he having vacated his seat," be expunged, and that the words "his seat having been declared vacant" be inserted; and that the remainder of the motion after the word "also" be expunged.

Which was carried in the affirmative.

The main question was then put, which passed in the negative.

Mr. Rogers gave notice, that he will to-morrow move that the Clerk of this House be directed to furnish John Willson with such extracts from the Journals of this House as he may require, in order to enable him to prove the Resolutions of this House on the Petition complaining of the undue return of Richard Beasley, Esquire, which Petition was heard and returned last Session of Parliament.

Mr. Howard, seconded by Mr. Willcocks, moved that this House do to-morrow take into consideration the accounts of the evidence attending this House on the contested election of John Roblin and James Willson, Esquires. Ordered accordingly.

On motion of Mr. Willcocks, seconded by Mr. Rogers, the House adjourned.

*Thursday, 8th March, 1810.*

Prayers were read.

Mr. Gough moved, seconded by Capt. Frazer, that the House do now resolve itself into a Committee, to consider of a congratulatory Address to Our Most Gracious Sovereign, on his having entered into the fiftieth year of his Reign. The House accordingly resolved itself into a Committee, to go into the consideration of the same. Mr. Speaker left the Chair. Mr. Willcocks was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported:—

Resolved, that the Committee do unanimously recommend to the House that

a dutiful and loyal Address be presented to His Majesty, to congratulate him upon the fiftieth anniversary of His Majesty's accession to the Throne, and to implore the Divine Being to continue his protection and preservation of a life so dear to all His Majesty's subjects.

Mr. McLean moved, seconded by Mr. Marle, that Messrs. Gough, Willcocks and McNabb be a Select Committee to draft an Address, conformably to the foregoing Resolution. Ordered accordingly.

Mr. Gough, from the Committee appointed to draft an Address to His Majesty, conformable to the resolution of the House this day, reported that they had drafted an Address accordingly, which the Committee were ready to submit to the House whenever it should be pleased to receive the same. The House unanimously resolved that the draft of an Address be now received. He then read the draft of the Address in his place, and then delivered the same in at the Table, where it was again read by the Clerk.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act sent up from this House, entitled "An Act for granting to His Majesty a duty upon Billiard Tables," without any amendment.

Also that they have passed an Act sent up from this House, entitled "An Act to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled 'An Act to repeal certain parts of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled 'An Act to establish a Superior Court of Civil and criminal Jurisdiction, and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned,'" without any amendment.

And then he withdrew.

Mr. Gough, seconded by Mr. Burritt, moved that the Contingent Accounts of the present Session of Parliament be laid before the House this day, which was ordered accordingly.

Mr. Gough again moved, seconded by Mr. J. Willson, that the draft of the Address to His Majesty be read a second time this day. The draft of the Address to His Majesty was accordingly read. On motion of Mr. Gough, seconded by Mr. Rogers, the House resolved itself into a Committee to go into the consideration of the said Address. Mr. Speaker left the Chair. Mr. Willcocks was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had gone through the consideration of the said Address, without any amendment, which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered that the Report be now received. On motion of Mr. Howard, seconded by Mr. Lewis, the said Address was ordered to be engrossed and read this day.

The Address to His Majesty was read as engrossed, which passed, and was signed by the Speaker, and is as follows, viz.:—  
To the King's Most Excellent Majesty.

Most Gracious Sovereign:—

We, Your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, humbly pray Your Majesty to accept our warmest congratulations on the happy event of Your Majesty having attained the fiftieth year of your Reign; an event so pleasing to all Your Majesty's subjects in this

remote Colony, that it hath pleased Almighty God to preserve the life of Your Majesty until this period; while one and all are imploring the Great Disposer of Events still to cherish and preserve a life so dear as that of Our Most Beloved King.

Let it not be considered ostentatious from the humble Commons of Upper Canada to offer their prayers for the life endeared to the subjects of this Province by the most Parental affection: Your Majesty having afforded your loyal subjects of this Province an asylum in the hour of distress, when nothing was left them but their loyalty to their King, their lives, and their honor.

Permit us, Sire, to assure Your Majesty that none of Your subjects are animated with a more fervent zeal of loyalty and attachment to Your Sacred Person and Government than Your Majesty's subjects of Upper Canada.  
Commons House of Assembly,

Friday, 9th March, 1810.

(Signed) SAM'L STREET, Speaker.

Mr. McLean moved, seconded by Mr. Howard, that an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to transmit through the accustomed channel to His Majesty, an Address from the Representatives of the Commons of Upper Canada in Parliament assembled. The House accordingly resolved the same. Mr. McLean moved, seconded by Mr. McGregor, that Messrs. Gough, Howard and Rogers be a Committee to draft the said Address to His Excellency the Lieutenant Governor, which was ordered accordingly.

Mr. Gough, from the Committee appointed to draft an Address to His Excellency the Lieutenant Governor, reported that the Committee had drafted an Address accordingly, which was ready to submit to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. He then read the Report in his place, and delivered the same in at the Table, where it was again read by the Clerk. On motion of Mr. Baby, seconded by Capt. Frazer, the House resolved itself into a Committee, to go into the consideration of the said Address. Mr. Speaker left the Chair. Mr. J. Willson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willson reported that the Committee had gone through the consideration of the said Address, to which they have made no amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. Resolved, that the Report be now received. On motion of Capt. Frazer, seconded by Mr. Burritt, ordered, that the said Address be engrossed, and read this day. The said Address, as engrossed, was read, passed, and signed by the Speaker, and is as follows:—

To His Excellency, Frances Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, &c., &c., &c.  
May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of the Province of Upper Canada, in Parliament assembled, having unanimously agreed upon a congratulatory Address to His Majesty upon the fiftieth anniversary of His Majesty's accession to the Throne, have to request Your Excellency will be pleased to transmit the same through the accustomed channel, to be presented to His Majesty in the name of the Commons of the Province of Upper Canada.  
Commons House of Assembly,

8th March, 1810.

(Signed) SAM'L STREET, Speaker.

Mr. Gough moved, seconded by Mr. Sovereign, that Captain Frazer and Mr. McNabb do wait upon His Excellency, the Lieutenant Governor to know when His Excellency will be pleased to receive this House with its congratulatory Address to His Majesty, and also an Address to His Excellency, requesting him to transmit the same. Ordered accordingly.

Mr. Mallory moved, seconded by Mr. John Willson, for leave to bring up the Petition of Thomas Hamilton, one of the Commissioners for superintending the amending and repairing of Roads and Bridges in the Home District of this Province; and that the rule of this House, which directs that there shall be two days notice before a Petition can be read, be dispensed with on the present occasion; and that the said Petition be now read.

The said Rule was accordingly dispensed with on the present occasion, and the Petition of Thomas Hamilton was brought up and read by the Clerk at the Table, and is as follows:

To the Honorable the Speaker and Members of the House of Assembly of Upper Canada in Parliament convened.

The Petition of Thomas Hamilton,  
Humbly Showeth,

That Your Petitioner, having been appointed one of the Commissioners for the home district of this Province, in the year 1809 to superintend the repairing and amending the roads and bridges in the said District,

That Your Petitioner in calculating the probable expense of the causeway near the River Don, previous to the completion of the work, expected, and had reason to expect at that time, that the inhabitants of that neighborhood would assist in the raising of the same; but Your Petitioner has, to his great prejudice, been deceived, and has been obliged to pay out of his own money the sum of eighteen pounds, fifteen shillings, Provincial Currency, to complete the work.

Your Petitioner therefore prays that Your Honorable House will take his case into your consideration, and grant him such relief as you in your goodness may deem proper.

And Your Petitioner, as in duty bound, will ever pray.

York, 8th March, 1810.

(Signed) THO'S HAMILTON.

Mr. Howard moved, seconded by Captain Elliott, that Mr. Mallory have leave of absence during the remainder of this Session of Parliament on account of the bad state of his health. Leave of absence was accordingly granted.

Mr. McLean moved, seconded by Mr. Rogers, that this House do now adjourn until nine o'clock to-morrow morning.

The House accordingly adjourned until nine o'clock to-morrow morning.

*Friday, 9th March, 1810.*

Prayers were read.

Messrs. Frazer and McNabb, the Messengers ordered to wait upon His Excellency, the Lieutenant Governor, to know at what time His Excellency would be pleased to receive this House with its Addresses to His Majesty and the Lieutenant Governor; reported that they had waited upon His Excellency, the Lieutenant Governor, and that His Excellency was pleased to appoint this day at the hour of two o'clock in the forenoon to receive the House with its addresses.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the consideration of the expense incurred in consequence of the Contested



Election of James Wilson and John Roblin, Esquires. Mr. Speaker left the Chair. Mr. Secord was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Secord reported that the Committee had come to several resolutions, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received, and is as follows:—

Resolved, that all the evidences that have attended on the late contested Elections of James Wilson and John Roblin, be allowed the sum of seven shillings and six pence per day each, for the time they have attended.

Resolved, that it appears to the Committee that the House ought to pay to:

John Lowe for four days at 7s. 6d .....	£1	10	0
Peter Vallean for four days at 7s. 6d .....	1	10	0
Tobias Ryckman for four days at 7s. 6d .....	1	10	0
James Willson, two days at 7s. 6d. ....	15	0	0
Joseph Thompson, two days at 7s. 6d. ....	15	0	0
Daniel Bidel, two days at 7s. 6d. ....	15	0	0
	<hr/>		
	£6	15	0

They being necessarily detained for that time by this House.

Resolved, that it appears that the whole time John Lowe, Peter Vallean, and Tobias Ryckman have been detained is twenty-one days each. That the time James Willson has been detained is five days.

Resolved, that it appears to the Committee that the Petitioners against James Wilson do pay to him the fee due his Counsel for two day's attendance.

Agreeably to the Order of the Day the Clerk laid before the House the Contingent Accounts of the two Houses of the Legislature for the present Session, which were ordered to lie on the Table, and are as follows.

Estimate of sum necessary to furnish Stationery for the Legislative Council, for the year 1811 £20 0 0

Approved by me,

York, 9th March, 1810.

(Signed) THO'S SCOTT, Speaker.

Government of Upper Canada, to George Lawe, Dr.

To amount of Wm. Allan's Account .....	£	9	6	10½
“ John Thompson's (the masons) Account .....	7	7	0	
“ John Bassell's (the masons) Account .....	20	13	9	
“ Margaret Bright's (the masons) Account .....	2	9	0	
“ John McBeth's (the masons) Account .....	18	0		
“ Philip Clinger's (the masons) Account .....	2	7	6	

Halifax Currency .....	£43	2	11½
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Amounting to Forty-three Pounds, Two Shillings and Three halfpence, currency.

(Signed) GEORGE LAWE.

George Lawe maketh Oath and saith that the above account is just and true in all its particulars to the best of his knowledge and belief.

Sworn before me this Tenth  
day of March, 1810.

THO'S SCOTT, Speaker.

York, Upper Canada, 9th March, 1810.

The Contingent Account of the Commons House of Assembly, for the second Session of the Fifth Provincial Parliament.

To Matthew Dunham's Account .....	£19	5	7½
" James Lockwood's Account .....		17	2½
" Thomas Hamilton's Account .....	70	0	0
" Henry Hale's Account .....	1	5	0
" John McBeath's Account .....	4	16	7
" George Duggan's Account .....		10	0
" Philip Klinger's Account .....	2	7	6
" Sarah Herron's Account .....	3	11	3
" Quetton St. George's Account .....	30	17	10
" John Bassell's Account .....		7	6
" Hugh Carfrae's Account .....	23	10	4
" John Edgel's Account .....	6	0	0
" Carpet for the Church Pew .....	2	15	0
" Hugh Carfrae, being his yearly salary .....	20	0	0
" Thomas Hamilton, for extra services, taking care of furniture .....	10	0	0
" Allowance for witnesses detained by the House in the contested election of James Willson and John Roblin .....	6	15	0
" Hugh Carfrae for his extra services .....	10	0	0
" Allowance to Counsel in contested election .....	2	6	8
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Provincial Currency .....	£152	5	6

York, 9th March, 1810.  
House of Assembly  
12th March, 1810.

(Signed) SAM'L STREET, Speaker.  
York, Upper Canada, 10th March, 1810.

The Contingent Account of the Clerk of the Commons House of Assembly's Office, for the second Session of the Fifth Provincial Parliament.

Due the Copying Clerks .....	£109	7	6
Balance due for Stationery .....	3	6	4½
Cash paid St. George for test .....	5	7½	
Almanac .....			7½
Montreal newspapers .....	2	10	0
York Gazette .....	1	0	0
Mr. Allan's Account for postage .....	2	16	4
Mr. Wood's Account .....	8	9	9
Allowance for Stationery for the ensuing Session of Parliament	40	0	0
John Cameron .....	6	0	0
<hr/>			
Provincial Currency .....	£173	16	2½

Commons House of Assembly,  
10th March, 1810.

(Signed) SAM'L STREET, Speaker.

The Honorable the House of Assembly in Account Current with their Clerk for Copying Clerks, during the second Session of the Fifth Provincial Parliament.

Dr.

To Edward McMahon .....	£27 15 0
“ Charles Baynes .....	27 10 0
“ Thomas Ridout .....	22 10 0
“ George Kuck .....	17 5 0
“ George Ridout .....	9 15 0
“ Isaac Wood .....	1 10 0

Provincial Currency .....	£106 5 0
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To Balance .....	£31 5 0
“ Edward MacMahon .....	1 0 0
“ Charles Baynes .....	1 5 0
“ Joseph Shaw .....	1 5 0
“ Hugh Heward .....	1 5 0

Due Edward MacMahon for copying and comparing sundry writings in the Clerk of the Assembly's Office during the recess of Parliament .....	18 2 6
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Provincial Currency .....	£104 7 6
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Cr.

By Cash appropriated by law for Copying Clerks not yet received .....	£25 0 0
By Balance .....	81 5 0

£106 5 0
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Errors excepted.

York, 8th March, 1810.

(Signed) DONALD MACLEAN, Clerk Assembly.

The Honorable the House of Assembly in Account Current with the Clerk for Stationery for the second Session of the Fifth Provincial Parliament.

Dr.

To William James Crooks .....	£32 14 0
“ Alexander Wood .....	8 19 4½
“ William Allan .....	5 5 6

£46 18 10½
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“ Balance due .....	£3 6 4½
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Cr.

By Cash advanced for the purchase of stationery .....	£40 0 0
“ Four copies of the Provincial Statutes returned to Bennett being incomplete .....	3 0 0
“ Balance due on Firewood .....	12 6
“ Balance due .....	3 6 4½

£46 18 10½
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Errors excepted.

York, 8th March, 1810.

(Signed) DONALD MACLEAN.

At the hour appointed the House went up with its Addresses to His Majesty and His Excellency the Lieutenant Governor.

The House being returned; Mr. Speaker reported that the House had waited upon His Excellency the Lieutenant Governor with its Addresses, to which His Excellency was pleased to return the following answer:—

Gentlemen of the House of Assembly:—

I participate with you in that pleasure which every loyal subject must feel on His Majesty's having entered into the Fiftieth year of His Reign.

I account it as particularly fortunate in being enabled to lay at His Majesty's feet the congratulations of men, many of whose fathers, and not a few who themselves, have with their lives and fortunes stood forth in the cause of their country and their King.

9th March, 1810.

Mr. Mallory moved, seconded by Mr. Gough, that the Petition of Thomas Hamilton be referred to the Committee on Contingent Accounts. Ordered accordingly.

Mr. C. Willson moved, seconded by Mr. McNabb, that this House do resolve that the pamphlet entitled "A view of the Province of Upper Canada," signed John Mills Jackson, contains a false, scandalous and seditious libel, comprising expressions of the most unexampled insolence and contumely towards His Majesty's Government in this Province, the grossest aspersions upon the House of Assembly, the Courts therein, and the Officers of the Civil Establishment of the said Government, and most manifestly tending to alienate the affections of the people from His Majesty's Government of this Province, to withdraw them from their obedience to the laws of the Country, and to excite them to insurrection.

Mr. Gough moved, seconded by Mr. Baby, that the further consideration of Mr. C. Willson's motion, seconded by Mr. McNabb, relative to the Pamphlet entitled "A view of the Province of Upper Canada," signed John Mills Jackson, be postponed until to-morrow. The House unanimously resolved the same.

On motion of Mr. McLean, seconded by Mr. Marle, was read the pamphlet entitled "A view of the Province of Upper Canada," signed John Mills Jackson, or "A view of the Political situation of the Province of Upper Canada, in North America," in which her physical capacity is stated, the means of diminishing her burden, increasing her value, and securing her connection to Great Britain are fully considered. With notes and appendix. London, printed for W. Earle, No. 43, Albemarle Street, 1809."

On motion of Mr. Rogers, seconded by Mr. McLean the House adjourned.

*Saturday, 10th March, 1810.*

Prayers were read.

The House went into the Order of the Day for taking into consideration a motion made yesterday by Mr. C. Willson, seconded by Mr. McNabb, that the House do resolve that the Pamphlet entitled "A View of the Province of Upper Canada," signed John Mills Jackson, contains a false, scandalous and seditious libel, comprising expressions of the most unexampled insolence and contumely towards His Majesty's Government of this Province; the grossest aspersions upon the House of Assembly, the Courts of Justice therein, and the Officers of the Civil Establishment of the said Government, and most manifestly tending to alienate the affections of the people from His Majesty's Government of this Province, to withdraw them from their obedience to the laws of the Country and to excite them to insurrection. The House unanimously resolved the same.

Mr. Gough, seconded by Mr. McNabb, moved that the House do present an Address to His Excellency the Lieutenant Governor, expressive of its abhorrence and detestation of an infamous and seditious libel, signed John Mills, Jackson; and that Messrs. C. Willson, McLean and McGregor be a Select Committee to draft the same, which was ordered accordingly.

Mr. C. Willson, seconded by Mr. Gough, moved that the Pamphlet entitled "A view of the Province of Upper Canada," signed John Mills Jackson, be preserved among the Records of this House. The House unanimously ordered the same.

Mr. Gough then moved, seconded by Mr. C. Willson, that the names of the Members present be taken down. The names of the Members present were accordingly taken down, and are as follows, viz. :—The Speaker, James McNabb, Stephen Burritt, Henry Markle, J. B. Baby, Allan McLean, Philip Sovereign, J. B. Gough, Peter Howard, Joseph Willcocks, D. McG. Rogers, Thomas Frazer, Matthew Elliott, David Secord, John McGregor, Levi Lewis, Crowell Willson, and John Willson, Esquires.

Mr. Gough, seconded by Mr. McLean, moved, that Mr. Sovereign have leave of absence for the remainder of the Session, which passed in the negative.

Mr. McLean, from the Committee appointed to draft an Address to His Excellency, the Lieutenant-Governor, approbatory of His Excellency's administration of the Government of this Province, and testifying their abhorrence and detestation of a Pamphlet signed John Mills Jackson, reported that the Committee had drafted an Address accordingly, which they were ready to submit to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. He then read the draft of the Address in his place, and afterwards delivered the same in at the Table, where it was again read by the Clerk. On motion of Mr. Gough, seconded by Mr. C. Willson, the House resolved itself into a Committee to go into the consideration of the said Address. Mr. Speaker left the Chair. Mr. C. Willson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. C. Willson reported that the Committee had gone through the consideration of the said Address without any amendment which he was directed by the Committee to report to the House, whenever it shall be pleased to receive the same.

On Mr. Speaker having put the question for the Report being received a division thereupon took place.

The names being called for, they were taken down, and are as follows:—

## Yeas.

MESSRS. FRAZER  
BABY  
McLEAN  
BURRITT  
GOUGH  
McNABB  
SECORD  
ELLIOTT  
McGREGOR  
MARCLE  
C. WILLSON  
LEWIS  
SOVEREIGN

## Nays.

MESSRS. J. WILLSON  
HOWARD  
WILLCOCKS  
ROGERS

Carried in the affirmative by a majority of nine. The Report was accordingly received.

Mr. McLean, seconded by Mr. Baby, moved that the said Address be engrossed, and read this day. Ordered accordingly.

Mr. Rogers, from the Select Committee to whom was referred the Public Provincial accounts, reported the proceedings of the Committee thereon. He read the Report in his place, and then delivered the same in at the Table, where it was again read by the Clerk, and is as follows, viz:—

Report of the Select Committee appointed to take into consideration the Public Accounts of this Province, the second Session of the Fifth Provincial Parliament.

The Committee upon examining the accounts numbered 10 and 17 find that all moneys that have been paid out of the Provincial Treasury last year are paid by proper authority, and that there remained in the Receiver General's hands the 31st Dec. 1809, a balance of ..... £922 1 8

Upon examining the Account No. 14 we find that there was outstanding the 31st Dec. 1809 of duties collected on Shop, Innkeepers, and Still Licenses, issued between the 5th Jan. 1809 and the 5th Jan., 1810, as far as the acc'ts have been received . . . . . 617 8 0¾

A.—Upon examining the Account No. 8 we find that there was outstanding 31st Dec., 1809, of duties collected on goods imported from the United States, as far as the accounts have been furnished by the Collectors, the sum of ..... 97 12 9¼

B.—It appears by the Account No. 7, that there was outstanding 31st Dec., 1809, of duties collected on Licenses issued to Hawkers, Pedlars and Petty Chapmen for the year ending the 5th of April, 1810, as far as the accounts have come to hand, the sum of ..... 178 17 3¼

By a note added to the account No. 17 it appears that there has been paid to the Receiver General's Agent at Montreal, the sum of £4,645. 10. 2 provincial currency, which the Committee is only this Province's proportion of duties up to the 31st December, 1808 ..... 4645 10 2

C.—There is due from the Province of Lower Canada one year's duties on goods brought into this Province between the 1st Jan., and the 31st Dec., 1809, which may amount to..... 4908 0 5¼

£11439 10 4¾

A.—The Committee observe that the Accounts are not furnished by some of the Collectors of Customs in the manner that by law they ought to be, and that if those accounts were regularly furnished it would probably appear that there are considerable sums of money in the hands of those Collectors, above the sum above stated.

B.—By the Act imposing duties on Licenses issued to Hawkers, Pedlars and Petty Chapmen, the Collector is allowed ten per cent. on the money collected; but being obliged in certain cases to pay back the whole sum that has been paid, the Province suffers a loss of Sixteen Shillings on each sum so paid.

C—The Committee cannot by any means in their power ascertain what reductions the last sum to be received from Lower Canada is liable to. A large sum is kept back each year. They submit whether the House ought not to be informed on what account those sums are kept back.

A large sum of money is annually collected at the Port of Quebec, for duties under British Acts of Parliament, which sum they are informed is never accounted for to this Province in any manner.

There was in the hands of the Receiver-General 31st December, 1809, the District of Johnstown proportion of money appropriated for roads, forty-ninth of Geo. III. .... £200 0 0

There is due six Sheriffs 2nd March, 1810 ..... 300 0 0

The Balance of Lighthouse Duty appropriated, but not applied supposing the sum taken from the Lighthouse at York to be taken out of the General Fund ..... 314 13 8½

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£814 13 8½

Account of money in the hands of the Receiver-General, appropriated, but not applied.

To Support the War, by vote ..... £500 0 0

To Purchase the British Statutes ..... 175 0 0

For erecting Public Buildings in York ..... 2,400 0 0

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£3,075 0 0

Account of money collected under British Acts of Parliament, not accounted for.

On Shop and Innkeepers Licenses issued between 5th Jan., 1809, and 5th Jan., 1810, No. 15 ..... £468 3 7 2-10

For duties collected on goods imported from the United States between the 1st Jan., and 31st Dec., 1809, as far as the accounts have come to hand, No. 9 ..... 129 0 0 1-4

For fines and forfeitures between 1st Jan., and the 31st Dec., 1809, No. 16 ..... 27 5 9 1-4

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£624 9 4 3-5

The Committee observe that the fines, etc., imposed in the several Courts are in the Accounts supposed to be levied under British Acts of Parliament. They submit to the House whether they can be properly be said to be so imposed.

There is due from Colin McNabb, late Collector of Customs at the Port of Niagara, since 1802 ..... £87 0 10¼

The Committee think that it is improper for the Public money to remain in any individual's hands, especially for such a length of time. When money is collected from the Public it ought as soon as possible to be paid into the Provincial Treasury, that the Public might have the use of it.

All which is humbly submitted.

By Order of the Committee,

(Signed) D. McG. ROGERS,

Chairman.

York, 8th March, 1810.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Contingent Accounts of the two Houses of Parliament. Mr. Speaker left the Chair.

Mr. Sovereign was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had come to several resolutions, which he was directed to report to the House, whenever it shall be pleased to receive the same. On Mr. Speaker having put the question for the Report being received a division thereupon took place. The names being called for they were taken down and are as follows:—

## Yeas.

MESSRS: C. WILSON  
GOUGH  
BABY  
BURRITT  
McGREGOR  
SECORD  
McLEAN  
ELLIOTT  
MARCLE  
SOVEREIGN  
LEWIS  
FRAZER.

## Nays.

MESSRS. J. WILLSON  
WILLCOCKS  
ROGERS  
HOWARD.

Carried in the affirmative by a majority of eight. Mr. Sovereign then reported that the Committee had gone through the consideration of the Contingent Accounts of both Houses of Parliament, and that they had come to several resolutions thereon. He then read in his place the said resolutions and afterwards delivered the same in at the Table, where they were again read by the Clerk, and are as follows, viz. :—

Resolved, that it is the opinion of this Committee that it is expedient to advance to the Clerk of the Legislative Council, the sum of Twenty Pounds to enable him to purchase stationery for the use of the next Session of Parliament. (£20.)

Resolved, that it is the opinion of this Committee that there is due to George Lawe, Gentleman Usher of the Black Rod, agreeably to his account, as certified by the Speaker of the Legislative Council, for sundry contingent expenses thereof during the present Session, the sum of Forty-Three Pounds Two Shillings and One Penny Halfpenny. (£43 2s. 1½d.)

Resolved, that it is the opinion of this Committee that there is due to the Clerk of the House of Assembly, for disbursements in his Office, and for paying of Copying Clerks during the recess and the present Session One Hundred and Thirty-Three Pounds Sixteen Shillings and Twopence Halfpenny. (£163 16s. 2½d.)

Resolved, that it is the opinion of this Committee that it is expedient to advance to the Clerk of the House of Assembly, the sum of Forty Pounds, to enable him to procure a supply of stationery for the use of the next Session of Parliament. (£40.)

Resolved, that it is the opinion of this Committee that there is due to sundry persons for articles purchased by the Serjeant-at-Arms for the use of the House of



Assembly during the recess and the present Session, One Hundred and Forty-Three Pounds Three Shillings and Tenpence. (£143 3s. 10d.)

Resolved, that it is the opinion of this Committee that the evidences that have attended on the late Contested Election of James Wilson and John Roblin, be allowed the sum of Six Pounds Fifteen Shillings, as a compensation to them for the time they were necessarily detained by the House. (£6 15s. 0d.)

Resolved, that it is the opinion of this Committee, that there be paid Two Pounds Six Shillings and Eightpence, Counsel Fees for two days attendance having been necessarily detained by the House. (£2 6s. 8d.)

Resolved, that it is the opinion of this Committee that the sum of Fifty Pounds be allowed to William Jarvis, Esq., Keeper of the Rolls, for his services as such to this date. (£50.)

Resolved, that it is the opinion of this Committee that it is expedient to allow the Commissioners appointed in the Home District for amending highways and bridges to make good money by them, more than was granted last Session of Parliament, Eighteen Pounds Fifteen Shillings. (£18 15s. 0d.)

Resolved, that it is the opinion of this Committee, that there is due to John Beikie for Stationery furnished and services attending the Commissioners under the Act to afford relief to those persons who may be entitled to claim lands in this Province as Heirs or Devisees of the Nominees of the Crown, for five years past, including Five Pounds to Hugh McLean, as Messenger to the Commissioners during the last year. (£35.)

On motion of Mr. McNabb, seconded by Mr. Burritt, resolved, that the House do now concur in the foregoing resolutions reported from the Committee.

Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, to request that His Excellency will be pleased to issue his Warrant in favour of John Powell, Esquire, Clerk of the Legislative Council, for the sum of Twenty Pounds, to enable him to purchase stationery for the use of the ensuing Session of Parliament.

To George Lawe, Gentleman Usher of the Black Rod, for the sum of Forty Three Pounds Two Shillings and One Penny Halfpenny, for the payment of the contingent expenses of the Legislative Council during the present Session of Parliament.

To Donald McLean, Esquire, Clerk of the House of Assembly, for the sum of One Hundred and Seventy-Three Pounds Sixteen Shillings and Twopence Halfpenny, to enable him to pay the contingent expenses of his Office, and for printing done for this House, and to procure a supply of Stationery for the ensuing Session of Parliament.

To the Serjeant-at-Arms One Hundred and Fifty-Two Pounds Five Shillings and Sixpence, to enable him to pay for sundry articles furnished during the recess and the present Session of Parliament, including allowance made to witnesses and Counsel fee in the Contested Election of James Wilson and John Roblin.

To William Jarvis, Esquire, Keeper of the Rolls, for his services as such to this date, Fifty Pounds.

To the Commissioners appointed in the Home District for amending highways and bridges, to make good money expended by them more than was granted last year, Eighteen Pounds Fifteen Shillings.

To Mr. John Beikie, for stationery and services attending the Commissioners under the Devisee Act, Thirty-Five Pounds, including Five Pounds allowed to Hugh McLean, the Messenger, as wages during the last year.

Mr. Rogers moved, seconded by Mr. Willcocks, that the Clerk of this House be directed to furnish John Willson, Esquire, with certified copies from the Journals of this House, to enable him to prove the resolutions entered into when this House took into their consideration the petition of the said John Willson and the Freeholders of the West Riding of the County of York, which was heard and determined last year. Which was ordered accordingly.

Mr. Rogers again moved, seconded by Mr. Willcocks, that the Clerk be directed to furnish D'Arcy Boulton, Esquire, with a certified copy of the resolutions of this House which directs the Petitioners against James Willson, Esquire, to pay him the Fees of his counsel for two days. Ordered accordingly.

Mr. McLean moved, seconded by Mr. Gough, that the engrossed Address to His Excellency, the Lieutenant-Governor be now read. On Mr. Speaker having put the question for the Address being read as engrossed, a division thereupon took place. The names being called for they were taken down and are as follows:—

Yeas.  
 MESSRS. BABY  
 McLEAN  
 BURRITT  
 GOUGH  
 McNABB  
 SECORD  
 ELLIOTT  
 McGREGOR  
 MARCLE  
 C. WILLSON  
 LEWIS  
 SOVEREIGN

Nays.  
 MESSRS. J. WILLSON  
 HOWARD  
 WILLCOCKS  
 ROGERS.

Carried in the affirmative by a majority of eight.

The said Address, as engrossed, was then passed, and signed by the Speaker, and is as follows:—

To His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, beg leave to assure Your Excellency of our approbation of Your Excellency's administration of the Government of this Province, which, since your arrival among us, has increased in wealth, prosperity and commerce, far exceeding our most sanguine expectations, aided by your wise and liberal exertions to promote the same.

We should not intrude upon Your Excellency at this time to express the general sentiment of the people of this Province did not we feel ourselves called upon and impelled by a sense of that duty which we owe to our constituents, His Majesty's loyal subjects of this Province to you, Sir, as administering the Government thereof; and to that August Sovereign whom we regard as the Father of his people, only to express our abhorrence and indignation at a pamphlet now before us, addressed to the King, Lords and Commons of the United Kingdom of Great Britain and Ireland, containing in almost every page the most gross and false aspersions on Your Excellency and His Majesty's Executive Government, the House of Assembly,

and the loyal inhabitants of this Province, under the signature of John Mills Jackson, tending to misrepresent a brave and loyal portion of His Majesty's Subjects.

The Commons of Upper Canada, as the organ of the People, consider the author and publisher of such false and libellous pamphlets as a character endeavouring to alienate the minds of the unwary from His Majesty's Government, and to diminish the parental affection of His Majesty to his liege subjects in this Province, which with gratitude we proudly acknowledge to have experienced an ample and abundant share of.

In addressing Your Excellency we feel a satisfaction in repeating our approbation of Your Excellency's administration of this Government, without entering into the details, which would exceed the bounds of an Address.

We humbly request Your Excellency will be pleased to represent us to His Majesty in our true character, as loyal subjects, to remove any impression which such libel may have made, or might make under such imputation.

Commons House of Assembly,  
10th March, 1810.

(Signed) SAMUEL STREET,  
Speaker.

Mr. John Willson gave notice that he will, early in the next Session of Parliament, bring forth petitions of the inhabitants of the West Riding of York (except the Township of Toronto), the Townships of Saltfleet, Ancaster, Barton and Binbrook in the first Riding of the County of Lincoln, and that part of the County of Haldimand between Dundas Street and the Onondaga Village, praying the same may be formed into a new District.

Mr. Gough, seconded by Mr. McGregor, moved that Messrs. Howard and Sovereign do wait upon His Excellency, the Lieutenant-Governor, to know at what time His Excellency will be pleased to receive the Address of this House, respecting the libel signed John Mills Jackson, and that those gentlemen do present the same at such time as His Excellency shall be pleased to appoint. Mr. Speaker having put the question a division thereupon took place. The names being called for they were taken down and are as follows, viz:—

Yeas.  
MESSRS. BABY  
McLEAN  
BURRITT  
GOUGH  
McNABB  
SECORD  
ELLIOTT  
McGREGOR  
MARCLE  
LEWIS  
SOVEREIGN

Nays.  
MESSRS. J. WILLSON  
HOWARD  
WILLCOCKS  
ROGERS.

Carried in the affirmative by a majority of eight. Messrs. Howard and Sovereign were accordingly ordered to present the said Address at such time as His Excellency would be pleased to receive the same. On motion of Mr. McNabb, seconded by Mr. Marcle, the House adjourned until Monday next.

*Monday, 12th March, 1810.*

Prayers were read.

Read, a letter from William Hatton, Esquire, Secretary to His Excellency the Lieutenant-Governor, which is as follows:—

Lieutenant-Governor's Office,

York, 10th March, 1810.

Sir,

I have the honor to inform you by command of the Lieutenant-Governor, that His Excellency has been pleased to appoint Monday, the 12th inst., at twelve o'clock at noon, for the prorogation of the two Houses of the Legislature of this Province.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed) W<sup>M</sup>. HATTON, Secretary.

The Honorable the Speaker of the  
Commons House of Assembly.

Messrs. Howard and Sovereign reported that, in obedience to the order of the House they had waited upon His Excellency the Lieutenant-Governor, to know His Excellency's pleasure, when he would be pleased to receive the Address of this House, voted the 10th instant, and that His Excellency was pleased to appoint this day, at the hour of eleven o'clock in the forenoon, to receive the said Address.

At the time appointed, Messrs. Howard and Sovereign, the messengers ordered to present to His Excellency the Lieutenant-Governor, the Address of this House voted the 10th instant, went up with the Address, and did present the same to His Excellency the Lieutenant-Governor, to which Address His Excellency was pleased to return the following answer, viz. :—

Gentlemen of the House of Assembly,

The publication which you mention contains the most gross misrepresentations of the principles, temper, and situations of every class of His Majesty's subjects in this Province, and is calculated to produce the most pernicious effects.

The approbation which you have been pleased to express respecting my conduct, merits my acknowledgement and thanks.

It shall be my duty to convey the sentiments of His Majesty's faithful and loyal Commons of Upper Canada to the foot of the Throne.

12th March, 1810.

Mr. Gough, seconded by Mr. Lewis, moved that Messrs. McLean and Howard be a Committee to draft an Address to His Excellency the Lieutenant-Governor, praying him to issue his Warrants for paying the contingent accounts of the two Houses of Parliament for the present Session. Ordered accordingly.

Mr. McLean, from the Committee appointed to draft an Address to His Excellency the Lieutenant-Governor, requesting His Excellency to issue his Warrants for the payment of the contingent accounts of the present Session of Parliament, reported that he had drafted an Address accordingly, which they were ready to submit to the House, whenever it should be pleased to receive the same. Ordered, that the Report be now received. He then read in his place the draft of the said Address, and afterwards delivered it in at the Table where it was again read by the Clerk. Mr. Gough, seconded by Mr. McNabb, moved that the House do now resolve itself into a Committee, to go into the consideration of the said Address. The House accordingly resolved itself into a Committee to go into the consideration of the said Address. Mr. Speaker left the Chair. Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had gone through the consideration of the said Address, without any amendment, which he was directed by the Committee to report to the House, whenever it should be pleased to receive the same. Ordered, that the Report be now received.

The Report was accordingly received and accepted. Mr. Gough then moved, seconded by Mr. McNabb, that the said Address be engrossed, and read a third time this day. Ordered accordingly.

Read as engrossed, the Address to His Excellency the Lieutenant-Governor, respecting the contingent accounts of the present Session, which then passed, and was signed by the Speaker, and is as follows:—

To His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, do most humbly pray that it may please Your Excellency to issue Your Warrants, directed to the Receiver-General, requiring him to pay to John Powell, Esquire, Clerk of the Legislative Council, the sum of Twenty Pounds; to Mr. George Lawe, Usher of the Black Rod, the sum of Forty-Two Pounds Two Shillings and One Penny Halfpenny; to Donald McLean, Esquire, Clerk of the House of Assembly, One Hundred and Seventy-Three Pounds Sixteen Shillings and Twopence Halfpenny; to Mr. Thomas Hamilton, Deputy Sergeant-at-Arms, One Hundred and Fifty-Two Pounds Five Shillings and Sixpence; to enable them to pay the contingent expenses of the present Session, and to provide a supply of stationery for the ensuing Session of Parliament; to William Jarvis, Esquire, Keeper of the Rolls, for his Commissioners appointed in the Home District for amending highways and bridges, to make good money expended by them more than was granted last year, Eighteen Pounds Fifteen Shillings; to Mr. John Beikie, for stationery and service attending the Commissioners under the Act to afford relief to those persons who may be entitled to claim lands in this Province as Heirs or Devises of the Nominees of the Crown, including the Messengers wages, Thirty-Five Pounds.

We therefore do most humbly pray that Your Excellency will be pleased to issue your Warrants to carry the said resolutions into effect; and the Commons will make good the several sums of money to Your Excellency at the next Session of Parliament.

Commons House of Assembly,  
12th March, 1810.

(Signed) SAMUEL STREET,  
Speaker.

Mr. Gough, seconded by Mr. Baby, moved that Messrs. McNabb and Frazer do wait upon His Excellency the Lieutenant-Governor, to know at what time His Excellency will be pleased to receive the Address of this House respecting the contingent accounts; and that they do present the same at such time as His Excellency shall be pleased to appoint. Ordered accordingly.

Messrs. McNabb and Frazer, the messengers named to wait upon His Excellency the Lieutenant-Governor to know at what time His Excellency would be pleased to receive the Address of this House, voted this day reported that His Excellency was pleased to say that he would receive it this day at eleven o'clock.

Mr. McNabb reported that the Messengers had waited upon His Excellency, the Lieutenant-Governor, with the Address of this House of this day, and that His

Excellency was pleased to answer that he would give the necessary orders to comply therewith.

The names of the Members present were taken down, and are as follows:—  
The Speaker, Thomas Frazer, J. E. Baby, Allen McLean, Stephen Burritt, J. B. Gough, James McNabb, David Secord, Matthew Elliott, John McGregor, Benajah Mallory, Henry Marcle, Crowl Willson, Levi Lewis, Philip Sovereign, John Willson, Peter Howard, Joseph Willcocks, David McGregor Rogers, Esquires.

A Message from His Excellency, the Lieutenant-Governor, by Mr. George Lawe, Gentleman Usher of the Black Rod:—

Mr. Speaker,

I am commanded by His Excellency, the Lieutenant-Governor, to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went up to attend His Excellency, when His Excellency was pleased to give, in His Majesty's name, the Royal assent to the following Public and Private Bills, viz.

An Act to authorize the Inhabitants of the County of Haldimand to hold Annual Meetings for the purpose of electing Town and Parish Officers.

An Act further to extend the benefits of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled "An Act for the more easy Barring of Dower."

An Act to provide for the laying out, amending and keeping in repair the public Highways and Roads in this Province; and to repeal the laws now in force for that purpose."

An Act to extend the provisions of an Act passed in the forty-seventh year of His Majesty's Reign, entitled "An Act for the preservation of Salmon."

An Act for the relief of Minors of the Societies of Mennonists and Tunkers.

An Act to render the Gaols in the several Districts of this Province Houses of Correction for certain purposes.

An Act for preventing the Forgery and Counterfeiting of Foreign Bills of Exchange, and Foreign Notes, and Orders for the Payment of Money.

An Act to repeal an Act passed in the forty-fourth year of His Majesty's Reign, entitled "An Act to repeal certain parts of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled 'An Act to establish a Supreme Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned.'"

Mr. Speaker then said,

May it please Your Excellency to approve of the five Bills which the Assembly, with the concurrence of the Legislative Council, have passed in aid of His Majesty, which are as follows:—

An Act for granting an additional sum of money for the purpose of erecting a Bridge across the Grand River.

An Act for applying a certain sum of money therein mentioned to make good moneys issued and advanced by His Majesty through the Lieutenant-Governor in pursuance of several Addresses of this House.

An Act for granting to His Majesty a duty upon Billiard Tables.

An Act to amend an Act passed in the forty-ninth year of His Majesty's Reign, entitled "An Act for granting to His Majesty a certain sum of money for

the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof."

An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening New Roads, and building Bridges in the several Distrits thereof, to which five Bills His Excellency the Lieutenant-Governor was pleased to give the Royal assent in His Majesty's Name.

And then His Excellency was pleased to make the following Speech to both Houses:—

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly.

In closing this Session of the Legislature I with pleasure embrace the opportunity of expressing my approbation of that zeal with which you have discharged the duties committed to your care.

The regulations which you have enacted respecting the Statute Labour on the Highways, as well as the liberal appropriation of money for the purpose of laying out and amending certain Roads, and of building of Bridges, I consider as an honorable testimony of the attention which you have paid to objects of Public utility and benefit.

By the extension of the powers delegated to the Commissioners for purchasing Hemp, the growth of this Province, a facility will be obtained of establishing Manufacturers of that valuable article among ourselves.

The laws which are now passed for the prevention and punishment of Forgery and Counterfeiting Foreign Bills of Exchange, and other security for the payment of money, which we have adopted from our Parent State, will, I trust, put a stop to a crime so detrimental to the interests of civil society in every country.

I entertain the hope that the other Bills passed by you, and to which I have assented in His Majesty's name, will produce the salutary end for which they were intended.

But, Gentlemen, before I prorogue this Session of the Legislature, I cannot deny myself the satisfaction of uniting my congratulations with yours on the happy event of His Majesty having entered into the fiftieth year of His Reign. To few Sovereigns has it been granted for so long a period to reign in the hearts and affections of his people. May his subjects ever bear in mind the security and protection which they have enjoyed under his Government; may his valuable life, if it should please Almighty God, be still prolonged for their benefit; and may we in this Province, who have been specially favored by His bounty, manifest our gratitude by attachment to his person and government, and by obedience to his laws.

12th March, 1810.

After which the Honorable Speaker of the Legislative Council said:—

It is His Excellency, the Lieutenant-Governor's will and pleasure that this Provincial Parliament be prorogued until Monday, the Sixteenth day of April next, to be then here held; and the Provincial Parliament is hereby prorogued accordingly until Monday the Sixteenth day of April next.

[I do hereby certify that the above and what is written on the foregoing pages is a true transcript of the Journal of the House of Assembly in Upper Canada, being the Second Session of the Fifth Provincial Parliament assembled in the Town of

York on Thursday, the First day of February last; agreeably to the Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc., and prorogued by His Excellency on the Twelfth day of March last.

DONALD MACLEAN,  
Clerk, Commons House of Assembly.

Clerk of the Assembly's Office,  
York, 12th June, 1810.]

[Certified to be true copies from the original Records in the Colonial Office.

GEORGE MAYER, Librarian and Keeper of the Records.

Colonial Office, Downing Street,  
26th May, 1856.]





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**JOURNAL**  
OF THE  
**HOUSE OF ASSEMBLY**  
OF  
**UPPER CANADA**

From the first day of February to the  
thirteenth day of March,  
1811.

Both days inclusive.

In the fifty-first year of the Reign of  
**KING GEORGE THE THIRD**

Being the Third Session of the Fifth Provincial  
Parliament of this Province.

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JOURNAL  
[OF THE  
HOUSE OF ASSEMBLY  
OF  
UPPER CANADA  
1811.

FRANCIS GORE, Lieutenant-Governor.

PROCLAMATION.

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

To Our Beloved and Faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens, and Burgesses of Our said Province to the Provincial Parliament, at Our Town of York, on the Sixteenth day of April, at which time, in Our Town of York, you were held and constrained to appear; but we, taking into Our Royal consideration the ease and convenience of Our loving subjects, have thought fit, by and with the advice of Our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on the Twenty-fifth day of May next ensuing you meet us in Our Provincial Parliament in Our Town of York, there to take into consideration the state and welfare of Our Province of Upper Canada, and therein to do as may seem necessary. Herein Fail Not.

Whereas by Our Proclamation, bearing date the Twelfth day of March last, we thought fit, by and with the advice of Our Executive Council, to prorogue Our Provincial Parliament until the Sixteenth day of this present month of April, at which time, in Our Town of York, you were held and constrained to appear; but we, taking into Our Royal consideration the ease and convenience of Our loving subjects, have thought fit, by and with the advice of Our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on the Twenty-fifth day of May next ensuing you meet us in Our Provincial Parliament in Our Town of York, there to take into consideration the state and welfare of Our Province of Upper 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 Francis Gore, Esquire, Lieutenant-Governor of Our said Province, at York, this second day of April, in the year of Our Lord One Thousand Eight Hundred and Ten, and in the Fiftieth year of Our Reign.

F. G.

William Jarvis, Secretary.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c., dated at York, the Eighteenth day of May, One Thousand Eight Hundred and Ten, the Meeting of the Legislative Council and House of Assembly stands prorogued to the Second day of July, One Thousand Eight Hundred and Ten.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c., dated at York, the Twenty-second day of June, One Thousand Eight Hundred and Ten, the meeting of the Legislative Council and House of Assembly stands prorogued to the Tenth day of August, One Thousand Eight Hundred and Ten.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c., dated at York the First day of August, One Thousand Eight Hundred and Ten, the meeting of the Legislative Council and House of Assembly stands prorogued to the Fifteenth day of September, One Thousand Eight Hundred and Ten.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c., dated at York, the First day of September, One Thousand Eight Hundred and Ten, the Meeting of the Legislative Council and House of Assembly stands prorogued to the Twenty-third day of October, One Thousand Eight Hundred and Ten.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c., dated at York, the Sixteenth day of October, One Thousand Eight Hundred and Ten, the Meeting of the Legislative Council and House of Assembly stands prorogued to the Thirtieth day of November, One Thousand Eight Hundred and Ten.

By a further Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c., dated at York, the Twentieth day of November, One Thousand Eight Hundred and Ten, the meeting of the Legislative Council and House of Assembly stands prorogued to the Seventh day of January, One Thousand Eight Hundred and Eleven.

FRANCIS GORE, Lieutenant-Governor.

### PROCLAMATION.

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

To Our Beloved and Faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province to the Provincial Parliament at Our Town of York, on the Seventh day of January next ensuing, to be commenced, held, called and elected, and to every of you, GREETING.

Whereas by our Proclamation, bearing date the Twentieth day of November last, we thought fit, by and with the advice of Our Executive Council, to prorogue Our Provincial Parliament until the Seventh day of January; at which time, in Our Town of York, you were held and constrained to appear; but we, taking into our Royal consideration the ease and convenience of Our loving subjects, have thought fit, by and with the advice and consent of Our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid; hereby con-voking, and by these presents enjoining you, and each of you, that on the First day of February next ensuing you meet us in our Provincial Parliament, in Our Town of York, for the actual despatch of Public Business; there to take into consideration the state and welfare of Our Province of Upper 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 Francis Gore, Esquire, Our Lieutenant-Governor of Our said Province, at York, the Twenty-fourth day of December, in the Year of Our Lord One Thousand Eight Hundred and Ten, and in the Fiftieth Year of Our Reign.

(Signed) F. G.

(Signed) WILLIAM JARVIS, Secretary.

## HOUSE OF ASSEMBLY.

YORK, Friday, 1st February, 1811.

At the Third Session of the Fifth Parliament of Upper Canada, begun and held at the Town of York on Friday, the first day of February, in the Fifty-first year of the reign of Our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the Year of Our Lord One Thousand Eight Hundred and Eleven.

His Excellency the Lieutenant-Governor having prorogued the meeting of Parliament until the Sixteenth day of April, One Thousand Eight Hundred and Ten; and by his proclamations annexed having further prorogued the same from time to time until this day.

The House being met:—

The Clerk informed the Speaker that during the recess of Parliament His Excellency the Lieutenant-Governor has been pleased to appoint William Stanton, Esquire, to be Serjeant at Arms of this Honorable House, vice Thomas Ridout, Esquire, resigned.

Mr. Speaker then desired the Serjeant at Arms to attend his duty in this House.

The Serjeant at Arms took his place accordingly.

A message from His Excellency the Lieutenant-Governor by Mr. George Lawe, Gentleman Usher of the Black Rod.

Mr. Speaker,

It is His Excellency the Lieutenant-Governor's pleasure that this Honorable House do immediately attend him in the Legislative Council Chamber.

The House went up accordingly; and being returned:—

Mr. Speaker reported that the House attended His Excellency the Lieutenant-Governor in the Legislative Council Chamber, where His Excellency had been pleased to open the present Session by a most gracious Speech to both Houses; and that, to prevent mistakes, he had obtained for the information of this House a copy of His Excellency's Speech, which was read by the Clerk at the Table, and is as follows:—

Honorable Gentlemen of the Legislative Council  
and

Gentlemen of the House of Assembly:—

When Europe is desolated by the calamities of war, and nations with their Kings degraded and oppressed; whilst in other countries life and property are held at the will of the conqueror, and liberty is but an empty name; you, gentlemen, are called together by a kind and gracious Sovereign, not for the purpose of ambition or of power, but peacefully to consult and to promote your own happiness.

Undeserving of such blessings must such subjects be, who, under these circumstances, are not deeply impressed with thankfulness to God and loyalty to the King.

Your past conduct, Gentlemen, bears ample testimony to your loyalty.

Thus animated, you will with zeal perform that important task committed to your care; and your knowledge of this widely extended Province will enable you to direct that zeal to its proper objects, and effectually to promote the comfort and the prosperity of your fellow subjects.

I think it proper on this occasion to call your attention to the expediency of continuing for a limited time an Act passed in the forty-ninth year of His Majesty's reign, to ratify and confirm the Provisional Articles of Agreement entered into between this Province and that of Lower Canada.

Gentlemen of the House of Assembly,

Having communicated your wishes with respect to the establishment of a regular Post in this Province to be communicated to His Majesty, I am now enabled to inform you that this subject is under particular consideration.

I have directed the Public Accounts to be laid before you, not doubting but that you will consider them with your accustomed care and attention.

Honorable Gentlemen of the Legislative Council

and

Gentlemen of the House of Assembly,

Thus gratefully acknowledging the advantages and the privileges which we enjoy, let us remember that their continuance greatly depends upon our own conduct. It is by removing from our minds partiality, prepossession and prejudice, that we can hope, either as Legislators or as individuals to be of real benefit to the community.

Banishing, then, everything from our thoughts that may weaken or divert our attention from the love of our country, let us now cordially unite in the enacting of such laws as may best tend to the peace, welfare, and good Government of this Province.

Donald McLean, Esquire, one of the Commissioners appointed by *dedimus potestatem* to administer the Oath to the Members of the House of Assembly, came to the Bar, and did inform Mr. Speaker that Willet Casey, John Stinson and Abraham Marsh, Esquires, had taken the oath as prescribed by the Statute, and did sign the roll.

Then Stephen Burritt and Thomas Dorland, Esquires, introduced Willet Casey, Esquire, Knight representing the Counties of Lennox and Addington; and also John Stinson, Esquire, Knight representing the County of Prince Edward, (except the Township of Ameliasburgh). They took their seats accordingly.

Thomas Frazer and Henry Marle, Esquires, introduced Abraham Marsh, Esquire, Knight representing the Counties of Stormont and Russell, who took his seat accordingly.

Mr. Dorland seconded by Mr. Elliott moved that Messrs. Gough, Burritt, and C. Wilson be a Committee to draft an Address to His Excellency the Lieutenant-Governor, in answer to his Speech, which was ordered accordingly.

Capt. Fraser gave notice, that he will move to-morrow that the quorum of this House be reduced from fifteen to eleven, including the Speaker.

Mr. Gough gave notice, that he will to-morrow move for a call of the House this day week.

On motion of Mr. Dorland, seconded by Mr. Lewis, the House adjourned.

*Saturday, 2nd February, 1811.*

Prayers were read.

Mr. Fraser, seconded by Mr. Burritt, moved that the quorum of this House be reduced from fifteen to eleven, including the Speaker, which was unanimously ordered.

Mr. Burritt, by leave, brought up the Petition from the inhabitants of the County of Grenville in the District of Johnstown; and likewise a Petition from the inhabitants of the County of Dundas, in the Eastern District, which were ordered to lie on the Table.

Mr. Gough, by leave, brought up the Petition of the inhabitants of Block No. 2 on the Grand River, in the West Riding of the County of York, which was ordered to lie on the Table.

Mr. Gough moved, seconded by Mr. C. Wilson, that there be a call of the House on Wednesday next. Ordered accordingly.

Mr. Gough, from the Committee appointed to draft an Address to His Excellency the Lieutenant-Governor, in answer to his Speech to both Houses at the opening of the present Session, reported that the Committee had prepared an Address accordingly, which he was ready to submit to the House, whenever it should be pleased to receive the same. Ordered, that the Report be now received. And he read the Report in his place, and then delivered the same at the Table, where it was again read by the Clerk once throughout. Mr. Dorland, seconded by Mr. Gough, moved that the House do now resolve itself into a Committee, to go into the consideration of the said Address. Mr. Speaker left the Chair. Capt. Fraser was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Fraser reported that the Committee had gone through the consideration of the said Address without any amendment, which he was directed to report, whenever the House should be pleased to receive the same. The House resolved that the Report be now received. The Report was accordingly received. Mr. Burritt then moved, seconded by Mr. Markle, that the draft of the said Address be engrossed, and that messengers be appointed to wait on His Excellency the Lieutenant-Governor to know when he will be pleased to receive the same. Ordered accordingly.

Mr. Gough, seconded by Mr. C. Wilson, moved that Messrs. Elliott, Fraser and Dorland, do wait upon His Excellency the Lieutenant-Governor, to know when he will be pleased to receive this House with its Address in answer to His Excellency's Speech, which was ordered accordingly.

Mr. Gough again moved, seconded by Mr. C. Wilson, for leave to bring in a Bill on Monday next, for applying a certain sum of money therein mentioned, to make good certain moneys issued and advanced by His Majesty, through the Lieutenant-Governor in pursuance of an Address of this House. Leave was accordingly granted.

Read as engrossed, the Address to His Excellency the Lieutenant-Governor, which then passed, and was signed by the Speaker, and is as follows:—

To His Excellency Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c.

May it please Your Excellency:—

We, His Majesty's most dutiful and loyal subjects, the Commons of the Province of Upper Canada, in Parliament assembled, beg leave to return you our warmest thanks for Your Excellency's Speech at the opening of the present Session.

Being conscious of the purposes for which our kind and gracious Sovereign has called us together and taught by the awful example of the calamities of war



which desolate Europe, and of nations with their Kings degraded and oppressed, we fully feel the urgent necessity which behoves us peacefully to consult to promote our own happiness, and preserve that real liberty we enjoy. Undeserving, indeed, must we be, under such circumstances, were we not deeply impressed with thankfulness to God, and loyalty to our King.

If our past conduct, as Your Excellency has been pleased to express, bears ample testimony to our loyalty, we trust it will remain unimpaired by our future.

We shall zealously endeavor to promote the comfort and prosperity of our fellow subjects, by directing our attention to those objects, which, from our knowledge of this widely extended Province, may appear to us to lead thereto.

Agreeably to your Excellency's recommendation of the expediency of continuing for a limited time an Act passed in the forty-ninth year of His Majesty's reign, to ratify and confirm the Provisional Articles of Agreement entered into between this Province and that of Lower Canada, shall come under our immediate consideration.

Your Excellency's information respecting the establishment of a regular Post in this Province demands our grateful acknowledgements, and is a further proof of your unremitting attention to the interests of this Province.

When we receive the Public Accounts, they shall as usual, undergo an investigation with care and attention.

Gratefully acknowledging the privileges and advantages we enjoy, and conscious that their continuance greatly depends upon our own conduct, we shall cordially unite with Your Excellency and the other branch of the Legislature in the enacting of such laws as may best tend to the peace, welfare, and good Government of this Province, and shall divest our minds of every partiality, prepossession, and prejudice, except such as loyalty to the King, attachment to the Constitution, and love of our Country may inspire.

Commons House of Assembly, Saturday, 2nd Feby. 1811.

(Signed) Sam'l Street, Speaker.

On motion of Mr. Dorland, seconded by Mr. Fraser, the House adjourned until Monday.

*Monday, 4th February, 1811.*

Prayers were read.

Capt. Elliott, accompanied by the other messengers, reported that, in obedience to the order of this House, they had waited upon His Excellency the Lieutenant-Governor, to know His Excellency's pleasure, when he would receive the House with its Address; and that His Excellency was pleased to appoint to-morrow, at twelve o'clock at noon, to receive the House with its Address.

Read for the first time, A Bill for making good several sums of money, advanced by the Lieutenant-Governor, in pursuance of an Address of this House. Mr. Gough moved, seconded by Capt. Elliott, that the said Bill be read a second time to-morrow week, which was ordered accordingly.

Mr. Gough, seconded by Mr. Lewis, moved for leave to bring in a Bill, on Wednesday next, to continue for a limited time an Act passed in the forty-ninth year of His Majesty's reign, entitled "An Act for the continuing for a limited time the Provisional Agreement entered into between this Province and Lower Canada, at Montreal, on the fifth day of July, 1804, relative to duties; also for continuing for a limited time the several Acts of the Parliament of this Province now in force relating thereto." Leave was accordingly given.

On motion of Mr. Burritt, seconded by Mr. Baby, the House adjourned.

*Tuesday, 5th February, 1811.*

Prayers were read.

At the hour appointed, Mr. Speaker and the House went up with the Address of this House to His Excellency the Lieutenant-Governor, and being returned;

Mr. Speaker reported that the House had attended upon His Excellency the Lieutenant-Governor with its Address; to which His Excellency had been pleased to make the following answer.

Gentlemen of the House of Assembly:—

I thank you for this expression of your loyalty, and persuade myself that in declaring your prejudice in favour of our King, our Constitution and our Country you faithfully deliver the sentiment of those you represent.

5th February, 1811.

Mr. Rogers moved, seconded by Mr. Mallory, for leave to bring up the Petition of Benjamin Marsh, Esquire, of the Township of Hope. Leave was accordingly granted, and the said petition ordered to lie upon the Table.

Mr. J. Willson, seconded by Mr. Gough, moved that the petition of Block No. 2 be now read.

The said petition of the inhabitants of Block Number two on the Grand River was read, and is as follows:—

To the Honorable House of Assembly, in their Legislative capacities assembled.

The Petition of the inhabitants of Block Number Two, Grand River in the West Riding of the County of York,

Humbly Sheweth,

That your Petitioners are settled at the western extremity of the said County, unconnected with any settlement within a distance of seventeen miles.

That your Petitioners have expended considerable sums of money in improving their lands, and have suffered many hardships and inconveniences inseparable from the situation that attends the improvement of new countries.

And that Your Petitioners have expended the sum of One Thousand Dollars, exclusive of their voluntary labour in opening a road from the Block aforesaid to the inhabited part of the County, in the neighborhood of the head of Lake Ontario.

Notwithstanding these exertions, the road is barely passable to travel, and Your Petitioners find that their funds are exhausted, and pray your honorable body will grant them the sum of one hundred pounds to enable them to complete the said road.

And your Petitioners as in duty bound, will ever pray.

Benjamin Bomberger, Jacob Stromer, Jacob Sipes, David Skome, J. F. Lesser, Samuel Stouffer, and eighty-seven other subscribers.

Mr. Burritt moved, seconded by Capt. Fraser, that the petition of the inhabitants of the Counties of Grenville and Dundas be now read.

The said Petitions were then read, and are as follows:—

To the Honorable the Legislative Council and House of Assembly of the Province of Upper Canada in Parliament assembled, &c., &c.

The humble representation and Petition of the subscribers, inhabitants of the County of Dundas, Respectfully Showeth,

That your Petitioners feel themselves in duty bound, as loyal subjects to His Majesty, by all means in their power to promote the peace, welfare and prosperity of their country.

That situated as they are at present, they humbly conceive it a duty they owe to themselves and posterity to petition the Honorable, Legislative and House of

Assembly to take such measures as in your wisdom shall seem best to form the said County of Dundas and the County of Grenville into a new District, and to establish by law the place for erecting a Court House and Gaol, as near the centre of the said Counties as may be most convenient, the establishment of which your Petitioners are sensible will be a great improvement to this part of the country, and spur to industry, which is their greatest object.

Your Petitioners beg leave to communicate to your Honorable Houses the essential reasons that induced them to urge this request from the following propositions:

First, A great part of the inhabitants of this County are at the distance of forty or fifty miles from the Surrogate Office, Registrar's Office, &c., &c.

Secondly, Your Petitioners never could obtain any of the public money from the District Treasury (though they have often applied for it to the session) to assist in opening new roads, and building bridges which are much wanted.

Thirdly, They have but two Magistrates in the County that act, seldom more than one attends the Quarter Sessions at Cornwall, where there is no less than ten Magistrates in the circle of three miles, and many more near at hand; which makes a vast majority, and always over-rules one or more from this County, and have actually appropriated the moneys of the District fund to suit their own convenience.

Also Your Petitioners are well informed that several hundred pounds of the District money is wholly lost in the hands of the Treasurers and Collectors, the accounting for the same it is agreed by the said majority of Magistrates to omit and pass over, and bury all past losses in oblivion, and try to do better in time to come; thus leaving a precedent on their records that Your Petitioners fear will prove injurious to their country, and do not wish to countenance. Your Petitioners confide in both the Honorable Houses, and hope that they may be pleased to pass an Act constituting the said County of Dundas and the County of Grenville, with the Counties in the rear, (whose Magistrates and principal inhabitants Your Petitioners have conferred with, and find them desirous of the same event), into a new District.

And Your Petitioners, as in duty bound, will ever pray.

Capt. M. Jesse Wright, George Stobentson, Andrew Berkley, Luke de Pencian, John Slever, Sen'r, Philip Tedderley, and one hundred and seventy-four others.

To the Honorable the Legislative Council and House of Assembly of the Province of Upper Canada.

The Petition of the Magistrates and principal inhabitants of the Counties of Dundas and Grenville,

Most Humbly Showeth,

That by virtue of an Act passed in the forty-eighth year of His Majesty's reign, enacting that it should be lawful for the Justices of the Peace for the District of Johnstown, in General Quarter Sessions assembled, or the major part of them to fix upon a site or situation for a Court House and Gaol in the front end or ends of Lots Numbers Ten, Eleven or Twelve in the First Concession of Elizabethtown, adjoining the King's highway. A majority of the Justices of the Peace so assembled did fix upon a site or situation in front of Lot Number            for the above purpose, and that in pursuance of a vote of Sessions a Court House and Gaol are now building on the said lot.

That the said measure carried in Sessions by a majority of the Justices will subject the inhabitants of the County of Grenville to some loss and many inconveniences. In the Town of Johnstown, which is laid out in acre lots with a park

lot with better than six acres to each lot, several individuals have been at considerable expense in building and improvements, with the two-fold view of serving themselves and of accommodating the public; a view which they are not ashamed to avow, as they humbly conceive it to be reasonable, and as they presume that considerations of individuals and private interest have not been wholly excluded, but notoriously well known from the motives of those who projected a Court House at Elizabethtown.

The inhabitants of Grenville at large must be also greatly incommoded by attending on all the Courts of Quarter Sessions and District Courts at the new Court House, which they deem the greater hardship that they have a Court House of their own, where the public business of the County might be heard and determined.

That Your Petitioners being thus incommoded by the building of the new Court House, and forming no inconsiderable part of the population of the District, though they have been thrown into a minority in the above measure, humbly think themselves entitled to some consideration from the Legislature; and therefore beg leave to suggest the adoption of one of the following alternatives, which, with little or no prejudice to the public interest, will do away in some measure with the inconveniences and embarrassments they have just reason to apprehend.

Namely, as the Counties of Dundas and Grenville with the Counties immediately in the rear, would make a compact District of forty miles in front, with a Court House and Gaol already built nearly in the centre.

The Legislature would be pleased to pass an Act for forming the said Counties into a separate District, or, if this should be deemed inconvenient in the present state of things, that the Legislature would empower the inhabitants of the County of Grenville to hold the May and November Sessions and District Courts at Johnstown as usual, leaving the remaining terms in the year to be held in the new Court House, for the accommodation of the upper part of the District, that each Division shall support its own Court House, Gaol and Prison, out of its own rates and assessments, without burthening the public with any new office, except that of one expert Treasurer, which is no burthen at all, as he only receives the percentage, which without any other expense incident to this plan it is hoped will be thought of little importance, compared to the advantages that will accrue to Your Petitioners from so equitable a scheme.

Therefore your Petitioners are actuated to lay before His Excellency, the Lieutenant-Governor, and the Honorable Legislative Council and House of Assembly our grievances, in hope of a favourable redress, as it has not been of a monetary consideration with us; we have been consulting with our aforesaid joining Counties for some years past, and finding them then and now firmly of the same opinion with us, as appears by the Petition to that purport laid before the Legislature.

Therefore we earnestly pray that in your great wisdom you will be pleased to grant that inestimable favor above mentioned.

And Your Petitioners, as in duty bound, will ever pray.

Solomon Snyder, Thomas Williams, Tobias Stabey, Robert Parker, William Snyder, Jun'r, Hacole Stabey, and three hundred and sixty-three others.

Mr. Burrill again moved, seconded by Mr. Marcle, for leave to bring in a Bill on Monday next for the purpose of annexing the County of Grenville in the District of Johnstown, and the County of Dundas, in the Eastern District, and those Counties in the rear of them; and that the said Counties become a separate District. Leave was accordingly given.

Mr. Gough, seconded by Mr. Dorland, moved for leave to bring in a Bill to-morrow to amend an Act passed in the forty-ninth year of His Majesty's reign, entitled "An Act to explain, amend, and reduce into one Act the several laws now in force for the raising and training the Militia of this Province." Accordingly leave was granted.

On motion of Mr. Dorland, seconded by Captain Fraser, the House adjourned.

*Wednesday, 6th February, 1811.*

Prayers were read.

Agreeably to the Order of the Day the House was called over, when several of the members appeared; and the names of such as made default to appear were taken down, and are as follows:—

Alexander McDonell, Thomas Mears, Peter Howard (excused on account of sickness in his family), Allan McLean, James McNabb, Philip Sovereign, John McGregor, Matthew Elliot.

Mr. Gough gave notice that he will to-morrow move that the members who were absent when the House was called over this day be ordered into and considered as at this time in the custody of the Serjeant at Arms, and shall not be discharged therefrom until they shall have paid the customary fees established in the Parliament of Great Britain in like cases, unless they shall show to the satisfaction of this House sufficient cause for such absence.

Mr. Burritt moved, seconded by Mr. Rogers, that the present attendance of Peter Howard, Esquire, be dispensed with in this House, in consequence of sickness in his family. Which was ordered accordingly.

Read for the first time, a Bill for continuing the Provisional Articles of Agreement with Lower Canada. Mr. Gough then moved, seconded by Mr. Secord, that the Provisional Agreement Bill be read a second time to-morrow. Ordered accordingly.

Read for the first time, a Bill to amend the Militia Act. Mr. Gough again moved, seconded by Mr. Secord, that the Bill to amend the Militia Act be read a second time to-morrow. Which was ordered accordingly.

Mr. Mallory, seconded by Mr. Rogers, moved for leave to bring up the Petition of Henry Bostwick, Esquire, and others.

Leave was accordingly granted, and the said Petition was ordered to lie on the Table.

Mr. Willcocks gave notice that he will move on Thursday next that the House do resolve itself into a Committee of the Whole, to take into consideration the necessity of an Address to His Excellency, the Lieutenant-Governor, requesting that His Excellency will be pleased to lay before this House, as soon as convenience will permit, a statement of all moneys which have been collected and paid by all persons who have absented themselves from Militia training, or who have paid any moneys under and by virtue of the several Militia Laws now or heretofore in force in this Province; and to what uses the said moneys have been applied.

Mr. Mallory moved, seconded by Mr. C. Wilson, for leave to bring in a Bill to-morrow to repeal an Act passed in the forty-sixth year of the King, to make a provision for certain Sheriffs in this Province. Accordingly leave was granted.

On motion of Mr. Dorland, seconded by Mr. Mallory, the House adjourned.

*Thursday, 7th February, 1811.*

Prayers were read.

Mr. Gough moved, seconded by Mr. C. Willson, that the Members who were absent when the House was called over yesterday be ordered into and be considered at this time as in custody of the Serjeant at Arms, and shall not be discharged therefrom until they have paid the customary fees established in the Parliament of the United Kingdom in like cases, unless they show to the satisfaction of this House sufficient cause for such absence. Which was ordered accordingly.

Mr. Gough again moved, seconded by Mr. C. Willson, that Messrs. Elliot and Sovereign, who have attended this day, and made excuses to the satisfaction of this House for their absence at the call of the House yesterday, be discharged from the custody of the Serjeant at Arms without paying fees. The House accordingly ordered the same.

Read for the second time the Provisional Agreement Bill. Mr. Gough, seconded by Mr. Dprland, moved that the Bill for continuing the Provisional Agreement with Lower Canada be referred to a Committee of the Whole House on Saturday next. Ordered accordingly.

Read for the second time, the Bill to amend the Militia Law.

Mr. Gough then moved, seconded by Mr. C. Willson, that the House do now resolve itself into a Committee, to take the Bill to amend the Militia Law into consideration. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Dorland was called to the Chair of the Committee.

Mr. Speaker resumed the Chair. Mr. Dorland reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted to sit again this day.

William Jarvis, Esquire, Secretary of the Province, came to the Bar of the House, and delivered in, by order of His Excellency the Lieutenant-Governor, the Provincial Public Accounts; and also the Hemp and Road Accounts.

Agreeably to leave given, the House resolved itself again into a Committee to go into the further consideration of the Bill to amend the Militia Law. Mr. Speaker left the Chair. Mr. Dorland again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Read, the Schedule of the Road and Hemp Accounts, and also read, the Schedule of the Provincial Public Accounts, which are as follows:—

#### SCHEDULE OF ACCOUNTS laid before the House of Assembly.

No. 1. General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards from the 1st of January to the 30th of June, 1810, agreeable to the written accounts thereof received, or as ascertained on examination of carriages according to the Act.

No. 2. The Inspector's list of names of persons licensed as Shop and Inn-keepers in the several Districts of the Province of Upper Canada, between the 5th of January, 1809, and the 5th of January, 1810. These returns were not received in time to be laid before the Legislature in 1810.

No. 3. The Inspector's return of Still Licenses issued in the Midland, Niagara, and London Districts, which expired on the 5th of January, 1810. These returns were not received in time to be laid before the Legislature in 1810.

No. 4. The Inspector's list of names of persons licensed as Shop and Inn-keepers in the several Districts of the Province of Upper Canada, from the 5th January, 1810, to the 5th January, 1811.

No. 5. The Inspector's list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada, from the 5th of January, 1810, to the 5th of January, 1811.

No. 6. Account of moneys collected within the several Districts of the Province of Upper Canada on Licenses issued to Hawkers, Pedlars and Petty Chapmen, for the year ending the 5th of April, 1810, (the returns were not received in time to be laid before the Legislature during the last Session), after deducting ten per cent. allowed to the Collectors by the Act of the 47th of the King.

No. 7. Account of moneys collected within the several Districts of the Province of Upper Canada on licenses issued to Hawkers, Pedlars and Petty Chapmen, for the year ending the 5th of April, so far as the returns have been received, after deducting ten per cent. and the sums repaid to such persons as have obtained certificates of residence, agreeable to the Act of the 47th of the King.

No. 8. Provincial Revenue of the Crown arising from duties collected on goods imported under authority of Acts of the Provincial Parliament, between the 1st of January and the 31st of December, 1810, including such duties as have not been heretofore stated.

No. 9. Provincial Revenue of the Crown arising from duties collected on goods imported under authority of Acts of the Parliament of Great Britain between the 1st of January and the 31st of December, 1810, including such duties as have not been heretofore stated.

No. 10. Abstracts of Warrants issued by His Excellency Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature.

No. 11. Account of lighthouse tonnage duties collected for the year ending the 31st December, 1810 (so far as the returns have been received), including such duties as have not been heretofore stated.

No. 12. Supplementary Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada on Shop, Inn-keepers and Still Licenses, issued between the 5th of January, 1809, and 5th of January, 1810, under authority of Acts of the Provincial Parliament, after deducting ten per cent. allowed the Inspectors by the Act of the 43rd of the King.

No. 13. Supplementary Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada, on Shop and Inn-keepers Licenses issued between the 5th of January, 1809, and the 5th of January, 1810, under authority of Acts of the Parliament of Great Britain, after deducting ten per cent. allowed to the Inspectors by the Act of the 43rd of the King.

No. 14. Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada, on Shop, Inn-keepers and Still Licenses, issued between the 5th of January, 1810, and the 5th of January, 1811, so far as the returns have been received, after deducting ten per cent., allowed to the Inspectors by the Act of the 43rd of the King.

No. 15. Abstract Statement of moneys collected within the several Districts of the Province of Upper Canada on Shop and Inn-keepers' Licenses, issued between the 5th of January, 1810, and the 5th of January, 1811, under authority of Acts of the Parliament of Great Britain, so far as the returns have been received, after deducting ten per cent. allowed the Inspectors by the Act of the 43rd of the King.

No. 16. General state of cash received by the Receiver-General for duties and fines under authority of Acts of the Parliament of Great Britain, between the 1st of January and the 31st of December, 1810.

No. 17. General state of receipts and payments by the Receiver-General for duties and fines (likewise appropriations made) under authority of Acts of the Provincial Parliament, between the 1st of January and 31st of December, 1810.

No. 18. General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards from the 1st of July to the 31st of December, 1810, agreeable to the written accounts thereof, or as ascertained on examination of carriages according to the Act.

York, 4th February, 1811.

JOHN MCGILL,

Insp'r Gen. P. P. Accts.

(For Public Accounts as per Schedule see Appendix.)

Mr. Willcocks moved, seconded by Mr. Secord, that so much of the Order of the Day as relates to an Address to His Excellency, the Lieutenant-Governor, on the subject of Militia Fines be dispensed with, and that the same be on the Order of the Day for Saturday next. Ordered accordingly.

Read for the first time, the Bill to repeal the Act allowing a Salary to Sheriffs. Mr. Mallory then moved, seconded by Mr. Willcocks, that the Sheriff Bill be read a second time to-morrow. On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows.

Yeas.  
 MESSRS. MARKLE,  
 MARSH,  
 CASEY,  
 JOHN WILSON,  
 MALLORY,  
 SECORD,  
 WILLCOCKS,  
 HOWARD,  
 SOVEREIGN,

Nays.  
 MESSRS. GOUGH,  
 BURRITT,  
 BABY,  
 FRASER,  
 STINSON,  
 ROGERS,  
 ELLIOT,  
 LEWIS,  
 DORLAND,  
 FRAZER.

The same passed in the negative by a majority of one.

Mr. Willcocks, seconded by Mr. Gough, moved for leave to bring in a Bill on Monday next to repeal an Act passed in the forty-seventh year of His Majesty's reign, intituled "An Act to establish Public Schools in each and every District of this Province. Leave was accordingly granted.



Mr. Willcocks moved, seconded by Mr. Sovereign, for leave to bring in a Bill on Monday next, to repeal an Act passed in the forty-seventh year of His Majesty's reign, intituled "An Act for granting to His Majesty an annual sum of money for the purposes therein mentioned." Accordingly leave was granted.

Mr. Willcocks again moved, seconded by Mr. Rogers, for leave to bring in a Bill, on Wednesday next for the purpose of making ineligible to a seat in this House any person or persons who shall hold, sustain or enjoy an office, place or appointment of profit or emolument in and by virtue of any Commission derived immediately from His Majesty, or of any Commission derived from His Excellency the Lieutenant-Governor or person administering the Government of this Province, Registers of Counties only excepted.

On Mr. Speaker having put the question a division thereupon took place.

The names being called for, they were taken down, and are as follows: —

Yeas.

MESSRS. MARSH,  
CASEY,  
JOHN WILSON,  
MALLORY,  
SECORD,  
STINSON,  
WILLCOCKS,  
HOWARD,  
ROGERS,  
DORLAND,  
SOVEREIGN,

Nays.

MESSRS. GOUGH,  
BURRITT,  
BABY,  
FRASER,  
MARKLE,  
ELLIOT,  
LEWIS,  
C. WILLSON.

Carried in the affirmative by a majority of three.

Mr. Howard moved, seconded by Mr. Secord, for leave to bring in a Bill, on Tuesday next, to prevent bribery at any future election in this Province. Leave was accordingly given.

Mr. Howard again moved, seconded by Mr. John Wilson, for leave to bring in a Bill, on Wednesday next, to regulate the Practice of Physic and Surgery in this Province. Accordingly leave was granted.

Mr. Gough, seconded by Mr. C. Willson, moved, that Mr. McLean having appeared in his place be discharged from the custody of the Serjeant at Arms upon paying his fees. Which was ordered accordingly.

Mr. Mallory moved, seconded by Mr. Baby, for leave to bring in a Bill, tomorrow, to amend an Act passed in the thirty-fourth year of His Majesty's reign, respecting the service of Writs, Summonses and declarations issuing out of the Court of King's Bench, and other Courts in this Province. Leave was accordingly granted.

Mr. Rogers, seconded by Mr. Burritt, moved, that the petition of Benjamin Marsh, Esquire, be referred to the Committee of this House on Public Accounts. Ordered accordingly.

On the motion of Capt. Fraser, seconded by Capt. Elliott, the House adjourned.

*Friday, 8th February, 1811.*

Prayers were read.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill to amend the Militia Law. Mr. Speaker left the Chair. Mr. Dorland was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported the Committee had made progress, and had directed him to ask for leave to sit again on Monday next. Ordered, that the Committee have leave to sit again on Monday next.

Mr. Gough moved, seconded by Mr. Dorland, that Mr. McNabb, having this day appeared in his place, and made an excuse to the satisfaction of the House, be discharged from the custody of the Serjeant at Arms without paying fees. Ordered accordingly.

Mr. Mallory, seconded by Mr. Dorland, moved that so much of the Order of the Day as gives him leave to bring in a Bill this day to amend an Act passed in the thirty-fourth year of His Majesty's Reign, respecting the service of Writs, Summons and Declarations, issuing out of the Court of King's Bench and other Courts in this Province, be dispensed with, and that he have leave to bring in the same on Monday next, which was ordered accordingly.

Mr. Burritt, seconded by Capt. Elliott, that Messrs. Rogers, Howard, Dorland and McNabb, be a Committee to examine the Public Accounts. The same was ordered accordingly.

Mr. Burritt again moved, seconded by Mr. C. Willson, that Messrs. Elliot, Baby, Fraser, Gough and Secord, be a Committee to examine into those parts of the Public Accounts which respect Roads and Hemp. The House accordingly ordered the same.

Mr. McNabb, seconded by Mr. G. Williamson, moved for leave to bring in a Bill, on Tuesday next, to alter the construction of Mill-dams upon navigable streams of water, so that rafts and crafts may pass over them in safety. Leave was accordingly granted.

Mr. McNabb again moved, seconded by Capt. Fraser, for leave to bring in a Bill, on Tuesday next, to raise the duty upon Licenses to Hawkers, Pedlars and Petty Chapmen in this Province. Accordingly leave was granted.

Mr. Mallory, seconded by Mr. McLean, moved for leave to bring in a Bill, on Friday next, to repeal the laws and ordinances of the Province of Quebec now in force in this Province, and to make further provision for the same. Leave was granted to bring in the said Bill.

Mr. Howard moved, seconded by Mr. Rogers, for leave to bring in a Bill, on Thursday next, to continue and amend an Act passed in the forty-seventh year of His Majesty's Reign, relative to Assessments and Rates in this Province. Leave was accordingly granted.

Mr. John Wilson moved, seconded by Mr. Mallory, for leave to bring in a Bill, on Wednesday next, for granting a sum of money to the Petitioners of Block No. 2 on the Grand River, for the purpose of repairing the road from thence to Dundas Mills, which was passed in the negative.

On motion of Mr. McLean, seconded by Mr. J. Wilson, the House adjourned until eleven o'clock to-morrow.

*Saturday, 9th February, 1811.*

Prayers were read.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Provisional Agreement Bill. Mr. Speaker left the Chair. Mr. Burritt was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had made some progress, and had directed him to ask for leave to sit again on Saturday next. Ordered, that the Committee have leave to sit again on Saturday next.

Mr. Willcocks moved, seconded by Mr. Rogers, that this House do now resolve itself into a Committee to take into consideration an Address to His Excellency the Lieutenant-Governor, respecting the Militia Fines.

The House accordingly resolved itself into a Committee to go into the consideration of the said Address. Mr. Speaker left the Chair. Mr. McLean was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that it is the opinion of the Committee, that an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to lay before this House, as soon as convenience will permit, certified accounts of all fines which have been collected and paid under and by virtue of the several Militia Laws now and heretofore in force in this Province; which he was directed to report, whenever the House should be pleased to receive the same. Ordered that the report be now received.

Mr. Willcocks then moved, seconded by Mr. Rogers, that Messrs. Gough and McLean be a Committee to draft an Address to His Excellency the Lieutenant-Governor, agreeably to the Report of the Committee of the whole House upon Militia Fines, which was ordered accordingly.

Mr. McLean, seconded by Capt. Fraser, moved for leave to bring in a Bill, on Monday next, to repeal part of an Act, passed in the thirty-seventh year of His Majesty's Reign, intituled "An Act for regulating the Court of King's Bench." Leave was accordingly granted.

Mr. Howard moved, seconded by Mr. Gough, for leave to bring up a petition from the inhabitants of the District of Johnstown. Leave was accordingly granted, and the said petition was ordered to lie upon the Table.

Mr. Mallory moved, seconded by Mr. Rogers, that the petition of Henry Bostwick and others be now read. Accordingly the said Petition was then read by the Clerk at the Table, and is as follows:

To the Honorable Members of the House of Commons, in Provincial Parliament assembled.

The Memorial of the undersigned

Most Respectfully Showeth,

That during the Fourth Session of the Fourth Provincial Parliament, a petition was presented to that Honorable Body, signed by a number of the Trustees of the Public Schools for the District of London, praying the removal of the said School from Townsend to the Village of Dover, in the Township of Woodhouse.

That in consequence of that petition the Trustees were authorized by an Act passed in that Session to establish it where they might think proper intending, it is presumed, to meet the object of the petition.

That immediately after the promulgation of that Act Your Memorialists called upon the Trustees with a large subscription, (exceeding one hundred pounds, Provincial Currency) subscribed by the inhabitants in and near the Village of Dover, for the purpose of erecting a House for the use of the Public School, and at the same time requested an order for the establishment of it in the said Village.

The order which accompanies this was given. Your Memorialists were then authorized by the Subscribers to collect the subscriptions, and superintend the

building of the house, in consequence of which Your Memorialists immediately contracted for the necessary materials, and with carpenters, &c., to build the house.

That after Your Memorialists had gone to a very great expense, and had contracted for every material to finish the house they were suddenly told by the Trustees, without any previous communication or intimation of their design, that they had changed their minds, and had determined to establish the School in Charlotteville, not offering any rational motive for their conduct, excepting that as we had not completed the house at the time limited in their order they did not conceive themselves any longer bound to us; at which time it was utterly impossible for Your Memorialists to have finished the house, owing to the late opening of the water communication. The nails which were purchased the Fall before were at Fort Erie, and could not be procured until late in the month of May. This circumstance was well known to the Trustees.

That at the time Your Memorialists procured the order for the School, they offered to the Trustees a house for the teacher, in the neighborhood of Dover, where he would immediately have had a very respectable School until the Public School House would be finished; but this offer was rejected.

That Your Memorialists have been at a very great expense (relying upon the faith of the Trustees) to erect the house, which could now be finished in a short time, and that they have no means of indemnifying themselves, should the School be permanently established in Charlotteville; the subscription being for the express purpose of building a house for the use of the Public School, and the deed for the land whereon the house is erected is given to the Trustees in trust for the same purpose.

Wherefore Your Memorialists most respectfully pray that Your Honorable House, taking into consideration the allegations herein contained, will direct by law that the Public School for the District of London shall be permanently established in the Township of Woodhouse, at the place where the house erected for that purpose is situated.

And Your Memorialists, as in duty bound, will ever pray.

Henry Van Allen, Abraham Rulpelge, Henry Bostwick.  
Woodhouse, District of London.

On motion of Mr. McLean, seconded by Mr. Marsh, the House adjourned till Monday next, at eleven o'clock in the forenoon.

*Monday, 11th February, 1811.*

Prayers were read.

Read for the first time, the Bill to form Grenville and Dundas into a separate District.

Mr. Burritt, seconded by Capt. Fraser, moved, that the Bill for forming the Counties of Grenville and Dundas into a separate District be read a second time on Wednesday next, which was ordered accordingly.

Read for the first time, the Bill to repeal the Act allowing the Adjutant General a salary.

Mr. Willcocks moved, seconded by Mr. Mallory, that the Bill for repealing the Act which authorizes the Adjutant General of the Province to receive a salary out

of the Provincial Fund, be read a second time to-morrow. On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.	Nays.
MESSRS. MARSH	MESSRS. BURRITT
CASEY	FRASER
JOHN WILSON	MARKLE
HOWARD	GOUGH
SOVEREIGN	McLEAN
STINSON	C. WILLSON
WILLCOCKS	ELLIOTT
ROGERS	BABY
MALLORY	McNABB
DORLAND	
LEWIS	

Carried in the affirmative by a majority of two. Accordingly the said Bill was ordered to be read for the second time to-morrow.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the further consideration of the Bill to amend the Militia Law. Mr. Speaker left the Chair. Mr. Dorland took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported the Committee had made progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Read for the first time, the Bill to repeal part of an Act passed in the thirty-fourth year of the King, and to regulate the practice of the Courts of Justice.

Mr. Mallory then moved, seconded by Mr. Dorland, that the Bill to repeal part of an Act passed in the thirty-fourth year of the King, and to make further provision for the same, be read a second time to-morrow. Ordered accordingly.

Mr. Willcocks moved, seconded by Mr. Sovereign, that so much of the Order of the Day as relates to the School Bill be dispensed with, and that the same be on the Order of the Day for to-morrow, which was ordered accordingly.

Read for the first time, the Bill to regulate the practice of the Court of King's Bench. Mr. McLean then moved, seconded by Mr. Gough, that the Bill intituled "An Act to repeal part of an Act passed in the thirty-seventh year of His Majesty's Reign, intituled 'An Act for regulating the practice of the Court of King's Bench,'" be read a second time to-morrow, which was ordered accordingly.

Mr. Gough, one of the Committee appointed to draft an Address to His Excellency, the Lieutenant-Governor, respecting the receipts and expenditures of Militia Fines, reported that the Committee had prepared an Address accordingly; which he was directed to submit to the House whenever it should be pleased to receive the same. Ordered, that the report be now received. He then read the report in his place, and delivered in the same at the Table, where it was again read by the Clerk.

Mr. Gough moved, seconded by Mr. Rogers, that the draft of the Address to His Excellency, the Lieutenant-Governor, be engrossed and read this day, which was ordered accordingly.

Mr. Willcocks gave notice that he will move to-morrow that this House do resolve itself into a Committee to take into consideration the necessity of an Address to His Excellency, the Lieutenant-Governor, upon the propriety of holding two Circuits in the year in each and every District of this Province.

• Mr. Willcocks moved, seconded by Mr. Mallory, for leave to bring in a Bill on Thursday next to reduce the salary of the Speaker of the House of Assembly. On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

## Yeas.

MESSRS. J. WILSON  
HOWARD  
SOVEREIGN  
WILLCOCKS  
ROGERS  
MALLORY  
SECORD

## Nays.

MESSRS. McNABB  
BURRITT  
FRASER  
MARCLE  
MARSH  
GOUGH  
McLEAN  
CASEY  
STINSON  
ELLIOTT  
BABY  
DORLAND  
LEWIS

Carried in the negative by a majority of six.

Mr. McLean moved, seconded by Mr. Gough, for leave to bring in a Bill on Wednesday next, intituled "An Act to repeal part of an Act passed in the thirty-eighth year of His present Majesty, intituled 'An Act to amend part of an Act passed in the thirty-fourth year of the Reign of His Majesty, intituled 'An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeals; and also to amend and repeal part of an Act passed in the thirty-seventh year of the Reign of His Majesty, intituled 'An Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same.'" Leave was accordingly granted.

Mr. Gough, seconded by Mr. Dorland, moved that the Address to His Excellency, the Lieutenant-Governor, respecting Militia Fines, as engrossed, be now read. Accordingly the said Address, as engrossed, was read, passed, and signed by the Speaker; and is as follows:—

To His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c.

May it please Your Excellency,—

We, His Majesty's most dutiful and loyal subjects, the Commons of the Province of Upper Canada, in Parliament assembled, being anxious faithfully to discharge the important task we have to perform, beg leave humbly to request Your Excellency will be pleased to direct to be laid before this House, as soon as convenience will permit, copies of the certified accounts of all fines which have been collected and paid under and by virtue of the several Militia Laws now and heretofore in force in this Province, and to what purposes the same have been applied.

Commons House of Assembly,

Monday, 11th February, 1811.

(Signed) Sam'l Street, Speaker.

Mr. Gough again moved, seconded by Captain Fraser, that Messrs. Rogers and Willcocks do wait upon His Excellency, the Lieutenant-Governor, to know when His Excellency will be pleased to receive the Address of this House, and that these gentlemen do present the same at such time as His Excellency shall be pleased to appoint, which was ordered accordingly.

On motion of Mr. McLean, seconded by Captain Fraser, the House adjourned to eleven o'clock to-morrow forenoon.

*Tuesday, 12th February, 1811.*

Prayers were read.

Mr. McLean moved, seconded by Mr. Rogers, for leave to bring up a Petition from sundry inhabitants of the Eastern District. Leave was accordingly granted, and the said Petition ordered to lie upon the Table.

Mr. McLean again moved, seconded by Mr. Gough, for leave to bring up a Petition from sundry inhabitants of the Province, relative to boundaries of land. Accordingly leave was granted, and the said Petition was ordered to lie upon the Table.

Read, the Petition of Sundry Inhabitants of the District of Johnstown, which is as follows:—

To the Honorable the Commons House of Assembly of Upper Canada, in Parliament assembled.

The Petition of the subscribers, Inhabitants of the District of Johnstown,  
Respectfully Showeth,—

That Your Petitioners are informed that an attempt will be made to procure a law to be passed for holding the Courts of Justice alternately at Johnstown and Elizabethtown in this District.

That the several Courts are now directed by law to be held at Elizabethtown, which place is central, and a large Court House and Gaol has been lately erected at a great expense. This law wisely provides for the general good, and were it altered we conceive that much injury would result to the community without producing any other good effect than gratifying the interests of a very few individuals. In the event of such alterations of the law a new Court House and Gaol must necessarily be built at Johnstown, as the old one is decayed. The District would thereby be subject to an expense which it is not able to bear; the Quarter Sessions, instead of being composed of one body, would probably consist of two parties, formed of the respective Justices who might reside in the vicinity of each Court House. From hence would result contrary measures, which would not only tend to induce indecent animosity, but also embarrass and even pervert justice.

This District is not very large, having some years since been divided from the Eastern District; one Court House and Gaol are therefore amply sufficient for all the purposes of Justice.

Your Petitioners therefore pray that no Bill may be suffered to pass through Your Honorable House for holding the Courts of Justice in this District at any other place than Elizabethtown

(Signed)—Sam'l McNish, Alexander McLean, Peter Purvis, Archibald McLean, Samuel Griffin, John Shipman, and one hundred and seventy other persons.

Mr. McLean moved, seconded by Mr. Gough, for leave to bring up a Petition from sundry inhabitants of this Province, relative to the division of the Home and Niagara District.

Leave was accordingly granted, and the said Petition ordered to lie upon the Table.

Read, a Letter from Alexander McDonnell, Esquire, a Member of this House, which is as follows:—

Sir:—

Baldoon, 21st January, 1811.

Although I am perfectly aware that an application for leave of absence during the ensuing Session will appear unreasonable, I cannot reconcile to myself the not soliciting it, preferring to be called importunate to failing in respect to the House; I must therefore, through you, Sir, request the indulgence of the House in forgiving an absence which from many circumstances is rendered unavoidable.

I have the Honor to be, Sir,

Your Humble Servant,

(Signed) Alex'r McDonnell.

The Honorable the Speaker of the House of Assembly.

Mr. Howard, seconded by Mr. Rogers, moved for leave to bring up a Petition from a number of the principal inhabitants of the District of Johnstown. Leave was accordingly granted, and the said Petition was ordered to lie upon the Table.

On Motion of Mr. Willcocks, seconded by Mr. Rogers, the House adjourned.

*Wednesday, 13th February, 1811.*

Prayers were read.

Read for the first time, the Bill to prevent charge and expense at Elections.

Mr. Howard then moved, seconded by Mr. Rogers, that the Bill for preventing Charge and Expense at Elections be read a second time to-morrow. Ordered accordingly.

Mr. Willcocks, seconded by Mr. Rogers, moved that the House do now resolve itself into a Committee to go into consideration of the Adjutant General's-Salary Bill. The House accordingly resolved itself into a Committee, to go into the consideration of the said Bill. Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made no amendments, which he was directed to report to the House whenever it should be pleased to receive the same. The House divided upon the question, and the names were taken down as follows:—

Yeas.

MESSRS. McNABB  
MARSH  
CASEY  
JOHN WILSON  
STINSON  
HOWARD  
MALLORY  
WILLCOCKS  
ROGERS  
SECORD  
DORLAND  
LEWIS  
SOVEREIGN

Nays.

MESSRS. BURRITT  
FRASER  
MARKLE  
GOUGH  
BABY  
McLEAN  
ELLIOTT  
C. WILLSON



Carried in the affirmative by a majority of five, and the said Report was accordingly received.

Mr. Willcocks then moved, seconded by Mr. Rogers, that the Bill for taking away the Salary from the Adjutant General of this Province be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the further consideration of the Bill to amend the Militia Law. Mr. Speaker left the Chair. Mr. Dorland was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. Mr. Gough then moved, seconded by Mr. C. Wilson, that the Militia Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the second time, the Bill to repeal part of an Act passed in the thirty-fourth of the King, to regulate the practice of the Courts of Justice. Mr. Mallory then moved, seconded by Mr. Rogers, that this House do now resolve itself into a Committee, to take into consideration the Bill to repeal a part of the thirty-fourth of the King, and to make further provision for the same. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McNabb was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Ordered, that the Committee have leave to sit again to-morrow.

Read for the second time, the Bill to repeal the School Act. Mr. Willcocks then moved, seconded by Mr. Dorland, that the Bill for repealing the School Law be read a second time to-morrow, which was ordered accordingly.

Read for the second time the Bill to repeal part of an Act which regulates the practice of the Court of King's Bench. Mr. McLean then moved, seconded by Mr. Gough, that the House do now resolve itself into a Committee, to take into consideration the Bill intituled "An Act to repeal part of an Act passed in the thirty-seventh year of His Majesty's Reign, intituled 'An Act for regulating the practice of the Court of King's Bench.'" The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had gone through the consideration of the Bill without any amendments, which he was directed to report whenever the House should be pleased to receive the same. On Mr. Speaker having put the question, shall the report be now received? a division thereupon took place. The names being called for, they were taken down, and are as follows:—

Yeas.  
 MESSRS. McNABB  
 BURRITT  
 FRASER  
 GOUGH  
 McLEAN  
 STINSON  
 C. WILLSON  
 LEWIS  
 BABY  
 DORLAND

Nays.  
 MESSRS. MARKLE  
 MARSH  
 CASEY  
 JOHN WILSON  
 HOWARD  
 MALLORY  
 WILLCOCKS  
 ROGERS  
 ELLIOTT  
 SECORD  
 SOVEREIGN

So it passed in the negative by a majority of one, and the Report was accordingly rejected.

Mr. Willcocks moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee, to take into consideration the expediency of an Address to His Excellency, the Lieutenant-Governor, upon the necessity of holding two Circuits in the year, in each and every District of this Province. The House accordingly resolved itself into a Committee, to take into consideration the same. Mr. Speaker left the Chair. Mr. Gough was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Gough reported that it is the opinion of this Committee that it be necessary and expedient to present an Address to His Excellency, the Lieutenant-Governor, praying that His Excellency will be pleased to direct that two circuits may be holden in the year, in each and every District of this Province; which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the report be now received.

Mr. Willcocks then moved, seconded by Mr. Rogers, that Messrs. Mallory and Casey be a Committee to draft an Address to His Excellency, the Lieutenant-Governor upon the expediency of His Excellency's directing two Circuits to be holden in the year in each and every District of this Province, which was ordered accordingly.

Mr. Gough moved, seconded by Captain Fraser, that the House do now resolve itself into a Committee, to take the Appropriation Bill into consideration. The House accordingly resolved itself into a Committee, to take the said Bill into consideration. Mr. Speaker left the Chair. Mr. John Wilson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Wilson reported that the Committee had gone through the consideration of the said Bill, to which they had made an amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Gough then moved, seconded by Captain Elliott, that the Appropriation Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the first time, a Bill for the purpose of making ineligible to a seat in this House any person or persons who shall hold, sustain, or enjoy any office, place, or appointment of profit or emolument, in and by virtue of any commission derived immediately from His Majesty, or of any commission derived from His Excellency, the Lieutenant-Governor, or person administering the Government of this Province, Registrars of Counties only excepted. Mr. Willcocks then moved, seconded by Mr. Mallory, that the Bill for preventing Officers of Government from

being eligible to a seat in the House of Assembly be read a second time on Monday next. On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

## Yeas.

MESSRS. McLEAN  
GOUGH  
MALLORY  
WILLCOCKS  
ROGERS  
HOWARD

## Nays.

MESSRS. McNABB  
BURRITT  
FRASER  
MARSH  
MARKLE  
J. WILSON  
CASEY  
SOVEREIGN  
STINSON  
C. WILLSON  
SECORD  
ELLIOTT  
BABY  
LEWIS  
DORLAND

Carried in the negative by a majority of nine.

Mr. Howard moved, seconded by Captain Elliott, that so much of the Order of the Day as respects the Physic and Surgery Bill be dispensed with, and that it be on the Order of the Day for Saturday next. Ordered accordingly.

Read for the second time, the Bill to form Grenville and Dundas Counties into a separate District. Mr. Burritt then moved, seconded by Captain Fraser, that the House now resolve itself into a Committee, to go into consideration of the Bill for the division of the District of Johnstown and the Eastern District. The House accordingly resolved itself into a Committee, to take the said Bill into consideration. Mr. Speaker left the Chair. Mr. Lewis was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day three months. Ordered, that the Committee have leave to sit again on this day three months.

Read for the first time, a Bill to repeal an Act for regulating the Practice of the Court of King's Bench, and to make further provision for the same.

Mr. McLean then moved, seconded by Captain Fraser, that the Bill intituled "An Act to repeal part of an Act passed in the thirty-eighth year of His present Majesty, intituled 'An Act to amend part of an Act passed in the thirty-fourth year of His Majesty's Reign, intituled 'An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeals, and also to amend and repeal part of an Act passed in the thirty-seventh year of His Majesty's Reign, intituled 'An Act for regulating the Practice of the Court of King's Bench,' and to make further provision respecting the same," be read a second time on Friday next, which was ordered accordingly.

Read for the first time, the Bill for altering the construction of Mill-dams.

Mr. McNabb then moved, seconded by Mr. C. Willson, that the Bill for altering the construction of Mill-dams be read a second time on Friday next, which was ordered accordingly.

Mr. Burritt moved, seconded by Mr. McNabb, for leave to bring in a Bill on Monday next for the purpose of holding Quarter Sessions, the District Courts, alternately at the Town of Johnstown, in the County of Grenville, and in the Township of Elizabethtown in the County of Leeds, in the District of Johnstown. Leave was accordingly granted.

Mr. Rogers, one of the messengers appointed to wait upon His Excellency, the Lieutenant-Governor, with the Address of this House, respecting the Militia Fines, reported that they had accordingly waited upon His Excellency with the said Address, to which His Excellency had been pleased to make the following answer. Gentlemen of the House of Assembly:—

I shall at all times be ready to pay every attention to the representation of the House of Assembly, of abuses that may exist, which properly come within their cognizance.

12th, February, 1811.

Mr. Willcocks moved, seconded by Mr. Rogers, for leave to bring in a Bill, on Tuesday next, to extend the jurisdiction of the Court of Requests. Leave was accordingly granted.

On motion of Mr. Willcocks, seconded by Mr. Mallory, the House adjourned.

*Thursday, 14th February, 1811.*

Prayers were read.

Read for the first time, the Assessment Bill.

Mr. Howard then moved, seconded by Mr. Willcocks, that the Assessment Bill be read a second time to-morrow, which was ordered accordingly.

Read for the second time, the Bill to prevent Charge and Expense at Elections.

Mr. Howard again moved, seconded by Mr. Willcocks, that the House do now resolve itself into a Committee, to take into consideration the Election Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Willcocks was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made a progress, and directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A Message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery:—

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to acquaint this House that it has passed an Act, intituled "An Act to provide for obtaining the benefit of the process of outlawry in Civil Actions within this Province," to which they request the concurrence of this House in passing the same.

And then he withdrew.

Read for the first time, the Bill to provide for obtaining the benefit of the process of outlawry in Civil Actions within this Province. Mr. McBean then moved, seconded by Mr. Baby, that the Outlawry Bill be read a second time to-morrow, which was ordered accordingly.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the Bill to prevent Charge and Expense at Elections. Mr. Speaker left the Chair. Mr. Willcocks again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had gone through the consideration of the said Bill to which they had made several amendments, which amendments he was directed to report to the House whenever it should be pleased to receive the same.

On Mr. Speaker having put the question, shall the Report be now received? a division thereupon took place. The names being called for, they were taken down, and are as follows:—

## Yeas.

MESSRS. BURRITT  
MARSH  
GOUGH  
CASEY  
HOWARD  
JOHN WILSON  
STINSON  
MALLORY  
WILLCOCKS  
ROGERS  
C. WILLSON  
DORLAND  
SECORD

## Nays.

MESSRS. FRASER  
BABY  
McLEAN  
SOVEREIGN  
ELLIOTT  
LEWIS

Carried in the affirmative by a majority of seven, and the said Report was accordingly received.

Mr. Howard then moved, seconded by Mr. Rogers, that the Bill to prevent bribery at Elections be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the third time, as engrossed, the Bill to repeal an Act allowing the Adjutant General of this Province a Salary.

Mr. Willcocks then moved, seconded by Mr. Rogers, that the Adjutant General's Bill do now pass, and that the title be "An Act to repeal an Act, passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act for granting to His Majesty an annual sum of money for the purposes therein mentioned.'"

On Mr. Speaker having put the question, shall the Bill now pass? a division thereupon took place. The names being called for they were taken down, and are as follows:—

## Yeas.

MESSRS. MARSH  
CASEY  
JOHN WILSON  
HOWARD  
STINSON  
MALLORY  
SOVEREIGN  
WILLCOCKS  
ROGERS  
LEWIS  
DORLAND  
SECORD  
McNABB

## Nays.

MESSRS. FRASER  
BURRITT  
BABY  
GOUGH  
ELLIOTT  
C. WILLSON  
McLEAN

Carried in the affirmative by a majority of six. The Bill accordingly passed, and was signed by the Speaker.

Mr. Mallory, seconded by Mr. Rogers, then moved that Messrs. Sovereign and Willcocks be appointed to carry up the Bill to reduce the Salary of the Adjutant General to the Honorable the Legislative Council and request their concurrence in passing the same, which was ordered accordingly.

Agreeably to the order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill to repeal part of an Act passed in the thirty-fourth of the King, and to make further provision for the same. Mr. Speaker left the Chair. Mr. McNabb took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted to sit again on Monday next.

Read for the third time, as engrossed, the Bill to amend the Militia Law. On motion of Mr. Gough, seconded by Mr. Sovereign, resolved, that the Bill do pass, and that the title be "An Act to amend an Act passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act to explain, amend, and reduce to one Act the several laws now in force for the raising and training the Militia of this Province.'" The Bill then passed and was signed by the Speaker.

Mr. Gough again moved, seconded by Mr. Mallory, that Messrs. Dorland and Casey be appointed to carry up the Bill to amend the Militia Laws to the Legislative Council, and request their concurrence thereto, which was ordered accordingly.

Read for the second time, the Bill to repeal the School Act. Mr. Willcocks then moved, seconded by Mr. Rogers, that this House do on to-morrow resolve itself into a Committee, to take into consideration the School Bill, which was ordered accordingly.

Read for the first time, the Bill to lay an additional duty upon Hawkers and Pedlars. Mr. McNabb then moved, seconded by Mr. Fraser, that the Hawker and Pedlar Bill be read a second time on Saturday next, which was ordered accordingly.

Read for the third time, as engrossed, the Appropriation Bill. On motion of Mr. Gough, seconded by Capt. Elliott, resolved, that the Bill do now pass, and that the title be "An Act for applying a certain sum of money therein mentioned to make good moneys issued and advanced by His Majesty, through the Lieutenant-Governor, in pursuance of an Address of this House." The Bill then passed, and was signed by the Speaker.

Mr. Gough again moved, seconded by Capt. Elliott, that Messrs. Dorland and Casey do carry up the Appropriation Bill to the Legislative Council, and request their concurrence thereto, which was ordered accordingly.

Mr. John Wilson moved, seconded by Mr. Burritt, that the petition of sundry inhabitants of the Home and Niagara Districts be now read.

The said petition was then read, and is as follows:—

To the Commons House of Assembly of the Province of Upper Canada, in Provincial Parliament.

The Petition of the Inhabitants of the Townships of Trafalgar, Nelson, Flamboro', Beverley, Blocks Nos. 1, 2, and 3 on the Grand River, County of Haldimand; Ancaster, Glanford, Barton and Saltfleet,

Humbly Showeth,—

That Your Petitioners, having sent forth Petitions to Your Honorable House the last Session, praying a division of the District of Niagara and the Home District,

that a new District might be created, and the Town Plot reserved at the head of the water communication of Coot's Paradise under the administration of Governor Simcoe, might be appropriate for the County Town.

That the same passed Your Honorable House; but from the circumstance of certain regulations of the Honorable the Legislative Council not having been at that time complied with, through ignorance in Your Petitioners, the Bill was not passed in the Council; but, as Your Petitioners now conceive the regulations have been complied with, they again come forward as last year.

Wherefore Your Petitioners pray Your Honorable House to take their case again into consideration, and that Your Honorable House will revive the Bill passed last Session, and that the Town Plot reserved at the head of the water communication may again be named for the County Town, and the subscriptions annexed to the petitions last year are still continued.

And Your Petitioners, in duty bound, will ever pray.

Daniel Morden, Solomon Mills, Henry Haiffman, Moses Morden, John Flees, John Will, and seven hundred and ten other Petitioners.

Mr. John Wilson then moved, seconded by Mr. Willcocks, for leave to bring in a Bill on Monday next, to form part of the Niagara and Home Districts into a separate District. Leave was accordingly granted.

Mr. Mallory moved, seconded by Mr. Willcocks, for leave to bring in a Bill, on Wednesday next, to better regulate Tavern Licenses throughout this Province. Accordingly leave was granted.

Mr. McLean moved, seconded by Mr. Gough, that the petition of sundry inhabitants of this Province, relative to boundaries of land, be now read. The said petition was then read, and is as follows:—

To the Honorable the Legislative Council and the Commons of the House of Assembly, in Provincial Parliament assembled.

The Petition of Sundry Inhabitants of this Province, most humbly sheweth,

That We, His Majesty's most dutiful and loyal subjects, believing it would be conducive to great advantage, and to the furtherance of peace and prosperity of His Majesty's subjects in this Province, the settlement and establishment of the boundary lines (enclosing the Townships) without any alteration of their original courses. For this end, therefore, Your Petitioners express satisfaction for what was brought forward last winter, intituled "An Act concerning Land Surveyors, and the admeasurement of land, and for the better and more exactly ascertaining the boundaries of lands in this Province." Your Petitioners, therefore, humbly request that this Bill may be established into a law, believing it is founded on justice, equity and would be conducive of a most general settlement, not only of the Township of Kingston, but of the Province at large, that all Licensed Surveyors, in running out the limits or division lines, shall cause this survey to coincide and agree with the boundary lines of the Townships and Concessions so ascertained and established; and the lines so ascertained and established, according to the Bill alluded to, may be firm and permanent. Your petitioners, therefore, believing this would establish peace and order, leave it to impartial consideration, and, as in duty bound, will ever pray, and for the prosperity of Government.

Done at Kingston, the 10th January, 1811.

Jervis Worden, John Brewer, Daniel Ferris, Samuel Ryder, and fifty-nine others.

Mr. Gough moved, seconded by Mr. Howard, for leave to bring in a Bill, on Saturday next, for more clearly ascertaining the boundaries of lands in this Province. Leave was accordingly granted.

Mr. Rogers, seconded by Mr. Willcocks, moved for leave to bring in a Bill, to-morrow, to obviate certain doubts which have arisen in the practice of the Court of King's Bench in this Province. Leave was granted accordingly.

Mr. Mallory, one of the Committee named to draft an Address to His Excellency the Lieutenant-Governor, upon the expediency of His Excellency's directing two circuits to be holden in the year in each and every District of this Province, reported that the Committee had drafted an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

And he read the Report in his place, and then delivered in the same at the Table, where it was again read by the Clerk, and is as follows:—

To His Excellency Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada, &c., &c., &c.

May it please Your Excellency:

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, viewing with peculiar satisfaction the increased and increasing population and prosperity of this Province in general, and not insensible to the vast importance attached to the speedy administration of justice to all classes of His Majesty's Subjects, in every District thereof, beg leave humbly to represent to Your Excellency our full conviction that it would tend in a large degree to promote the Public welfare were two Circuits to be holden yearly in each and every District within this Province.

We therefore request Your Excellency will be pleased, pursuant to the powers and authority with which Your Excellency is invested, in and by an Act of this Province, passed in the thirty-fourth year of His Majesty's Reign, intituled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal," to order and direct Commissioners of Assize and Nisi Prius and Oyer and Terminer, to issue unto each and every District in this Province, twice in every year.

Mr. Willcocks then moved, seconded by Capt. Elliott, that this House do now resolve itself into a Committee, to take into consideration the Address to His Excellency the Lieutenant-Governor, upon the subject of two Circuits to be holden in the year in each and every District of this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Secord was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Secord reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day three months. Leave was accordingly granted to sit again this day three months.

On motion of Capt. Elliott, seconded by Mr. Baby, the House adjourned.

*Friday, 15th February, 1811.*

Prayers were read.

Read for the second time, the Bill to alter the construction of Mill-dams.

The Clerk of this House has the honor respectfully to acquaint Mr. Speaker and the House that the Clerks of the Peace of the different Districts of this Province did send him returns of all the rateable property in their respective Districts, in compliance with the tenth section of the Act for the more uniform laying of



Assessments and Rates throughout this Province. Mr. Speaker then ordered the different returns received from the Clerks of the Peace to be laid on the Table, and to be entered in a book to be of record in this House.

Mr. McNabb moved, seconded by Mr. Dorland, that this House do now resolve itself into a Committee, to take into consideration the Mill-dam Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. C. Willson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. C. Willson reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted to sit again on Monday next.

Messrs. Sovereign and Willcocks, the messengers ordered to carry up to the Honorable the Legislative Council an Act intituled "An Act to repeal an Act passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act for granting to His Majesty an annual sum of money for the purposes therein mentioned,'" reported that they had carried up the said Act, and did request their concurrence in passing the same.

Mr. Dorland, one of the messengers ordered to carry up to the Honorable the Legislative Council the Act intituled "An Act to amend an Act passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act to explain, amend, and reduce into one Act the several laws now in force for the raising and training the Militia of this Province.'"

And also an Act intituled "An Act for applying a certain sum of money therein mentioned, to make good certain moneys issued and advanced by His Majesty, through the Lieutenant-Governor, in pursuance of an Address of this House," reported that they had carried up the said Acts, to which Acts they had requested the concurrence of the Legislative Council in passing the same.

Mr. Rogers, seconded by Mr. Willcocks, moved that this House do now resolve itself into a Committee, to take into their consideration the Lieutenant-Governor's answer to the Address of this House, requesting the Accounts of the Militia Fines received and paid under the authority of the laws now in force in this Province. On Mr. Speaker having put the question for the House to resolve itself into a Committee, a division thereupon took place. The names being called for they were taken down and are as follows:—

Yeas.  
**MESSRS. CASEY**  
 JOHN WILSON  
 HOWARD  
 SOVEREIGN  
 WILLCOCKS  
 MALLORY  
 ROGERS  
 SECORD  
 DORLAND  
 STINSON

Nays.  
**MESSRS. McNABB**  
 BURRITT  
 FRASER  
 BABY  
 MARSH  
 GOUGH  
 McLEAN  
 ELLIOTT  
 C. WILLSON  
 LEWIS

The House being divided:—

Mr. Speaker gave the casting vote for the House not to resolve itself into a Committee to take into consideration His Excellency the Lieutenant-Governor's answer.

Mr. Gough moved, seconded by Mr. Second, that so much of the Order of the Day, as respects the second reading of the Bill to repeal part of an Act passed in the thirty-seventh year of His present Majesty's Reign, for regulating the practice of the Court of King's Bench, be dispensed with; and that it be on the Order of the Day for to-morrow, which was ordered accordingly.

Read for the second time, the Assessment Bill. Mr. Howard then moved, seconded by Mr. Mallory, that the House do now resolve itself into a Committee, to take into consideration the Assessment Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Read for the second time, the Bill to provide for obtaining the benefits of the process of outlawry in Civil Actions within this Province. Mr. McLean then moved, seconded by Mr. Gough, that the House do now resolve itself into a committee, to take into their consideration a Bill intituled "An Act to provide for obtaining the benefits of the process of outlawry in Civil Suits within this Province." The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Capt. Fraser was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Fraser reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Read for the third time, as engrossed, the Bill to prevent Charge and Expense at Elections. On motion of Mr. Howard, seconded by Mr. Rogers, resolved, that the Bill do now pass, and that the title be "An Act to prevent Charge and Expense at Elections of Members to serve in the House of Assembly in this Province." The Bill accordingly passed, and was signed by the Speaker. Mr. Mallory moved, seconded by Capt. Fraser, that Messrs. Howard and Marsh do carry up to the Honorable the Legislative Council the Bill to prevent Charge and Expense at Elections, and request their concurrence thereto, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the consideration of the Bill to repeal the School Act. Mr. Speaker left the Chair. Mr. Sovereign was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House should be pleased to receive the same. On Mr. Speaker having put the question, shall the Report be now received? A division thereupon took place. The names being called for they were taken down and are as follows:—

Yeas.  
 MESSRS. MARSH  
 DORLAND  
 GOUGH  
 CASEY  
 JOHN WILSON  
 HOWARD  
 MALLORY  
 WILLCOCKS  
 ROGERS  
 STINSON  
 SECORD  
 LEWIS  
 SOVEREIGN  
 C. WILLSON

Nays.  
 MESSRS. BURRITT  
 FRASER  
 McLEAN  
 BABY  
 ELLIOTT

Carried in the affirmative by a majority of nine, and the Report was accordingly received. Mr. Willcocks then moved, seconded by Mr. Rogers, that the School Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

Read for the first time, the Bill to obviate doubts which have arisen in the Court of King's Bench. Mr. Rogers then moved, seconded by Mr. Dorland, that the Bill for obviating certain doubts that have arisen in the practice of the Court of King's Bench, be read a second time to-morrow, which was ordered accordingly.

Read for the first time, the Bill to repeal the laws and ordinances of the Province of Quebec. Mr. Mallory then moved, seconded by Mr. Willcocks, that the Bill to repeal the laws and ordinances of the Province of Quebec, now in force in this Province, be read a second time on Monday next. Ordered accordingly.

Mr. Dorland moved, seconded by Mr. Rogers, for leave to bring up a petition from the inhabitants of the Midland District. Leave was accordingly granted, and the said petition ordered to lie upon the Table.

Mr. Mallory moved, seconded by Mr. McLean, for leave to bring up the petition of the inhabitants of Trafalgar, Nelson, Flamboro, East and West, Beverley, Barton, Ancaster, Blocks Nos. 1, 2, and 3, County of Haldimand, Dundas, and other Townships. Leave was accordingly granted, and the said petition was ordered to lie upon the Table.

On motion of Capt. Elliott, seconded by Mr. Secord, the House adjourned.

*Saturday, 16th February, 1811.*

Prayers were read.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the further consideration of the Bill to continue the Provisional agreement with Lower Canada. Mr. Speaker left the Chair. Mr. Burritt took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Thursday next. Leave was accordingly granted to sit again on Thursday next.

Read for the first time, the Bill for the more regular Practice of Physic and Surgery in this Province. Mr. Howard then moved, seconded by Mr. Dorland, that the Physic and Surgery Bill be read a second time on Saturday next, which was ordered accordingly.

Read for the first time, A Bill respecting Land Surveyors, and the Admeasurement of Land in this Province. Mr. Gough then moved, seconded by Mr. Secord, that the Bill for ascertaining the boundary lines of land be read a second time on Wednesday next, which was ordered accordingly.

Mr. McLean moved, seconded by Mr. Stinson, that so much of the Order of the Day as relates to the going into Committee on the Bill relative to the Practice of the Court of King's Bench, be discharged, and that the same be on the Order of the Day for Monday. Ordered accordingly.

On the Order of the Day being read for the House to resolve itself into a Committee to go into the consideration of the Assessment Bill. Mr. Howard moved, seconded by Mr. Willcocks, that the Order of the Day, so far as it respects the Assessment Bill, be discharged. Mr. Mallory, seconded by Mr. C. Willson, moved in amendment, that all the words of Mr. Howard's motion after "Willcocks" be struck out, and the following substituted: "That the House will resolve itself into a Committee to go into the consideration of the Assessment Bill on Thursday next." The House divided upon the question, and the names were taken down as follows:—

## Yeas.

MESSRS. McNABB  
BURRETT  
MARSH  
McLEAN  
GOUGH  
C. WILLSON  
FRASER  
ELLIOTT  
SECORD  
LEWIS  
DORLAND  
BABY  
STINSON  
MALLORY  
SOVEREIGN

## Nays.

MESSRS. JOHN WILSON  
HOWARD  
WILLCOCKS  
ROGERS  
CASEY

Carried in the affirmative by a majority of ten.

The main question was then put, which passed in the negative.

Agreeably to the Order of the day, the House resolved itself into a Committee, to go into the consideration of the Bill for obtaining the Process of Outlawry.

Mr. Speaker left the Chair.

Capt. Fraser took the chair of the Committee.

Mr. Speaker resumed the Chair.

And Capt. Fraser reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next.

Leave was accordingly granted for the Committee to sit again on Monday next.

Read for the second time, the Bill for obviating certain doubts which have arisen in the Practice of the Court of King's Bench.

Mr. Rogers then moved, seconded by Mr. Dorland, that the House do now resolve itself into a Committee, to take into consideration the Bill to obviate certain doubts which have arisen in the Practice of the Court of King's Bench, in this Province.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair.

Mr. Burrirt was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Burrirt reported that the Committee had gone through the consideration of the said Bill, without any amendment, which he was directed to report whenever the House should be pleased to receive the same.

Ordered, That the Report be now received.

Mr. Rogers moved, seconded by Mr. Burrirt, that the Bill for obviating certain doubts which have arisen in the Practice of the Court of King's Bench, be engrossed, and read a third time on Monday next.

Which was ordered accordingly.

Read for the second time, the Bill to continue the Act laying an additional duty on Hawkers and Pedlars.

Mr. McNabb then moved, seconded by Mr. Burrirt, that the House do now resolve itself into a Committee, to take into consideration the Hawkers' and Pedlars' Bill.

The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair. Mr. Howard was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted to sit again on Monday next.

Mr. Mallory moved, seconded by Mr. C. Willson, for leave to bring in a Bill, on Tuesday next, to amend and explain an Act passed in the thirty-eighth year of His Majesty's Reign, to establish a Court of Civil and Criminal jurisdiction, and to regulate the Court of Appeal. Accordingly leave was granted.

On motion of Mr. McLean, seconded by Mr. Dorland, the House adjourned to Monday next, at eleven o'clock in the forenoon.

*Monday, 18th February, 1811.*

Prayers were read.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill to repeal part of the Act passed in the thirty-fourth year of His Majesty's Reign, and to make further provision for the same. Mr. Speaker left the Chair. Mr. McNabb took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

Mr. Gough moved, seconded by Mr. Rogers, that Mr. McGregor, one of the defaulters at the call of this House, having appeared in his place and made an excuse to the satisfaction of the House, be discharged from the custody of the Serjeant at Arms without paying fees. The House accordingly ordered the same.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the Bill to repeal part of an Act passed

in the thirty-fourth of the King. Mr. Speaker left the Chair. Mr. McNabb took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Wednesday next. Leave was accordingly granted for the Committee to sit again on Wednesday next.

Read for the first time, the Bill for holding the Courts alternately in the Towns of Johnstown and Elizabethtown. Mr. Burritt then moved, seconded by Mr. McNabb that the Bill for holding the Courts alternately in the District of Johnstown be read a second time to-morrow, which was ordered accordingly.

Read for the first time, the Bill to form a new District out of the Home and Niagara Districts. Mr. John Willson then moved, seconded by Mr. Lewis, that the Bill for forming a new District be read a second time on Wednesday next, which was ordered accordingly.

Read for the third time, as engrossed, the Bill to repeal the School Act. Mr. Willcocks then moved, seconded by Mr. Sovereign, that the School Bill do now pass, and that the title be, "An Act to repeal part of an Act passed in the forty-eighth year of His Majesty's Reign intituled 'An Act to amend an Act passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act to establish Public Schools in each and every District of this Province.'" The House divided upon the question, and the names were taken down as follows:—

Yeas  
 MESSRS. DORLAND  
 GOUGH  
 MARSH  
 STINSON  
 CASEY  
 JOHN WILLSON  
 HOWARD  
 MALLORY  
 C. WILLSON  
 WILLCOCKS  
 ROGERS  
 SECORD  
 LEWIS  
 SOVEREIGN

Nays  
 MESSRS. McNABB  
 BURRITT  
 FRASER  
 McLEAN  
 McGREGOR  
 BABY  
 ELLIOTT

Carried in the affirmative by a majority of seven. The Bill then passed, and was signed by the Speaker.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act sent up from this House, intituled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor in pursuance of an Address of this House," without any amendment.

And then he withdrew.

Mr. Howard, one of the messengers named to carry up to the Honorable the Legislative Council an Act intituled "An Act for preventing Charge and

Expense at Elections of Members to serve in the House of Assembly in this Province," reported that they had carried up the said Act, and did request their concurrence in passing the same.

Mr. Rogers moved, seconded by Mr. Mallory, that Messrs. Dorland and Stinson do carry up to the Hon. the Legislative Council the Act intituled "An Act to repeal part of an Act passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act to amend an Act passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act to establish Public Schools in each and every District of this Province,'" and request their concurrence thereto. Ordered accordingly.

Read for the second time, the Bill to repeal the laws and ordinances of the Province of Quebec. Mr. Mallory then moved, seconded by Mr. Stinson, that the House do now resolve itself into a Committee, to take into consideration the Bill to repeal the laws and ordinances of the Province of Quebec now in force in this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

Agreeably to the Order of the Day, the House resolved itself into a Committee; to take into consideration the Bill for obtaining the benefits of the Process of Outlawry in Civil Actions within this Province. Mr. Speaker left the Chair. Capt. Fraser took the chair of the Committee.

Mr. Speaker resumed the Chair, and Capt. Fraser reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Wednesday next. Leave was granted for the Committee to sit again on Wednesday next.

Read for the third time, as engrossed, the Bill for obviating certain doubts in the Court of King's Bench.

On motion of Mr. Rogers, seconded by Mr. Gough, resolved, that the Bill do now pass, and that the title be "An Act to obviate certain doubts which have arisen in the Court of King's Bench in this Province." The Bill then passed, and was signed by the Speaker.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the consideration of the Bill to continue the Act laying a duty upon Hawkers and Pedlars, and to make further provision for the same. Mr. Speaker left the Chair. Mr. Howard was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Mr. Mallory moved, seconded by Mr. Secord, that Messrs. Rogers and Casey do carry up to the Honorable the Legislative Council the Act intituled "An Act to obviate certain doubts which have arisen in the practice of the Court of King's Bench in this Province," and to request their concurrence thereto. Which was ordered accordingly.

Mr. McLean moved, seconded by Mr. Gough, for leave to bring in a Bill to-morrow, to amend an Act passed in the thirty-fifth year of His Majesty's Reign, intituled "An Act for the Public Registering of Deeds, Conveyances, Wills

and other incumbrances which shall or may affect any Lands, Tenements, or Hereditaments within this Province. Leave was accordingly granted.

On motion of Mr. Gough, seconded by Mr. Elliott, the House adjourned.

*Tuesday, 19th February, 1811.*

Prayers were read.

Read for the second time, the Bill for holding Courts alternately in the Towns of Johnstown and Elizabethtown. Mr. Burritt then moved, seconded by Mr. McNabb, that the House do now resolve itself into a Committee, to take into consideration the Bill for holding Courts alternately in the District of Johnstown. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McNabb was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had made some progress, and had directed him to ask for leave to sit again this day three months. Leave was accordingly granted to sit again this day three months.

Read for the first time, The Bill for extending the jurisdiction of the Court of Requests. On motion of Mr. Willcocks, seconded by Mr. Rogers. Ordered, that the said Bill be read a second time on Thursday next.

Mr. Speaker informed the House that application in writing had been made to him by the Clerk of the House, which he read, and is as follows.

Mr. Speaker,

The Clerk respectfully informs the House that the wages now due the Copying Clerks exceeds the sum appropriated by law for that purpose. He therefore prays the permission and sanction of this House to employ Copying Clerks in his Office.

Commons House of Assembly,  
18th February, 1811.

(Signed) DONALD McLEAN,  
Clk. Assy.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the consideration of the Bill to amend the Assessment Act. Mr. Speaker left the Chair. Mr. Mallory took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made some progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Mr. Gough moved, seconded by Mr. Dorland, for leave to bring in a Bill, on Thursday next, for ascertaining damages on Protested Bills of Exchange, and fixing the rate of interest in this Province. Leave was accordingly granted.

On motion of Mr. McLean, seconded by Mr. Marsh, the House adjourned.

*Wednesday, 20th February, 1811.*

Prayers were read.

Mr. Rogers, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to obviate certain doubts which have arisen in the practice of the Court of King's Bench in this Province," reported that they had carried up the said Act, and did request their concurrence in passing the same.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill to alter the construction of Mill-dams. Mr. Speaker left the Chair. Mr. C. Willson was called to the chair of the Committee.



Mr. Speaker resumed the Chair, and Mr. C. Willson reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Saturday next. Leave was accordingly granted for the Committee to sit again on Saturday next.

Read for the first time, the Bill to amend an Act passed in the thirty-eighth year of His Majesty's reign, for establishing a Criminal Court of Jurisdiction in this Province. Mr. Mallory then moved, seconded by Mr. Rogers, that the Bill to explain and amend an Act passed in the thirty-eighth year of His Majesty's reign be read a second time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill to continue and amend the Act laying a duty upon Hawkers and Pedlars in this Province. Mr. Speaker left the Chair. Mr. Howard took the chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

Mr. Mallory moved, seconded by Mr. Willcocks, that the petition of the inhabitants of Trafalgar, Nelson, Flamboro' (east and west), Saltfleet, Barton, Ancaster, Blocks 1, 2, and 3, County of Haldimand, and other Townships be now read. The said petition was then read, and is as follows:

To the Honorable the House of Assembly of the Province of Upper Canada in Parliament assembled.

The Petition of the Inhabitants of Trafalgar, Nelson, Flamboro' (east and west), Beverley, Blocks 1, 2, and 3, in Haldimand, North West of Dundas Street in the West Riding of the County of York, also in Haldimand, South East of Dundas Street, to a line extended from the East angle of the Gore of Townsend to the South corner of the Townships of Binbrook, Saltfleet, Glanford, Barton and Ancaster in the District of Niagara.

Humbly Sheweth,

That Your Petitioners at present labour under many inconveniences owing to their situations being so remote from those parts of the Districts of York and Niagara where the Courts of Law are held, and other public business of the country transacted; occasioning to Your Petitioners serious loss of time, heavy expenses, and in the instances of barring of dowers much difficulty to their families. Your Petitioners might well enlarge upon this score were they not satisfied that Your Honorable House will at once be aware of them, more particularly when it is considered how populous the several named Townships are, and the necessity that the various local interests of an extensive, growing part of the country, should have more steady and minute attention paid to them than is practicable under existing circumstances. From these considerations Your Petitioners earnestly beg leave to call the attention of Your Honorable House, and to pray that in your wisdom an Act may be passed separating the Townships inhabited by Your Petitioners from the Districts of York and Niagara, and forming them into a new District and County. Your Petitioners have great satisfaction in being able to assure Your Honorable House that from the flourishing state of their parts of the Districts of York and Niagara, and the respectability and known good order of the inhabitants, every means that are requisite for giving immediate force and stability to the proposed new District, and to meet the attendant pecuniary exigencies may be found therein.

While thus addressing Your Honorable House, Your Petitioners cannot forbear recommending to your notice an object of the greatest solicitude, being that Your Honorable House, in the event of a division taking place, will be pleased to select a situation for the County Town, where, both from a present view of the country, and the probability of its progress, it may not hereafter prove ineligible; and where healthfulness and general conveniency abound.

Your Petitioners are informed that situations have been recommended to Your Honorable House as well adapted for the purpose, and Your Petitioners flatter themselves with the hope that if urged with the private motives of individuals any should be proposed that do not embrace the true interests of the country, they may meet with a merited reception. Your Petitioners conceive it will not be deemed unacceptable their accompanying their Petition with a map of the proposed New District, and have marked thereon, for the consideration of Your Honorable House, a spot which they are of opinion is well calculated, not only at present, but with a contemplative view of what may be looked for from the future prosperity of this flourishing settlement; it will be found upon the south side, and near the head of Burlington Bay, viz., Lot Number Fourteen in the Second Concession of the Township of Barton, upon the main Western Road of the Province, and where various country roads concentrate. This spot is peculiar for its natural advantages, the site being handsome and extensive; abounding with fine springs of water, excellent building stone and other materials, firewood, etc.; and within one mile and a quarter of the best harbour in the Bay. Your Petitioners are prepared to assure Your Honorable House that the proprietors of the Lot herein alluded to and the lots adjoining it are ready to appropriate gratuitously sufficient lands upon which to erect Public Buildings, and also to dispose of Thirty acres of land to be laid out in Town lots at the price of Twenty-five Dollars per acre.

Your Petitioners have only further to assure Your Honorable House with the greatest reverence and respect, that, as in duty bound, they will ever pray.

(Signed) Augustus Jones, E. Jones, Isaac Samson, Wm. Davis, Jun'r, John Springstead, Walter Bates, and three hundred and seventy-eight others.

Read for the second time, the Bill concerning Land Surveyors, and the admeasurement and boundaries of Lands in this Province. Mr. Gough then moved, seconded by Mr. Howard, that the House do now resolve itself into a Committee to take into consideration the Bill for better ascertaining the boundaries of lands in this Province. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. John Willson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. John Willson reported that the Committee had made some progress, and directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Mr. Dorland, one of the Messengers named to carry up to the Honorable Legislative Council the Act intituled "An Act to repeal part of an Act passed in the forty-eighth year of His Majesty's reign, intituled 'An Act to amend an Act passed in the forty-seventh year of His Majesty's Reign, intituled "An Act to establish Public Schools in each and every District of this Province,"" reported that they had carried up the said Act, and did request their concurrence in passing the same.

Mr. Gough moved, seconded by Mr. Dorland, that the Petition of the Inhabitants of the Midland District be now read.

The said Petition was then read, and is as follows:

To the Honorable the Legislative Council and Commons House of Assembly, in Provincial Parliament assembled.

The Petition of the Inhabitants of the Midland District,  
Humbly Sheweth,

That we, His Majesty's most dutiful and loyal subjects, believe it would be to great advantage, and to the peace and prosperity of His Majesty's subjects in this Province, if the settlement and establishment of the boundary lines enclosing the Townships could be without any alteration of their original courses. For that end and intent Your Petitioners express their satisfaction with what was brought forward last winter, intituled "An Act concerning Land Surveyors, and the ascertaining the boundaries, and the admeasurements of lands in this Province."

Your Petitioners, therefore, humbly request that the Act alluded to may be passed into a law, believing that it is founded on justice and equity.

And Your Petitioners, as in duty bound, will ever pray.

(Signed) Simon McNabb, Leonard W. Meyers, Gilbert Harris, George W. Meyers, Stephen Gilbert, Owen Phonlin, and ten other Petitioners.

Read for the first time, the Bill to amend the Act for the Public Registering of Deeds, Conveyances, Wills and other incumbrances which shall be made, or may affect any lands, tenements, or hereditaments within this Province."

Mr. McLean then moved, seconded by Mr. Gough, that the Bill intituled "An Act to amend an Act intituled 'An Act for the Public Registering of Deeds, Conveyances, Wills, and other incumbrances which shall be made or may affect any lands, tenements or hereditaments within this Province,'" be read for the second time on Friday next, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill to repeal part of an Act passed in the thirty-fourth year of His Majesty's reign and to make further provision for the same. Mr. Speaker left the Chair. Mr. McNabb took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had directed him to ask for leave to sit again on Friday next. Ordered, that the Committee have leave to sit again on Friday next.

Read for the second time, the Bill to form a separate District from part of the Home and Niagara District.

Mr. John Willson then moved, seconded by Mr. Mallory, that this House do, on to-morrow, resolve itself into a Committee to take into consideration the Bill for forming a new District, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill for obtaining the benefits of the process of Outlawry. Mr. Speaker left the Chair. Captain Fraser took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Fraser reported that the Committee had made progress, and had directed him to ask for leave to sit again on Friday next. Leave was accordingly granted.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the consideration of the Bill to amend the Assessment Act. Mr. Speaker left the Chair. Mr. Mallory took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted to sit again this day.

A Message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery:

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act, sent up from this House, intituled "An Act to amend an Act passed in the forty-eighth year of His Majesty's reign, intituled 'An Act to explain, amend, and reduce into one Act, the several laws now in force for the raising and training of the Militia of this Province,'" to which they have made several amendments, and to which amendments they request the concurrence of this House.

And then he withdrew.

The amendments made by the Honorable the Legislative Council to the Bill for amending the Militia Law were then read for the first time. Mr. Rogers then moved, seconded by Mr. Gough, that the amendments made by the Legislative Council to the Militia Bill be read for a second time to-morrow, which was ordered accordingly.

Mr. Speaker reminded the House of the application made by the Clerk through him to this House yesterday, for its permission for him to employ Copying Clerks in his office during the present Session of Parliament. The House then directed Mr. Speaker to permit the Clerk to employ the necessary Copying Clerks in his office for this Session. Mr. Speaker then ordered the Clerk to employ the necessary Copying Clerks in his office during the present Session.

Agreeably to leave given, the House again resolved itself into a Committee to go into the further consideration of the Assessment Bill. Mr. Speaker left the Chair. Mr. Mallory again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Mr. Willcocks moved, seconded by Mr. Secord, for leave to bring in a Bill on Monday next to alter and amend so much of an Act passed in the forty-eighth year of His Majesty's reign, intituled "An Act to explain, amend, and reduce to one Act of Parliament, the several laws now in being for the raising and training the Militia of this Province," as relates to the application of Militia Fines. Leave was accordingly granted.

On motion of Mr. Willcocks, seconded by Mr. Mallory, the House adjourned.

*Thursday 21st February, 1811.*

Prayers were read.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill to repeal the Laws and Ordinances of the Province of Quebec. Mr. Speaker left the Chair. Mr. Dorland was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, without any amendment, which he was directed to report whenever the House should be pleased to receive the same.

Ordered, that the Report be now received.

Mr. Mallory then moved, seconded by Mr. John Willson, that the Bill to repeal the laws and ordinances of the Province of Quebec now in force in this Province be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee to go into the further consideration of the Bill to continue the Provisional Agreement with Lower Canada. Mr. Speaker left the Chair. Mr. Burritt took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had made some progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted for the Committee to sit again on Monday next.

Read for the second time, the Bill for extending the jurisdiction of the Court of Requests. Mr. Willcocks then moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee to take into consideration the Bill for extending the Jurisdiction of the Court of Requests. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Lewis was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had made some progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A message from His Excellency the Lieutenant Governor, signed by His Excellency, was presented by William Halton, Esquire, His Excellency's Secretary, which message was read, all the Members of the House being uncovered, and the same is as follows:—

(Signed) Francis Gore, Lt.-Governor.

The Lieutenant Governor thinks proper to acquaint the House of Assembly that he has directed the several officers commanding the Regiments of Militia to furnish a detailed account of the application of the moneys arising from the fines, penalties, and forfeitures, levied under the authority of the Act, to explain, amend, and reduce to one Act of Parliament the several laws now in force for the raising and training of the Militia of this Province.

The neglect of the Statute to make provision for any control over the discretion of the respective Officers entrusted with this duty may have given occasion to abuses which may require legislative provision to correct.

The Lieutenant Governor will, therefore, on receipt of the several returns, which he fears cannot be expected during this Session of Parliament, direct them to be laid before the House of Assembly, 21st February, 1811.

F. G.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill to extend the Jurisdiction of the Court of Requests. Mr. Speaker left the Chair. Mr. Lewis again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted to sit again to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill to revive and amend the Bill laying duties upon Hawkers and Pedlars in this Province. Mr. Speaker left the Chair. Mr. Howard took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Mr. McLean moved, seconded by Mr. Dorland; for leave to bring in a Bill on Saturday next to amend and repeal part of an Act passed in the fortieth year of His Majesty's reign, intituled "An Act to provide for the laying out, amending, and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose." Leave was granted accordingly.

Read for the first time, the Bill for ascertaining the damages on protested Bills of Exchange, and fixing the rate of interest in this Province.

Mr. McLean moved, seconded by Mr. C. Willson, for leave to bring up the Petition of Isaac Swayze. Leave was accordingly granted, and the said Petition ordered to lie upon the Table.

Mr. Gough, seconded by Mr. Dorland, moved that the Bill for ascertaining the damages on protested Bills of Exchange, etc., be read a second time to-morrow, which was ordered accordingly.

On motion of Mr. Willcocks, seconded by Mr. John Wilson, the House adjourned.

*Friday, 22nd February, 1811.*

Prayers were read.

Mr. Gough moved, seconded by Captain Fraser, that the House do on to-morrow resolve itself into a Committee to take into consideration His Excellency the Lieutenant Governor's Message to this House received yesterday, which was ordered accordingly.

Read for the second time, the Bill to amend an Act passed in the thirty-eighth year of His Majesty's reign, respecting the authority of Magistrates to arrest persons leaving the Province.

Mr. Mallory then moved, seconded by Mr. Willcocks, that this House do now resolve itself into a Committee to take into their consideration the Bill to amend and explain an Act passed in the thirty-eighth year of His Majesty's reign, respecting the authority of Magistrates.

The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Willcocks was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered; that the Report be now received.

Mr. Mallory then moved, seconded by Mr. Dorland, that the Bill to amend an Act passed in the thirty-eighth year of His Majesty's reign, relative to Magistrates, be engrossed and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved into a Committee to go into the further consideration of the Bill concerning Land Surveyors, and the admeasurement and boundaries of land in this Province. Mr. Speaker left the Chair. Mr. John Willson took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. John Willson reported that the Committee had made some progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly given for the Committee to sit again to-morrow.

Mr. Mallory moved, seconded by Mr. Willcocks, for leave to bring in a Bill on Tuesday next to alter and amend certain parts of an Act passed in the forty-

eighth year of His Majesty's reign, intituled "An Act for the better regulation of Special Juries." Leave was granted accordingly.

On motion of Mr. Dorland, seconded by Mr. C. Willson, the House adjourned.

*Saturday, 23rd February, 1811.*

Prayers were read.

Read for the third time, as engrossed, the Bill to repeal the Laws and Ordinances of the Province of Quebec. On motion of Mr. Mallory, seconded by Mr. Sovereign, resolved, that the Bill do now pass, and that the title be "An Act to repeal all the Laws and Ordinances of the Province of Quebec now in force in this Province." The Bill then passed, and was signed by the Speaker. Mr. Rogers then moved, seconded by Mr. Howard, that Messrs. Mallory and Sovereign be named to carry up to the Honorable the Legislative Council the Bill for repealing the Quebec Ordinances, and to request their concurrence thereto, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill to form a separate District out of the Home and Niagara Districts. Mr. Speaker left the Chair. Mr. Secord was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Secord reported that the Committee had made a progress, and directed him to ask for leave to sit again on Tuesday next. Leave was accordingly granted for the Committee to sit again on Tuesday next.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill to lay a duty upon Hawkers, Pedlars, and Petty Chapmen in this Province. Mr. Speaker left the Chair. Mr. Howard took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received. Mr. McLean then moved, seconded by Mr. McNabb, that the Bill intituled "An Act to lay a duty upon Hawkers, Pedlars, and Petty Chapmen, be engrossed, and read a third-time on Monday next, which was ordered accordingly.

Mr. Mallory, one of the Messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to repeal all the Laws and Ordinances of the Province of Quebec now in force in this Province, reported that they had carried up the said Act, to which they requested their concurrence in passing the same.

Agreeably to the Order of the Day, the House resolved itself into a Committee to take into consideration His Excellency the Lieutenant Governor's Message to this House, received the twenty-first instant. Mr. Speaker left the Chair. Mr. C. Willson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. C. Willson reported that it is the opinion of this Committee that a respectful Address be presented to His Excellency, the Lieutenant Governor, to return our grateful acknowledgments for His Excellency's Message to the House of the twenty-first instant, and to thank His Excellency for having given directions to the several Officers commanding the Regiments of Militia to furnish a detailed account of the moneys arising from the fines, penalties and forfeitures, levied under the authority of the Act to explain, amend, and

reduce to one Act of Parliament, the several laws now in being for the raising and training the Militia of this Province; in compliance with the prayer of the Address of this House to His Excellency, and to assure His Excellency if after receiving those accounts it shall appear that abuses have existed which may require legislative aid to control, that this House, in conjunction with the other branch of the Legislature, will adopt measures to bring the delinquents to justice; and to prevent such offences being committed in future, which he was directed to report whenever the House should be pleased to receive the same.

The House accordingly ordered that the Report be now received and accepted.

Mr. McLean then moved, seconded by Captain Fraser, that Messrs. Gough and McNabb be a Committee to draft an Address to His Excellency, the Lieutenant Governor, in answer to His Excellency's Message and report the same as soon as convenient, which was ordered accordingly.

Mr. Gough, one of the Committee named to draft an Address to His Excellency the Lieutenant Governor, in answer to His Excellency's Message to this House, received the twenty-first instant, reported that they had drafted an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received, and he read the Report in his place, and then delivered it in to the Clerk at the Table.

Mr. McLean then moved, seconded by Captain Fraser, that the House do now resolve itself into a Committee of the Whole, to take into their consideration the Address to His Excellency, the Lieutenant Governor, in answer to his Message. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McGregor was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had gone through the consideration of the said Address, without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Gough then moved, seconded by Mr. Rogers, that the Address to His Excellency, the Lieutenant Governor, be engrossed, and read a third time this day; and that Messrs. Fraser and Elliott be appointed a Committee to wait upon His Excellency, to know when he will be pleased to receive the same, and to present the same at such time as His Excellency shall be pleased to appoint, which was ordered accordingly.

Mr. Gough again moved, seconded by Mr. Willcocks, that the two Select Committees appointed to examine the Public Accounts be, and they are hereby respectfully authorized to call for such persons and papers as they may find necessary for their information on the said Accounts. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill to amend the Assessment Act. Mr. Speaker left the Chair. Mr. Mallory took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had made some progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted for the Committee to sit again on Monday next.

Read, as engrossed, the Address to His Excellency, the Lieutenant Governor, in answer to His Excellency's Message, which is as follows:

To His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc., etc., etc.



May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Parliament assembled, beg leave to return to Your Excellency our grateful acknowledgment for Your Excellency's Message to this House of the twenty-first instant; also to request Your Excellency to accept our thanks for the directions Your Excellency has been pleased to issue to the several Officers commanding the Regiments of Militia, to furnish a detailed account of the moneys arising from the fines, penalties, and forfeitures, levied under the authority of the Act to explain, amend and reduce to one Act of Parliament the several laws now in being for the raising and training the Militia of this Province; in compliance with the prayer of an Address of this House to Your Excellency.

We also beg leave to assure Your Excellency if, after receiving those accounts, it shall appear that abuses have existed which may require legislative aid to control, that this House will endeavor to adopt measures to bring the delinquents to justice, and to prevent such offences being committed in future.

Passed the Commons House of Assembly, 23rd February, 1811.

(Signed) SAMUEL STREET, Speaker.

Which then passed and was signed by the Speaker. Mr. Willcocks moved, seconded by Mr. Rogers, for leave to bring in a Bill on Monday next to alter and amend the practice now in force respecting criminal prosecution in the Courts of King's Bench, and Oyer and Terminer in this Province. Leave was accordingly granted.

Read for the first time, the Bill to amend the Road Act. Mr. McLean then moved, seconded by Captain Fraser, that the Bill intituled "An Act to repeal and amend part of an Act passed in the fiftieth year of His Majesty's reign, to provide for laying out and amending the Highways and Roads in this Province; be read a second time on Thursday next, which was ordered accordingly.

On motion of Mr. C. Willson, seconded by Captain Fraser, the House adjourned to Monday next.

*Monday, 25th February, 1811.*

Prayers were read.

Captain Fraser, one of the Messengers named to wait upon His Excellency, the Lieutenant Governor, with the Address of this House, in answer to His Excellency's Message of the twenty-first instant, reported that they had waited upon His Excellency with the said Address.

Read for the second time, the amendments made by the Honorable the Legislative Council in and to the Bill for amending the Militia Law.

Mr. Gough then moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee to take into consideration the amendments made by the Honorable the Legislative Council to the Bill for amending the Militia Law. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Captain Fraser was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Captain Fraser reported that it is the opinion of this Committee that a conference be requested with the Honorable the Legislative Council on the amendments made to the Bill for amending the Militia Law, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Rogers then moved, seconded by Mr. Dorland, that Messrs. McGregor and Stinson be a Committee to request a conference with the Honorable the Legislative Council on the amendments made by them to the Bill for amending the Militia Law, which was ordered accordingly.

Mr. Speaker,—

The House of Assembly request a conference with the Honorable Legislative Council on the subject matter of amendments made by them in and to an Act, sent up from this House, intituled "An Act to amend an Act passed in the forty-eighth year of His Majesty's reign, intituled 'An Act to explain, amend, and reduce into one Act the several laws now in force for the raising and training the Militia of this Province.

(Signed) SAMUEL STREET, Speaker.

Commons House of Assembly, Monday, 25th Feb'y, 1811.

Mr. McNabb moved, seconded by Mr. Baby, that so much of the Order of the Day be dispensed with as relates to the third reading of the Hawkers and Pedlars Bill, and that the same be recommitted to-morrow. Ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Assessment Bill. Mr. Speaker left the Chair. Mr. Mallory took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. Howard then moved, seconded by Mr. Gough, that the Assessment Bill be engrossed and read a third time to-morrow, which was ordered accordingly.

Mr. McLean moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee, to take into their consideration the amendments to the Register Act. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McLean was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill to repeal an Act passed in the thirty-fourth year of His Majesty's reign, respecting the duty of Sheriffs. Mr. Speaker left the Chair. Mr. McNabb took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McNabb reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. Mallory then moved, seconded by Mr. Howard, that the Sheriffs Bill be engrossed and read a third time to-morrow, which was ordered accordingly.

Mr. Willcocks moved, seconded by Mr. Secord, for leave to bring in a Bill to-morrow to repeal an Act or Ordinance of Quebec to prevent persons practising Physic and Surgery within the Province of Quebec, or Midwifery in the Towns of Quebec and Montreal without License. Leave was accordingly granted.

On motion of Mr. McLean, seconded by Mr. Rogers, the House adjourned to eleven o'clock to-morrow forenoon.

*Tuesday, 26th February, 1811.*

Prayers.

Mr. Mallory moved, seconded by Mr. Dorland, for leave to bring up the Petition of the inhabitants in the vicinity of Lake Ontario. Leave was accordingly granted, and the said petition ordered to lie upon the Table.

Read for the third time, as engrossed, the Bill to amend an Act passed in the thirty-eighth year of His Majesty's Reign, respecting Civil and Criminal Courts of Justice. On motion of Mr. Mallory, seconded by Mr. Dorland, resolved, that the Bill do now pass, and that the title be "An Act to amend and explain an Act passed in the thirty-eighth year of His Majesty's Reign, intituled 'An Act to establish a Superior Court of Civil and Criminal jurisdiction, and to regulate the Court of Appeal.'" The Bill then passed, and was signed by the Speaker.

Mr. Mallory then moved, seconded by Mr. Dorland, that Messrs. McNabb and Lewis do carry up to the Honorable the Legislative Council the Bill intituled "An Act to amend and explain an Act passed in the thirty-eighth of the King, respecting Civil and Criminal Courts," and request their concurrence in passing the same, which was ordered accordingly.

Read for the third time, as engrossed, the Bill to repeal part of an Act passed in the thirty-fourth year of His Majesty's Reign, respecting the duties of Sheriffs. On motion of Mr. Mallory, seconded by Mr. C. Willson, resolved, that the Bill do pass, and that the title be "An Act to regulate the duty of Sheriffs, and for other purposes therein mentioned." The Bill then passed, and was signed by the Speaker. Mr. Mallory again moved, seconded by Mr. C. Willson, that Messrs. McNabb and Lewis be named to carry up to the Honorable the Legislative Council the Bill to regulate the duty of Sheriffs, and for other purposes therein mentioned, and to request their concurrence in passing the same, which was ordered accordingly.

Read for the third time, as engrossed, the Assessment Bill.

Read for the first time, the Bill to repeal the Quebec ordinance respecting the Practice of Physic and Surgery. Mr. Willcocks moved, seconded by Mr. Secord, that the Bill for repealing the Ordinance of the twenty-eighth of the King, which restricts persons from practising Physic, Surgery and Midwifery, without a license, be read a second time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the further consideration of the Bill concerning Land Surveyors, and the admeasurement of land in this Province. Mr. Speaker left the Chair. Mr. Willcocks took the chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made some progress, and directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act intituled "An Act further to amend an Act passed in the forty-seventh year of His Majesty's Reign intituled 'An Act to establish Public Schools in each and every District of this Province,'" to which they request the concurrence of this House in passing the same.

And also that they have passed an Act sent up from this House, intituled, "An Act to obviate certain doubts which have arisen in the practice of the Court of King's Bench of this Province," to which they have made several amendments, to which amendments they request the concurrence of this House in passing the same.

And then he withdrew.

Read for the first time, the Act sent down from the Honorable the Legislative Council, intituled "An Act further to amend the Act establishing Public Schools in this Province." Mr. Gough then moved, seconded by Mr. Dorland, that the School Bill be read a second time this day three months, which was ordered accordingly.

Also read for the first time, the amendments made by the Honorable the Legislative Council in and to an Act sent up from this House, intituled "An Act to obviate certain doubts which have arisen in the practice of the Court of King's Bench in this Province.

Mr. Rogers then moved, seconded by Mr. C. Willson, that the amendments made by the Honorable the Legislative Council to the Bill for obviating certain doubts which have arisen in the practice of the Court of King's Bench in this Province, be read a second time to-morrow, which was ordered accordingly.

Agreeably to leave given the House again resolved itself into Committee, to go into the further consideration of the Bill concerning Land Surveyors, and the admeasurement of land in this Province. Mr. Speaker left the Chair. Mr. Willcocks again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made some progress, and directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

On motion of Mr. Howard, seconded by Mr. Dorland, resolved, that the Assessment Bill do now pass, and that the title be "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign intituled 'An Act to repeal the several Acts now in force in this Province, relative to Rates and Assessments, and also to particularize the property, real and personal, which, during the continuance thereof shall be subject to Rates and Assessments, and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provision for the same.'" The Bill then passed, and was signed by the Speaker.

Mr. McLean moved, seconded by Mr. Baby, that Messrs. Howard and Casey do carry up to the Honorable the Legislative Council the Assessment Bill, and request their concurrence in passing the same, which was ordered accordingly.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the further consideration of the Bill for to continue the Act laying duties upon Hawkers and Pedlars in this Province. Mr. Speaker left the Chair. Mr. Howard took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Howard reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. The House divided on the question, and the names were taken down as follows:—

Yeas.  
 MESSRS. FRASER  
 McNABB  
 GOUGH  
 STINSON  
 CASEY  
 ROGERS  
 McGREGOR  
 BURRITT  
 MARKLE  
 BABY  
 McLEAN  
 DORLAND

Nays.  
 MESSRS. SECORD  
 HOWARD  
 MARSH  
 MALLORY  
 J. WILSON  
 C. WILLSON  
 WILLCOCKS  
 ELLIOTT  
 LEWIS

Carried in the affirmative by a majority of three, and the Report was accordingly received.

Mr. McNabb then moved, seconded by Capt. Fraser, that the Hawker and Pedlar Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. McNabb, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to amend and explain an Act passed in the thirty-eighth year of His Majesty's Reign, intituled 'An Act to establish a Superior Court of Civil and Criminal jurisdiction, and to regulate the Court of Appeal,'" and also an Act intituled "An Act to regulate the duty of Sheriffs, and for other purposes therein mentioned," reported that they had carried up the said Acts, to which they requested their concurrence in passing the same.

Mr. McLean moved, seconded by Mr. Baby, for leave to bring in a Bill to-morrow, intituled "An Act for the relief of Creditors against absconding debtors." Leave was accordingly granted.

Read, the Petition of Isaac Swayze, which is as follows:—

To the Honorable the Commons House of Assembly of the Province of Upper Canada.

The Petition of Isaac Swayze, of Niagara, most humbly sheweth,

That Your Petitioner did heretofore humbly shew to Your Honorable House that a burglary had been committed upon his house on the night of the 28th January, 1806, at which time he was robbed of the sum of One Hundred and Seventy-eight Pounds, Provincial currency, then in his possession, and received by him as Inspector of Licenses for the District of Niagara, for duties on Shop, Tavern, and Still Licenses, issued 5th January, 1806, exclusive of private property and money received on account of the District of Niagara, and that Your Petitioner was at the same time very dangerously wounded.

Your Petitioner now begs leave to press upon your consideration the honorable testimony of such facts as were then adduced by him, on which your resolution of the fifth day of March, 1807, was founded; and humbly prays that Your Honorable House would be pleased to afford him that relief which in your wisdom you shall think the circumstances of his unfortunate case may require.

And Your Petitioner, as in duty bound, will ever pray.

(Signed) ISAAC SWAYZE.

Mr. C. Willson then moved, seconded by Mr. McLean, for leave to bring in a Bill, on Thursday next, for the relief of Isaac Swayze, Esquire, which passed in the negative.

On motion of Mr. Willcocks, seconded by Mr. Mallory, the House adjourned.

*Wednesday, 27th February, 1811.*

Prayers were read.

Read for the third time, as engrossed, the Bill to continue the Act laying Duties upon Hawkers and Pedlars in this Province.

Mr. McNabb then moved, seconded by Mr. Burritt, that the Hawker and Pedlar Bill do pass, and that the title be "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars, and Petty Chapmen, and other trading persons therein mentioned; and further for granting to His Majesty certain duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned.'" The House divided upon the question, and the names were taken down as follows:—

Yeas.

MESSRS. McNABB  
FRASER  
BURRITT  
CASEY  
GOUGH  
McGREGOR  
McLEAN  
ROGERS  
STINSON  
MARKLE  
DORLAND  
BABY

Nays.

MESSRS. SECORD  
MARSH  
MALLORY  
HOWARD  
JOHN WILSON  
WILLCOCKS  
ELLIOTT  
LEWIS  
C. WILLSON

Carried in the affirmative by a majority of three. The Bill then passed, and was signed by the Speaker. Mr. McNabb again moved, seconded by Mr. C. Willson, that Messrs. Dorland and Baby do carry up to the Honorable the Legislative Council the Hawker and Pedlar Bill, and request their concurrence in passing the same, which was ordered accordingly.

Mr. Rogers moved, seconded by Mr. Howard, for leave to bring up the Petition of the inhabitants of the Townships of Darlington, Clarke and Hope, in the District of Newcastle. Leave was accordingly granted, and the said Petition ordered to lie upon the Table.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill concerning Land Surveyors, and the admeasurement of land in this Province. Mr. Speaker left the Chair. Mr. Willeocks took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted by the Committee to sit again to-morrow.

Mr. Howard, one of the messengers named to carry up to the Honorable the Legislative Council the Bill intituled "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act to repeal the several Acts now in force in this Province, relative to Rates and Assessments, and also to particularize the property, real and personal, which, during the continuance thereof shall be subject to rates and assessments; and fixing the several valuations at which each and every particular of such property shall be rated and assessed; and to make further provision for the same,'" reported that they had carried up the said Act, to which they requested their concurrence in passing the same.

Mr. Dorland, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to repeal an Act passed in the forty-second year of His Majesty's Reign, intituled 'An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned; and further for granting to His Majesty certain duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned,'" reported that they had carried up the said Act, and did request their concurrence in passing the same.

Mr. McGregor, one of the messengers named to carry up the message of this House, requesting a conference with the Honorable the Legislative Council, in and to the amendments made by them to the Militia Law, reported that they had carried up the same.

Agreeably to the Order of the Day, the House resolved itself into a Committee. to go into the further consideration of the Bill for the Provisional Agreement with Lower Canada. Mr. Speaker left the Chair. Mr. Burritt took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had made some progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Read for the second time, the Bill to amend the Road Act.

Mr. McLean then moved, seconded by Mr. McGregor, that the House do now resolve itself into a Committee of the whole, to take into their consideration the Bill intituled "An Act to amend and repeal part of an Act passed in the fiftieth year of His Majesty's Reign, intituled 'An Act for laying out and amending the Public Highways and Roads.'"

The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Stinson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Stinson reported that the Committee had made some progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act intituled "An Act for the benefit of the Creditors of such persons who have died indebted beyond what their personal estate can discharge," and to which they request the concurrence of this House in passing the same.

And also a written message from the Honorable the Legislative Council, concerning a conference with this House, respecting the amendments to the Militia Law.

And then he withdrew.

Read for the first time, the Bill sent down from the Honorable the Legislative Council intituled "An Act for the benefit of the creditors of such persons who have died indebted beyond what their personal estate can discharge." Mr. Rogers then moved, seconded by Mr. C. Willson, that the Bill for the benefit of creditors of persons deceased, be read a second time on Saturday next, which was ordered accordingly.

Then was read the written message sent down from the Honorable the Legislative Council, respecting the conference on amendments made to the Militia Bill, which is as follows:—

Mr. Speaker,—

The Legislative Council have appointed a Committee to confer with the Committee of the Commons House of Assembly on the subject matter of amendments made by them in and to a Bill intituled "An Act to amend an Act passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act to explain, amend, and reduce into one Act, the several laws now in force for the raising and training the Militia of this Province,'" in the Legislative Council Chamber, at the rising of this House.

Legislative Council Chamber,  
Wednesday, 27th Feb'y., 1811.

(Signed) Thos. Scott,  
Speaker.

Mr. C. Willson moved, seconded by Mr. McNabb, that Messrs. Howard, Dorland, Rogers, Gough and John Willson be a Committee of conference from this House, to meet a Committee of the Honorable Legislative Council on the subject matter of the amendments made by them in and to the Bill for amending the Militia Law, which was ordered accordingly.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the Bill to amend the Road Act. Mr. Speaker left the Chair. Mr. Stinson again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Stinson reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered that the Report be now received.

Mr. McLean then moved, seconded by Mr. Rogers, that the Bill intituled "An Act to amend and repeal parts of an Act passed in the fiftieth year of His Majesty's Reign, intituled 'An Act to provide for the laying out and amending the roads &c,'" be engrossed and read a third time to-morrow, which was ordered accordingly.

Mr. Howard, one of the Committee appointed to confer with the Honorable the Legislative Council, on the subject matter of amendments made by them to the Militia Law, reported that the Committee had conferred accordingly, and that the Legislative Council adhered to their amendments in and to the said Bill.

Read for the first time, the Bill for the relief of creditors against absconding debtors.

Mr. McLean then moved, seconded by Mr. McGregor, that the Bill intituled "An Act for the Relief of Creditors against Absconding Debtors," be read a second time on Friday next, which was ordered accordingly.



On motion of Mr. C. Willson, seconded by Mr. Mallory, the House adjourned to eleven o'clock to-morrow.

*Thursday, 28th February, 1811.*

Prayers were read.

Mr. Gough, by permission of the House, laid on the Table a Petition from the inhabitants of York, Trafalgar, and other Townships.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill to continue the Provisional Agreement with Lower Canada. Mr. Speaker left the Chair. Mr. Burritt took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. Gough then moved, seconded by Capt. Elliott, that the Provisional Agreement Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the second time, the amendments made by the Honorable the Legislative Council to the Bill for obviating certain doubts in the Court of King's Bench. Mr. Rogers then moved, seconded by Mr. McLean, that the House do now resolve itself into a Committee, to take into consideration the amendments made by the Legislative Council in and to the Bill for obviating certain doubts that have arisen in the practice of the Court of King's Bench. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Casey was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Casey reported that the Committee had come to a resolution that a conference be requested with the Honorable, the Legislative Council in and to the subject matter of amendments made by them in and to the Act intituled "An Act for obviating doubts which have arisen in the practice of the Court of King's Bench in this Province," which he was directed to report to the House whenever it shall be pleased to receive the same. Ordered that the Report be now received, and the Report was received accordingly.

Mr. Rogers then moved, seconded by Mr. Lewis, that Messrs. McLean and Baby be a Committee to request a conference with the Honorable the Legislative Council on the amendments made to a Bill for obviating certain doubts that have arisen in the practice of the Court of King's Bench, which was ordered accordingly, and the message is as follows:—

Mr. Speaker,—

The House of Assembly request a conference with the Honorable the Legislative Council on the subject matter of the amendments made by them in and to the Act intituled "An Act to obviate certain doubts which have arisen in the practice of the Court of King's Bench in this Province.

Commons House of Assembly,  
Thursday, 28 Feby., 1811.

(Signed) Samuel Street,  
Speaker.

Agreeably to the Order of the Day the House resolved itself into a Committee, to go into the further consideration of the Bill to amend the Register Act. Mr. Speaker left the Chair. Mr. McLean took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made some progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

Read for the third time as engrossed, the Bill to amend and repeal part of the Road Act. On motion of Mr. McLean, seconded by Capt. Elliott, resolved, that the Bill do now pass, and that the title be "An Act to amend and repeal part of an Act passed in the fiftieth year of His Majesty's Reign, intituled 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province; and to repeal the laws now in force for that purpose.'" The Bill then passed, and was signed by the Speaker. Mr. Rogers then moved, seconded by Mr. Lewis, that Messrs. McLean and Baby do carry up to the Honorable the Legislative Council the Bill for altering the Road Act, and to request their concurrence thereto, which was ordered accordingly.

Mr. McLean, one of the Messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to amend and repeal part of an Act passed in the fiftieth year of His Majesty's Reign, intituled 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province; and to repeal the laws now in force for that purpose,'" reported that they had carried up the said Act, and did request their concurrence in passing the same. Also that they carried up to the Honorable the Legislative Council the message of this House, requesting a conference with them.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the Bill to amend the Register Act. Mr. Speaker left the Chair. Mr. McLean again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery:—

Mr. Speaker,—

The Legislative Council have appointed a Committee, to confer with the Committee of the Commons House of Assembly on the subject matter of amendments made by them, in and to a Bill intituled "An Act for obviating certain doubts which have arisen in the practice of the Court of King's Bench in this Province," at the rising of this House, in the Legislative Council Chamber.

Legislative Council Chamber,

Thursday, 28th Feby., 1811.

(Signed) Thos. Scott,  
Speaker.

Mr. Dorland then moved, seconded by Mr. C. Willson, that Messrs. McLean, Baby, Stinson and Rogers be a Committee to confer with a Committee of the Honorable the Legislative Council, on the amendments made by them in and to the Bill for obviating certain doubts which have arisen in the practice of the Court of King's Bench, which was ordered accordingly.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the Bill to amend the Register Act. Mr. Speaker left the Chair. Mr. McLean again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received and accepted.

Mr. McLean then moved, seconded by Mr. Burritt, that the Bill intituled "An Act to amend and Act passed in the thirty-fifth year of His Majesty's Reign, intituled 'An Act for the Public Registering of Deeds,'" be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into Committee, to go into the further consideration of the Bill concerning Land Surveyors, and the boundaries of land in this Province. Mr. Speaker left the Chair. Mr. Willcocks took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made some progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

Read for the first time, the Bill respecting the prosecution of libels in the Court of King's Bench in this Province.

Mr. Willcocks then moved, seconded by Mr. Secord, that the Libel Bill be read a second time to-morrow, which was ordered accordingly.

Read for the first time, the Bill for altering the application of Militia Fines.

Mr. Gough, by leave of the House, brought forward and laid on the Table the Petition of William Allan, Esquire.

Mr. Willcocks moved, seconded by Mr. Secord, that the Bill for altering the application of the Militia Fines be read a second time to-morrow, which was ordered accordingly.

Read for the second time, the Bill for repealing the Ordinance of Quebec, relative to the practice of Physic, Surgery and Midwifery. Mr. Willcocks, seconded by Mr. Lewis, then moved that the House do now resolve itself into a Committee to take into consideration the Bill for repealing the Ordinance of Quebec, relative to the practice of Physic, Surgery and Midwifery. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McLean was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McLean reported that the Committee had gone through the consideration of the said Bill, without any amendments, and that he was directed to report whenever the House should be pleased to receive the same. Ordered that the Report be now received.

Mr. Willcocks again moved, seconded by Capt. Elliott, that the Bill for repealing the Ordinance of Quebec relative to the practice of Physic and Surgery, be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. Howard moved, seconded by Capt. Elliott for leave to bring in, to-morrow, a Bill to appropriate money for roads throughout this Province. Leave was granted accordingly.

On motion of Mr. Dorland, seconded by Mr. Lewis, the House adjourned to eleven o'clock to-morrow.

*Friday, 1st March, 1811.*

Prayers were read.

Mr. Mallory, seconded by Mr. McNabb, moved for leave to bring up the Petition of Almarin James, late from the State of New York. Leave was accordingly granted, and the said petition ordered to lie on the Table.

Mr. Mallory again moved, seconded by Capt. Elliott, that the sixth Rule of this House be dispensed with, so far as relates to the Petition of Almarin James, and that the said Petition be now read. The House accordingly resolved that the said Rule be dispensed with, and that the said Petition be now read.

The said Petition was accordingly read, and is as follows:—

To the Honorable the Commons of Upper Canada, in Parliament Assembled, and the Honorable the Legislative Council of the said Province.

The Petition of Almarin James, late of Whitestone, in the State of New York.

Humbly Showeth,—

That your Petitioner begs leave to state to Your Honorable Bodies that he possesses a new invented method of carrying on the distilling business to a greater degree of perfection than heretofore experienced, by the power of steam.

Your Petitioner can also, by steam, make grist mills and saw mills do business to as much advantage as if effected by water.

He also can, by the power of steam, improve chemistry, and supply various branches for domestic utility, equal to what the power of water can effect. He therefore begs leave to submit with great deference, this, his useful discovery to your consideration, and to solicit an exclusive right to this his discovery for the period of seven years, secured to him in such manner as to Your Honorable Bodies in your wisdom shall seem meet.

And Your Petitioner, as in duty bound, will ever pray.

York, 1st March, 1811.

(Signed) Almarin James.

He hereafter submits his prices to your consideration, viz.:

For the benefit of a Grist Mill, \$35.

For the benefit of a Saw-Mill \$35

For the benefit of Distilleries, \$25.

And every kind of machinery going by water in equal proportion.

These are to certify that I have seen in operation upon a small scale the contrivance for distillery in wooden vessels by steam, introduced into this Province by Almarin James, and that it appeared completely to answer the purpose.

York, 1st February, 1811.

(Signed) Richard Cartwright.

Home District, York, 26th Feby., 1811.

I hereby certify that the bearer, Almarin James of the Town of Kingston, Midland District, has this day come before me and taken the Oath of allegiance according to law.

(Signed) W. Allen, J. P.

Whereas Almarin James, a citizen of the United States hath alleged that he has invented a new and useful improvement, being a steam still, which improvement has not been known before his application, and we, the undersigners, are well acquainted with the said James, and do verily believe him, the said James, to be the true inventor thereof.

Whitestone, January 27th, 1811.

(Signed) Levi Rice, David Tucker, William Simons, Daniel Ferguson, James Patterson, Reuben Ferguson, Joseph Ferguson, William Fields, Aaron Baby.

I do hereby certify that I was present at an experiment made by Almarin James on new invented stills, and, as far as I can judge, will answer a good purpose, and save the distiller a great deal of money in setting his business in operation.

As witness my hand, at Kingston, this 12th day of February, 1811.

(Signed) John Canning.

Read for the third time, as engrossed, the Bill to continue the Provisional Agreement with Lower Canada.

On motion of Mr. Gough, seconded by Mr. Lewis, resolved, that the Bill do now pass, and that the title be "An Act to continue and amend an Act passed in the forty-ninth year of His Majesty's Reign, intituled 'An Act for the continuing for a limited time the Provisional Agreement entered into between this Province and Lower Canada, at Montreal, on the fifth day of July, One Thousand Eight Hundred and Four, relative to duties; also for continuing for a limited time the several Acts of the Parliament of this Province now in force relating thereto.'" The Bill then passed and was signed. Mr. Gough again moved, seconded by Mr. Rogers, that Messrs. McNabb and Marsh do carry up to the Honorable the Legislative Council the Provisional Agreement Bill, and request their concurrence in passing the same, which was ordered accordingly.

Mr. McLean, from the Committee appointed from this House to confer with a Committee of the Honorable the Legislative Council on the subject matter of the amendments made by the Legislative Council in and to the Bill for obviating certain doubts which have arisen in the practice of the Court of King's Bench in this Province, reported that they had met the Managers on the part of the Legislative Council and they have reason to believe that the Legislative Council will consent to modify their amendments as to do away the objections made by the House of Assembly.

Read for the third time, as engrossed, the Bill to repeal an Ordinance of Quebec, relative to the practice of Physic, Surgery and Midwifery. On motion of Mr. Willcocks, seconded by Mr. Rogers, resolved, that the Bill do pass, and that the title be "An Act to repeal an Ordinance of the Province of Quebec, passed in the twenty-eighth year of His Majesty's Reign, intituled 'An Act or Ordinance to prevent persons practising Physic and Surgery within the Province of Quebec, or Midwifery in the Towns of Quebec and Montreal, without License.'" The Bill then passed, and was signed by the Speaker.

Mr. Willcocks again moved, seconded by Mr. Rogers, that Messrs. C. Willson and Mallory do carry up to the Honorable Legislative Council the Bill for repealing the Ordinance of Quebec, respecting Physic and Surgery, and request their concurrence in passing the same, which was ordered accordingly.

Mr. McLean moved, seconded by Mr. Rogers, that the Order of the Day relative to the third reading of the Registry Bill be discharged, and that the same be now recommitted. The House accordingly resolved itself into a Committee, to go into the further consideration of the Bill to amend the Register Act. Mr. Speaker left the Chair. Mr. Gough was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Gough reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Rogers then moved, seconded by Mr. Gough, that the Bill for registering Deeds and Judgments be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill concerning Surveyors, and the Admeasurement of Land in this Province. Mr. Speaker left the Chair. Mr. Willcocks took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. Howard then moved, seconded by Mr. Mallory, that the Survey Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the first time, the Bill for appropriating a sum of money for repairing the roads and Bridges. Mr. Howard then moved, seconded by Mr. Sovereign, that the Bill for appropriating money for the Public Roads be read a second time on Monday next, which was ordered accordingly.

Mr. McNabb, one of the Messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to continue and amend an Act passed in the forty-ninth year of His Majesty's Reign, intituled 'An Act for the continuing for a limited time the Provisional Agreement entered into between this Province and Lower Canada, on the fifth day of July, one thousand eight hundred and four, relative to duties; also for continuing for a limited time the several Acts of the Parliament of this Province now in force relating thereto,'" reported that they had carried up the said Act, to which they requested their concurrence in passing the same.

Mr. C. Willson, one of the Messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to repeal an Ordinance of the Province of Quebec, passed in the twenty-eighth year of His present Majesty's Reign, intituled 'An Act or Ordinance to prevent Persons practising Physic and Surgery within the Province of Quebec, or Midwifery within the Towns of Quebec and Montreal, without License,'" reported that they had carried up the said Act, to which they requested their concurrence in passing the same.

Mr. Gough moved, seconded by Mr. Dorland, that the House do now resolve itself into a Committee, to take into their further consideration the amendments made by the Honorable the Legislative Council in and to the Act sent up from this House for amending the Militia Law. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Mallory was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had gone through the consideration of the said Act, and had adopted the amendments made thereto by the Honorable the Legislative Council, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Gough then moved, seconded by Mr. Rogers, that the amendments made by the Honorable the Legislative Council to the Bill for amending the Militia Laws be read a third time to-morrow, which was ordered accordingly.

Mr. Mallory moved, seconded by Captain Elliott, for leave to bring in a Bill to-morrow to repeal the third clause of an Act, passed in the forty-eighth year of His Majesty's Reign, intituled "An Act to amend an Act, passed in the forty-seventh year of His Majesty's Reign, to establish Public Schools in each and every District in this Province." Mr. Rogers, in amendment, seconded by Mr. Gough, moved that the word "to-morrow" in Mr. Mallory's motion be struck out, and in lieu thereof, the words "this day three months" be inserted. The question as amended was carried in the affirmative, and ordered accordingly.

On motion of Mr. Dorland, seconded by Mr. Lewis, the House adjourned.

*Monday, 2nd March, 1811.*

Prayers were read.

Read for the third time, as engrossed, the amendments made by the Legislative Council in and to the Bill to amend the Militia Bill. Mr. Gough then moved, seconded by Mr. C. Willson, that the House do concur in the amendments made by the Honorable the Legislative Council in and to the Bill for amending the Militia Law, and that Messrs. Dorland and Rogers do carry up the Message of concurrence of this House thereto, which was ordered accordingly, and the message of concurrence is as follows:—

Mr. Speaker,—

The House of Assembly have concurred in the amendments made by the Honorable the Legislative Council in and to an Act intituled "An Act to amend an Act, passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act to explain, amend, and reduce into one Act, the several laws now in force for the raising and training the Militia of this Province.'"

Commons House of Assembly  
2nd March, 1811.

(Signed) Samuel Street, Speaker.

A Message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery.

Mr. Speaker,—

I am commanded by the Honorable, the Legislative Council to inform this House that they have passed an Act, sent up from this House, intituled "An Act to repeal an Act, passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act to repeal the several Acts now in force in this Province, relative to Rates and Assessments, and also to particularize the property, real and personal, which, during the continuance thereof, shall be subject to Rates and Assessments; and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provision for the same," to which they have made several amendments, to which amendments they request the concurrence of this House, in passing the same.

And also a written message from the Honorable the Legislative Council, which is as follows:—

Mr. Speaker,—

The Honorable the Legislative Council have concurred in the alteration proposed in the Committee of Conference, to the amendments made by them in and to an Act intituled "An Act to obviate certain doubts which have arisen in the practice of the Court of King's Bench in this Province."

Legislative Council Chamber,

Saturday, Mar. 2nd, 1811.

(Signed) Tho's. Scott, Speaker.

And then he withdrew.

Read for the first time, the amendments made by the Honorable the Legislative Council in and to the Bill to obviate certain doubts which have arisen in the Practice of the Court of King's Bench in this Province. Mr. Rogers then moved, seconded by Mr. Casey, that the amendments made by the Honorable the Legislative Council in and to the Bill for obviating certain doubts which have arisen in the Practice of the Court of King's Bench in this Province be read a second time on Monday next, which was ordered accordingly.

Mr. Willcocks moved, seconded by Mr. Secord, that so much of the Order of the Day as relates to the third reading of the Bill concerning the Boundaries of Land in this Province, be dispensed with, and that the House do now resolve itself into a Committee to reconsider the said Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Burrit was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had made some progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted for the Committee to sit again on Monday next.

Read for the second time, the Bill for the relief of Creditors against Absconding Debtors. Mr. McLean then moved, seconded by Capt. Elliott, that the House do now resolve itself into a Committee, to take into consideration the Bill intituled "An Act for the relief of Creditors against Absconding Debtors. The House accordingly resolved itself into Committee. Mr. Speaker left the Chair. Mr. Dorland was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act sent up from this House, intituled "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled "An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars, Petty Chapmen, and other trading persons, therein mentioned, and further for granting to His Majesty certain duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned," to which they have made several amendments, to which amendments they request the concurrence of this House in passing the same.

And then he withdrew.

Agreeably to leave given the House again resolved itself into a Committee, to go into the further consideration of the Bill for the relief of Creditors against Absconding Debtors. Mr. Speaker left the Chair. Mr. Dorland again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had made some progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted for the Committee to sit again on Monday next.

Read for the second time, the Bill for the relief of the Creditors of such persons who have died indebted beyond what their personal estate can discharge. Mr. Gough then moved, seconded by Mr. Willcocks, that the Bill for the benefit of the Creditors of such persons as died indebted beyond what their personal estates can discharge, be read a second time this day three months, which was ordered accordingly.



Mr. J. Willson then moved, seconded by Mr. Willcocks, for leave to bring up the Petition of Augustus Jones. Leave was accordingly granted, and the said petition was ordered to lie on the Table.

Mr. Willcocks then moved, seconded by Mr. Mallory, that so much of the rules of this House be dispensed with as relates to the Petition of Augustus Jones, and that the said Petition be now read. The said Rule was accordingly dispensed with, on this occasion, and the Petition of Augustus Jones was accordingly read by the Clerk at the Table, and is as follows:—

To the Honorable the Commons House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, &c., &c.

The Memorial of Augustus Jones of Niagara District, D. P. S.  
Most Humbly Showeth,—

That Your Memorialist was, in the month of June, 1787, employed by the order of the then Commanding Officer at Niagara and the Magistrates, to execute certain surveys under P. R. Frey, D. C. S., and continued in such service under the said P. R. Frey from the 11th June, 1787, to the month of February, 1789, during which time there were almost fifteen Townships surveyed (which included the first settlers at Niagara.)

That Mr. Frey having left this Province before the said Survey was entirely completed Your Memorialist has never received any remuneration whatever, either for his own loss of time and salary, or the disbursements for the wages allowed the hands employed, and other incidental expenses made; amounting in all to £526. 15. 1 3-4 Provincial Currency; as will fully appear by the Accounts accompanying this, together with the Land Board Certificate.

Wherefore Your Memorialist most humbly prays that Your Honorable House will be pleased to take his case into consideration; and grant him such relief as your House in your wisdom may think the circumstance of it requires.

And Your Memorialist, as in duty bound, shall ever pray.

York, 2nd March, 1811.

Augustus Jones, D. P. S.

Mr. Mallory then moved, seconded by Mr. J. Willson, that the fifth Rule of this House be dispensed with, so far as it relates to the Petition of Augustus Jones, and that the House do now resolve itself into a Committee, to take into consideration the said Petition, which passed in the negative.

Mr. Mallory again moved, seconded by Mr. John Willson, for leave to bring in a Bill on Monday next, to give relief to Augustus Jones, which also passed in the negative.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill to form a separate District from a part of the Niagara and Home Districts. Mr. Speaker left the Chair. Mr. Secord was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Secord reported that the Committee had gone through the consideration of the said Bill, and had come to a resolution that the said Bill be read this day three months, which he was directed to report whenever the House should be pleased to receive the same. The House divided upon the question, and the names were taken down as follows:—

Yeas.  
 MESSRS. BURRITT  
 FRASER  
 STINSON  
 GOUGH  
 MCLEAN  
 DORLAND  
 MCGREGOR  
 MARKLE  
 ELLIOTT  
 BABY  
 C. WILLSON

Nays.  
 MESSRS. MARSH  
 J. WILLSON  
 MALLORY  
 ROGERS  
 WILLCOCKS  
 SECORD  
 CASEY  
 LEWIS

which was carried in the affirmative by a majority of three, and the said Resolution was accordingly adopted, and the said Bill was ordered to be read this day three months.

Read for the second time, the Bill for ascertaining the damages on Bills of Exchange

Mr. Gough then moved, seconded by Mr. McGregor, that the House do now resolve itself into a Committee, to take into consideration the Bill for ascertaining damages on Bills of Exchange. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Casey was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Casey reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Gough then moved, seconded by Mr. Rogers, that the Bill for ascertaining the damages on protested Bills of Exchange be engrossed, and read a third time on Monday next, which was ordered accordingly.

Mr. Mallory moved, seconded by Mr. John Willson, for leave to bring in a Bill, on Monday next, for the purpose of giving encouragement to new and useful inventions in this Province. Leave was accordingly granted.

Mr. McLean, seconded by Capt. Elliott, moved for leave to bring in a Bill, on Monday next, to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled "An Act to repeal the several Acts now in force in this Province, relative to Rates and Assessments, and also to particularize the property, real and personal, which, during the continuance thereof, shall be subject to Rates and Assessments; and fixing the several valuations at which each and every particular of such property shall be rated and assessed. Leave was accordingly granted.

Mr. McLean again moved, seconded by Mr. Dorland, for leave to bring in a Bill, on Monday next, intituled "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled "An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned; and further for granting to His Majesty certain duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned, and to make further provision for the same.'" Leave was accordingly granted.

On motion of Mr. Dorland, seconded by Mr. C. Willson, the House adjourned until Monday next, at eleven o'clock in the forenoon.

*Monday, 4th March, 1811.*

Prayers were read.

Mr. McLean moved, seconded by Mr. Gough, that Mr. Mears be discharged from the custody of the Serjeant at Arms, without paying Fees, which was ordered accordingly.

Read for the third time, as engrossed, the Bill to amend the Register Act.

On motion of Mr. McLean, seconded by Mr. Gough, resolved, that the Bill do now pass, and that the title be "An Act to amend an Act passed in the thirty-fifth year of the Reign of His Majesty, intituled 'An Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any lands, tenements or hereditaments within this Province.'" The Bill then passed, and was signed by the Speaker. Mr. Gough, seconded by Capt. Elliott, again moved, that Messrs. McLean and Mears do carry up to the Honorable the Legislative Council the Bill for amending the Register Act, and request their concurrence in passing the same, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for ascertaining damages on Protested Bills of Exchange. On motion of Mr. Gough, seconded by Mr. G. Willson, resolved, that the Bill do pass, and that the title be "An Act to repeal an Ordinance of the Province of Quebec, passed in the seventeenth year of His Majesty's Reign, intituled 'An Ordinance for ascertaining damages on Protested Bills of Exchange, and fixing the Rate of Interest in the Province of Quebec; also to ascertain damages on Protested Bills of Exchange and fixing the Rate of Interest in this Province.'" The Bill then passed, and was signed by the Speaker.

Mr. Gough again moved, seconded by Mr. Dorland, that Messrs. McLean and Mears do carry up to the Honorable the Legislative Council the Bill for ascertaining damages on Protested Bills of Exchange, and request their concurrence in passing the same, which was ordered accordingly.

Mr. Mears moved, seconded by Mr. Howard, for leave to bring up the Petition of the inhabitants of the County of Prescott. Leave was accordingly granted, and the said Petition ordered to lie upon the Table.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill for the better ascertaining the boundary lines of land in this Province. Mr. Speaker left the Chair. Mr. Burritt took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Burritt reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. McLean, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to amend an Act passed in the thirty-fifth year of His Majesty's Reign, intituled 'An Act for the public registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any lands, tenements or hereditaments within the Province.

And also an Act intituled, "An Act to repeal an Ordinance of the Province of Quebec, passed in the seventeenth year of His Majesty's Reign, intituled 'An Ordinance, for ascertaining damages on protested Bills of Exchange, and fixing the rate of interest in the Province of Quebec; and to ascertain damages on Protested Bills of Exchange, and fixing the rate of interest in this Province,'" reported that they had carried up the said Acts, and requested their concurrence in passing the same.

Mr. Rogers, one of the Messengers ordered to carry up to the Honorable Legislative Council the Message of Concurrence of this House to the amendments made by them to the Militia Law, reported that they had carried up the said Message accordingly.

Mr. Howard moved, seconded by Mr. Rogers, that the Land Survey Bill be engrossed, and read a third time to-morrow, which was ordered accordingly

Read for the second time, the amendments made by the Legislative Council in and to the Bill for obviating certain doubts which have arisen in the practice of the Court of King's Bench. Mr. Rogers then moved, seconded by Mr. Secord, that the House do now resolve itself into a Committee, to take into their consideration the amendments made by the Legislative Council to a Bill to obviate certain doubts that have arisen in the practice of the Court of King's Bench. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Mears was called to the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mears reported that the Committee had concurred in the amendments made by the Honorable the Legislative Council in and to the said Bill, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received and accepted. Mr. Rogers then moved, seconded by Mr. Stinson, that the amendments made by the Honorable the Legislative Council to the Bill for obviating certain doubts that have arisen in the Practice of the Court of King's Bench be read a third time to-morrow, which was ordered accordingly.

Mr. Willcocks moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee, to take into consideration the Libel Bill.

The House divided upon the question, and the names were taken down as follows:—

Yeas.

MESSRS. GOUGH  
DORLAND  
CASEY  
MALLORY  
HOWARD  
WILLCOCKS  
ROGERS  
STINSON  
SOVEREIGN

Nays.

MESSRS. BABY  
McNABB  
MARSH  
MEARS  
FRASER  
BURRITT  
ELLIOTT  
McGREGOR  
MARKLE  
LEWIS  
C. WILLSON  
McLEAN

Carried in the negative by a majority of two.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further discussion of the Bill for the Relief of Creditors against Absconding Debtors. Mr. Speaker left the Chair. Mr. Dorland took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had made some progress, and directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A Message from the Honorable the Legislative Council, by Mr. Burns, Master in Chancery:—

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act, sent up from this House, intituled "An Act to amend and repeal part of an Act, passed in the fiftieth year of His Majesty's Reign, intituled 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose.'"

And also that they have passed an Act, sent up from this House, intituled "An Act to continue and amend an Act, passed in the forty-ninth year of His Majesty's Reign, intituled 'An Act for the continuing for a limited time the Provisional Agreement entered into between this Province and Lower Canada, at Montreal, on the fifth day of July, 1804, relative to duties; also for continuing for a limited time the several Acts of the Parliament of this Province now in force relating thereto,'" to which Acts they have made several amendments, and to which amendments they request the concurrence of this House in passing the same.

And then he withdrew.

Read for the first time, the amendments made by the Honorable the Legislative Council in and to the Bill for amending the Road Act.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the Bill for the Relief of Creditors against Absconding Debtors. Mr. Speaker left the Chair. Mr. Dorland again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments; which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. McLean then moved, seconded by Mr. Gough, that the Bill intituled "An Act for the Relief of Creditors against Absconding Debtors" be engrossed, and read a third time to-morrow, which was ordered accordingly.

Mr. Gough moved, seconded by Mr. Dorland, for leave to bring in a Bill, to-morrow, to amend and continue for a limited time an Act, passed in the forty-ninth year of His Majesty's Reign, intituled "An Act for continuing for a limited time the Provisional Agreement entered into between this Province and Lower Canada, at Montreal, on the 5th day of July, 1804, relative to duties; also for continuing for a limited time the several Acts of the Parliament of this Province now in force relating thereto." Leave was accordingly granted.

Read for the first time, the Assessment Bill.

Mr. McLean then moved, seconded by Mr. Gough, that the Assessment Bill be read a second time to-morrow, which was ordered accordingly.

Read for the first time, the Bill to lay duties upon Hawkers, Pedlars and Petty Chapmen in this Province. Mr. McNabb then moved, seconded by Mr. McLean, that the Hawkers' and Pedlars' Bill be read a second time to-morrow, which was ordered accordingly.

Mr. Willcocks gave notice that he will move on the first day of the next Session that this House do resolve itself into a Committee, to take into consideration the necessity of enquiring into the cause why an account of Militia Fines, collected previous to the year 1808, should not be accounted for to this House

Mr Rogers, from the Select Committee, to whom was referred the Provincial Public Accounts, reported the proceedings of the Committee thereon.

He read the Report in his place, and then delivered the same in at the Table, where it was again read by the Clerk, and is as follows:

REPORT OF THE SELECT COMMITTEE appointed to take into their consideration the Public Accounts of this Province, the Third Session of the Fifth Provincial Parliament.

The Committee upon examining the Accounts Nos. 10 and 17 find that all the payments that have been made are by proper authority, and that there remained in the Receiver-General's hands the 31st December, 1810, a balance of ..... £5096 1 9

Upon examining the account No. 14 we find that there was outstanding the 31st December, 1810, on duties collected on Shop, Innkeepers' and Still Licenses, issued between 5th January, 1810, and 5th January, 1811, as far as the accounts have been received ..... 783 3 2¼

It appears by the account No. 8 that there was outstanding 31st December, 1810, of duties collected on goods imported from the United States, between 1st January and 31st December, 1810, as far as accounts have come to hand, the sum of ..... 474 19 2½

It also appears by the account No. 7 that there was outstanding the 31st December, 1810, of duties collected on Licenses issued to Hawkers, Pedlars and Petty Chapman, for the year ending 5th April, 1811, as far as the accounts have come to hand.... 232 0 6

There is due from Colin McNabb, late Collector at Niagara since 1802 ..... 87 0 10¼

The amount of the duties to be received from Lower Canada for duties collected on goods imported into this Province between 1st January and 31st December, 1810, after deducting the expense of collection will probably amount to ..... 4353 0 0

£11026 5 6

Sums that will immediately be wanted:

The sum appropriated for roads, District of Johnstown .... £200 0 0

District of Johnstown, Western District ..... 200 0 0

Six Sheriffs, due 3rd March next, £50 each ..... 300 0 0

£700 0 0

Some small sums will also be soon due to several School masters.

All the Officers of the two Houses of Assembly are paid up to the 7th January, 1811, inclusive.

The balance of Lighthouse duty in the hands of the Receiver-General last year, as stated by the Committee, was ..... £314 13 8½

There has been collected to the 31st December, 1810, as far as the accounts have come to hand, £14 9s. 10½d., of which is yet outstanding ..... 155 17 10½

£470 11 7

The expenses of lighthouses last year:

York, to 31st December, 1809 .....	£38	15	11		
York, to 30th June, 1810 .....	29	7	0		
York, to 31st December, 1809 .....	31	9	8		
Niagara, to 30th June, 1810 .....	30	12	6		
				130	5 1

Balance in the Receiver-General's hands .....	340	6	6		
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Account of money in the Receiver-General's hands, appropriated but not applied:

To support the War, by vote .....	500	0	0		
To purchase the British Statutes .....	175	0	0		
For Public Buildings at York .....	2800	0	0		
	£3475	0	0		

Account of money raised under British Acts of Parliament not accounted for:

On Shop and Innkeepers' Licenses issued between 5th January, 1810, and 5th January, 1811, as far as the accounts are come to hand .....	£620	9	2 4-10		
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For duties on goods imported from the United States, from 1st January to 31st December, 1810, as far as the returns have been received .....	328	19	9		
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To fines and forfeitures .....	115	16	8¾		
	£1065	5	8 3-20		

The Committee cannot exactly state the sum to be received from Lower Canada for duties, as they do not know what the expense of collection will amount to; they presume, however, that the amount as stated will be the sum this Province will receive nearly.

The Committee observe that the fines, etc., imposed in the several Courts are in the accounts supposed to be levied under British Acts of Parliament; they submit to the House whether they can be properly said to be so levied.

The Committee observe that some of the Collectors of Customs do not furnish their accounts as by law they are required; neither do some of them pay in the money as they are required.

Two Pounds on each tavern and shop license is supposed to be levied under a British Act of Parliament, and the money not accounted for.

All which is humbly submitted.

By Order of the Committee.

(Signed) D. MCG. ROGERS, Chairman.

Mr. Gough, one of the Select Committee appointed to examine the accounts of Commissioners of Roads in this Province, reported the proceedings of the Committee thereon, which he read in his place, and then delivered the same in at the Table, where it was again read by the Clerk, and is as follows:

Your Committee, to whom were referred the accounts of the Commissioners appointed under the several Acts of the Parliament of this Province for the amend-

ing and repairing the Public Highways and Roads, laying out and opening New Roads, and building Bridges in the several Districts thereof; also the accounts of the Commissioners for the purchase of Hemp,—beg leave to report as follows:

That they have examined the accounts of the different Districts for the money allotted for Roads in the following order. Of the money appropriated in the year 1804 warrants were only issued for the Home District, £150, and for the District of London, £250, which, being applied under the direction of the Lieutenant-Governor, by and with the advice and consent of the Executive Council, the accounts of the expenditure thereof have been audited and approved in Council.

EASTERN DISTRICT.

From this District there is no account of the expenditure of £200, appropriated in the year 1806, which was to be laid out under the directions of the Magistrates in General Quarter Sessions, and presume the same has been accounted for to them; the different sums granted for the years 1808, 1809, and 1810, appear to be duly accounted for, and there remains a balance unexpended in the hands of the Commissioners, Reverend John Strachan, Josh Anderson, and David Sheek, Esquires, £10 16s. 10¾d.

The Committee are informed that the work done in this District is insufficiently done in many parts, some of the causeways having been washed away for want of being properly covered.

DISTRICT OF JOHNSTOWN.

The Committee have the Treasurer's account of the sums paid by him in the year 1806, in compliance with the orders of the Magistrates in General Quarter Sessions, but the Treasurer has made no charge of Commission, although authorized by law to retain three per cent.

They have likewise received the Commissioner's accounts for the years 1808 and 1809, with a report of the Commissioners, of the money being properly applied; but they have no account of the expenditure of £200, appropriated for the year 1810, for which the Warrant has issued, as appears by the Inspector General's return, and remains to be accounted for by the Commissioners, £200.

MIDLAND DISTRICT.

The accounts from this District are minute in detail, accompanied with proper vouchers, verified on oath; there appears a balance due to the Honourable Richard Cartwright, one of the Commissioners

Commissioners .....	£7	16	8
Also an error of .....		9	11
	<hr/>		
Due Sir Richard Cartwright .....	£8	6	7

DISTRICT OF NEWCASTLE.

The Committee have received the Treasurer's account for 1806, which they conclude has been audited by the Magistrates in General Quarter Sessions, being expended under their direction.



Also the account of Alexander Fletcher, one of the Commissioners attested on oath, for the years 1808, 1809, and 1810, in whose hands a balance remains of £3. 8s. 6d.

Also the account of Elias Jones, Esquire, one of the Commissioners, accompanied with the vouchers for the expenditure of the appropriation of the years 1806, 1808 and 1809, by which there appears to be a balance in his hands of ..... £1 11 11½

To which add short allowed by him received from the Treasurer in 1806, £19, instead of £19 17s. 6d. .... 17 6

£2 9 5½

Also paid him by Alexander Fletcher, Esquire, one of the Commissioners in the year 1810 ..... 123 3 4½

To be accounted for by Mr. Jones ..... £125 12 10

The Committee have also Robert Baldwin, Esq., one of the Commissioners' account for the years 1808, 1809, and 1810, by which there appears a balance in his hands of ..... £9 19 0

Also retained from Wilson until the work undertaken by him is completed ..... 5 15 0

This sum not paid Leonard Soper, Esquire, but retained in Mr. Baldwin's hands, although charged in his account. Your Committee cannot but remark the impropriety of blending private transactions with Public accounts, as this charge refers to a yoke of oxen sold, which Mr. Soper states to be £13, and there is retained by Mr. Baldwin ..... 18 2 6

His charge of commission at ten per cent., the law having made no provision for such charge, your Committee think they would not be justified in admitting it ..... 21 5 0

£55 1 6

To be accounted for by the Commissioners ..... £180 14 4

It has been suggested to the Committee by those residing where the money expended by Alexander Fletcher, Esquire, has been laid out, that sufficient work does not appear to be done adequate to the sums charged in his account with these remarks.

That cutting and clearing away underbrush is twice charged in the year 1809, first in the sum of £10 16s., and afterwards the additional sum of ..... £2 10 0

Making 30 rods of causeway charged in 1809, but we apprehend was done in 1810, and included in the sum of £71 8s. 6d. that year paid sundry persons for work, and also that the causeway was made for 7s. 6d. per rod, amounting only to .....

£11 15 0		£14 5 0
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The Committee having no vouchers from Mr. Fletcher, are incompetent to ascertain the above statement to a certainty, or the correctness of Mr. Fletcher's account, his charge of £4 for a bridge on the front road in Darlington, and no bridge was built, only some timber there, the greatest part of which was got out by Statute Labour.

There also appears a discontent in this district as to the mode and time in which the persons who performed the labour were paid, when they expected to be paid in cash when the work was done, were paid in goods out of stores in York, and in some cases not until twelve months after.

HOME DISTRICT.

The Committee have received the accounts of William Allan, Esquire, Treasurer for the year 1806, approved in General Quarter Sessions, and certified by the Chairman, on which there is a balance due the Treasurer of .....

£0 8 2

Also the account of Samuel Smith, Esquire, one of the Commissioners for the expenditure of £200, appropriated in the year 1898, with vouchers, on which there is a balance due him of .....

0 3 9

0 11 11

Due the Commissioner .....

£0 11 11

Your Committee have no accounts from Mr. Thomas Hamilton, another of the Commissioners, of the appropriation received by him for the year 1809 .....

£200 0 0

Additional sum paid him in pursuance of an Address to the Lieutenant-Governor .....

18 15 0

The appropriation for the year 1810 .....

250 0 0

To be accounted for by Mr. Hamilton .....

£463 15 0

DISTRICT OF NIAGARA.

The Committee have received the Treasurer's account of \$150, the appropriation of the year 1806, which they conclude has been audited by the Magistrates in General Quarter Sessions.

They have also the account of Richard Hatt, Esquire, for part of the expenditures by him under the different appropriations of the years 1806, 1808, 1809, and 1810, on which there appears a balance due by him of . . . . . £127 16 4

In addition thereto Mr. Hatt appears to have received from the Receiver General, by the Inspector General's Schedule, the full appropriation of the year 1810, being £250, and he only gives credit for £150, short . . . . . 100 0 0

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£227 16 4

He has also omitted to charge paid Samuel Street, Esquire, another of the Commissioners, and admitted in Mr. Street's account . . . . . 50 0 0

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To be accounted for by Mr. Hatt . . . . . 177 16 4

Paid William Crooks on part of the road not expended, as appears per Joseph Edwards, Esquire's letter of the 17th January, 1811, to the Inspector General, to be accounted for.. 30 0 0

Also paid Thomas Dickson and Thomas Clark, not expended, as appears per do., and to be accounted for . . . . . 20 0 0

Balance due on Samuel Street's account for the years 1809 and 1810 . . . . . 60 4 10½

Balance in Joseph Edwards, Esquire's, hands for the year 1809 . . . . . 153 2 9

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To be accounted for by the Commissioners . . . . . £441 3 11½

In Mr. Edwards' account is the charge of £3 0s. 5d. for expenses coming to York to receive the money in the year 1809. They suggest to the House the propriety of such a charge, more especially as so large a part thereof remains unexpended in his hands since June, 1809.

#### DISTRICT OF LONDON.

The Committee have received the account of the Treasurer, also of the Commissioners of the application of the appropriation of £300 for the year 1806, certified and approved in General Quarter Sessions, on which there is a balance due the Commissioners, Daniel Springer and Archibald McMillan, of £2 16s. 4½d.

Also the account of John Yeigh, one of the Commissioners for the year 1808, for the expenditure of £200, appropriated for that year, but unaccompanied by any vouchers.

Also Daniel Springer and Thomas Welsh, Commissioners, their account for the expenditure of £200, appropriated for the year 1809, but unaccompanied with any voucher. They have received no account from Robert Nichol of the application of £300, appropriated for the year 1810, and remains to be accounted for by him, £300.

In the foregoing accounts your Committee find the following sums charged by the respective Commissioners for personal attendance and rations, expenses of bringing the money from York, and risk, advertising and taking in proposals, procuring a compass, etc., for which there is no provision made by law. The Committee submit to the House whether they ought to be admitted, viz.:-

Archibald McMillan, 1806 .....	£6	7	6
James Burdick, 1806 .....	5	8	9
Daniel Springer, 1806 .....	15	15	0
Thomas Horner and Edward Watson, 1806 .....	3	12	6
John Yeigh, 1808 .....	14	0	0
Daniel Springer, 1809 .....	13	6	3
Thomas Welsh, 1809 .....	12	5	0
	<hr/>		
	£70	15	0

Exclusive thereof there is charged for surveying the roads during those years, £35. 5s. 11¼d.

WESTERN DISTRICT.

The Committee have the Treasurer's account for the year 1806, also the vouchers for the expenditure £250, appropriated for that year.

Also the account of John McGregor, Esquire, one of the Commissioners, with the vouchers for the expenditures of the moneys appropriated for the years 1808, 1809, and 1810, on which there appears to be due by him .....

.....	£194	19	3
To which add commission he charges, not provided by law..	16	10	0
	<hr/>		
	£211	9	3

Mr. McGregor also states that the axes, spades, &c., charged in his account are in his store, to remain till further occasion for them on the public roads.

Recapitulation of the different sums to be accounted for by the Commissioners of the respective districts, viz.:

Eastern .....	£74	16	10	3-4
Johnstown .....	200	0	0	
Newcastle .....	180	14	4	
Home .....	468	15	0	
Niagara .....	441	3	11½	
London (exclusive of personal services if disallowed) .....	300	0	0	
Western .....	211	9	3	
	<hr/>			
	£1876	19	5¼	
Due the Midland .....	£8	6	7	
" Home .....	11	11		
" London .....	2	16	4¼	
	<hr/>			
	11	14	10¼	
	<hr/>			
Total .....	£1865	4	7	

Although there is so large a sum unaccounted for by reason of some of the accounts not being returned, yet there remains a large sum still to be expended, and the Committee cannot but express their regret that more zeal and exertion, and a more rigid economy has not been exhibited to effect the beneficent intentions of the Legislature.

All which your Committee submit to this Honorable House.

(Signed) Tho's. B. Gough, M. Elliott, David Secord, J. B. Baby, Tho's. Fraser.

Mr. Mallory moved, seconded by Mr. John Wilson, that the House do resolve itself into a Committee, on Wednesday next, to take into their consideration the Report of the Select Committee on the Public Accounts, which was ordered accordingly.

On motion of Mr. Dorland, seconded by Mr. Gough, the House adjourned until eleven o'clock to-morrow forenoon.

*Tuesday, 5th March, 1811.*

Prayers were read.

Read for the third time, as engrossed, the amendments made by the Honourable the Legislative Council to the Bill intituled "An Act to extend Personal Arrest to the sum of Forty Shillings."

A message from the Honourable the Legislative Council by Mr. Baldwin, Master in Chancery:—

Mr. Speaker,—

I am commanded by the Honourable the Legislative Council to inform this House that they have passed an Act intituled "An Act to Regulate the Duty of Sheriffs, and for other purposes therein mentioned," to which they request the concurrence of this House in passing the same.

And then he withdrew.

Read for the first time, the Act sent down from the Legislative Council, intituled "An Act to regulate the Duty of Sheriffs, and for other purposes therein mentioned."

Mr. Rogers moved, seconded by Mr. Willcocks, that the Bill for obviating certain doubts that have arisen in the practice of the Court of King's Bench, amended by the Honourable the Legislative Council under the title of "An Act to extend Personal Arrest to the extent of Forty Shillings, and otherwise to regulate the practice in cases of personal arrest," do now pass as amended. The Bill accordingly passed as amended, and was signed by the Speaker.

Mr. Howard then moved, seconded by Mr. Willcocks, that Messrs. Rogers and Casey, do carry up to the Honourable the Legislative Council the Message of this House, that it has concurred in and to a Bill intituled "An Act to extend Personal Arrest to the sum of Forty Shillings, and otherwise to regulate the practice in cases of Personal Arrest," as amended by them, which was ordered accordingly.

And the message of concurrence was as follows:

Mr. Speaker,

The House of Assembly have concurred in the amendments made by the Honourable the Legislative Council, in and to an Act intituled "An Act to extend Personal Arrest to the sum of Forty Shillings and otherwise to regulate the practice in cases of Personal Arrest."

Commons House of Assembly,  
5th March, 1811.

(Signed) SAMUEL STREET,  
Speaker.

Mr. Mallory moved, seconded by Mr. Rogers, that the Bill sent down from the Legislative Council, to regulate the Duty of Sheriffs, be read a second time to-morrow, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for the better ascertaining the boundaries of land in this Province. On motion of Mr. Howard, seconded by Mr. Rogers, resolved, that the Bill do now pass, and that the title be "An Act Concerning Land Surveyors, the Admeasurement of Land, and the More Accurately Ascertaining the Boundaries of Land in this Province." The Bill was then passed, and was signed by the Speaker.

Mr. Rogers then moved, seconded by Mr. Mallory, that Messrs. Howard and Stinson do carry up to the Honorable the Legislative Council the bill intituled "An Act Concerning Land Surveyors and the Admeasurement of Lands, and for More Accurately Ascertaining the Boundaries of Land in this Province," and request their concurrence in passing the same, which was ordered accordingly.

Mr. Rogers, one of the messengers named to carry up to the Honorable the Legislative Council the message of concurrence of this House to the amendments made by them in and to the Act intituled "An Act to extend Personal Arrest to Forty Shillings," reported that they had carried up the said message.

Read for the first time, the Bill to continue the Provisional Agreement with Lower Canada.

Mr. Gough then moved, seconded by Mr. Rogers, that the fifth Standing Rule of the House, which requires that any Member intending to move any question shall give one day's previous notice, be dispensed with, as far as it relates to the Provisional Agreement Bill. Ordered accordingly.

Mr. Gough again moved, seconded by Capt. Elliott, that the Provisional Agreement Bill be read a second time this day, which was ordered accordingly.

Mr. Howard, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act Concerning Land Surveyors, the Admeasurement of Land, and the More Accurately the Boundaries of Land in this Province," reported that they had carried up the said Act, to which they requested their concurrence in passing the same.

Read for the second time, the Bill to continue the Provisional Agreement with Lower Canada.

Mr. Gough then moved, seconded by Mr. McLean, that the House do now resolve itself into a Committee, to take into consideration the Provisional Agreement with Lower Canada. The House accordingly resolved itself into a Committee. Mr. Speaker left the chair. Mr. McNabb was called to the chair of the Committee.

Mr. Speaker resumed the chair, and Mr. McNabb reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Ordered that the report be now received.

Mr. Gough then moved, seconded by Mr. McLean, that the Provisional Agreement Bill be engrossed, and read a third time this day, which was ordered accordingly.

Read for the third time, as engrossed, the Bill to continue the Provisional Agreement with Lower Canada. On motion of Mr. Gough, seconded by Mr. McLean, resolved, that the Bill do now pass, and that the title be "An Act to amend and continue for a limited time, an Act passed in the forty-ninth year of His Majesty's reign, intituled 'An Act for continuing for a limited time the Pro-

visional Agreement entered into between this Province and Lower Canada, at Montreal, on the 5th day of July, 1804, relative to duties; also for continuing for a limited time the several Acts of the Parliament of this Province now in force relating thereto." The Bill then passed, and was signed by the Speaker.

Mr. Gough again moved, seconded by Mr. McLean, that Messrs. McNabb and Marsh do carry up to the Honorable the Legislative Council the Provisional Agreement Bill, and request their concurrence in passing the same. Ordered accordingly.

Read for the second time, the Bill to lay a duty upon Hawkers, Pedlars and Petty Chapmen.

Mr. McNabb then moved, seconded by Mr. Burritt, that the House do now resolve itself into a Committee, to take into consideration the Hawker and Pedlar Bill. The House accordingly resolved itself into a Committee.

Mr. Speaker left the Chair. Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Rogers reported that the Committee had gone through the consideration of the said Bill, without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. McNabb again moved, seconded by Mr. Dorland, that the Hawker and Pedlar Bill be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the second time, the Assessment Bill. Mr. Mallory then moved, seconded by Mr. McLean, that the House do now resolve itself into a Committee, to take into consideration the Assessment Bill. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. John Willson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willson reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. McLean then moved, seconded by Mr. Gough, that the Assessment Bill be engrossed, and read a third time to-morrow. Ordered accordingly.

Read for the second time, the Bill for the better Application of Militia Fines. Mr. Willcocks then moved, seconded by Mr. Howard, that the House do now resolve itself into a Committee, to take into consideration the Bill for the Better Application of Militia Fines. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Lewis was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Willcocks then moved, seconded by Mr. Mallory, that the Bill for altering the Application of Militia Fines be engrossed, and read a third time to-morrow, which was ordered accordingly.

Read for the third time, as engrossed, the Bill for the relief of Creditors against Absconding Debtors. Mr. McLean then moved, seconded by Capt. Elliott, that the Bill for the Relief of Creditors against Absconding Debtors do now pass,

and that the title be "An Act for the Relief of Creditors against Absconding Debtors." The House divided upon the question, and the names were taken down as follows:—

Yeas.  
 MESSRS. MEARS  
 BURRITT  
 LEWIS  
 MCGREGOR  
 GOUGH  
 CASEY  
 SOVEREIGN  
 STINSON  
 McNABB  
 JOHN WILLSON  
 C. WILLSON  
 MARKLE  
 BABY  
 DORLAND  
 McLEAN  
 ELLIOTT

Nays.  
 MESSRS. MALLORY  
 WILLCOCKS  
 HOWARD

Carried in the affirmative by a majority of fourteen. The Bill then passed, and was signed by the Speaker.

Mr. McLean again moved, seconded by Capt. Elliott, that Messrs. McNabb and Dorland do carry up to the Legislative Council the Bill intituled "An Act for the Relief of Creditors against Absconding Debtors," and request their concurrence in passing the same, which was ordered accordingly.

Read, the Petition of sundry inhabitants of the Home District, which is as follows:—

To the Honorable House of Assembly of the Province of Upper Canada.

The Petition of the Subscribers, Inhabitants of the Townships of York, Etobicoke, Trafalgar, Toronto and Nelson.

Most humbly sheweth,

That Your Petitioners, as well as all other of His Majesty's subjects who travel the road leading from York to the western parts of this Province, are frequently put to very great inconveniences and danger, from the want of bridges across the Rivers Humber and Credit, particularly in the early part of the winter, and in the spring of the year, at which periods the ice is frequently in such a state as neither to admit of persons crossing on it or in boats.

That Your Petitioners would be very much benefited by the building of bridges across the said rivers near their mouths.

Therefore, Your Petitioners pray that Your Honorable House will be pleased to join in granting such a sum of money as will be necessary for that purpose.

And Your Petitioners, as in duty bound, will ever pray.

(Signed), Richard Beasley, John Emery, John Smith, John Mir, A. Cowell, Thos. Henton and eighty-five other petitioners.

Also read, the Petition of William Allan, Esq., one of the Commissioners for the purchasing of hemp, which is as follows:



To the Honorable the House of Assembly of the Province of Upper Canada, &c., &c., &c.

The Petition of William Allan of York, one of the Commissioners appointed by His Excellency the Lieutenant-Governor for the purchase of hemp, and every part thereof.

Humbly Sheweth,

That Your Petitioner had the honor of being named as Commissioner for the purchase of hemp by the Late Lieutenant Governor, after the passing of the Act in 1804, and did continue to purchase and export the same, according to the best of his judgment, without making any charge for storage or commission till 1809; but on seeing at that period the account of one of the other Commissioners, wherein storage was charged at 50 per bundle, Your Petitioner thought, of course, that although the law did not provide for any allowance of commission, yet it was not contemplated by the Honorable House of Assembly that the Commissioners should take so much trouble, and run so great risk, without some allowance. Upon which Your Petitioner presumed to charge the said Commission. He, therefore, prays that the wisdom of the House will take into consideration and admit of the said Commission, charged previous to the passing of the late Act.

And Your Petitioner, as in duty bound, will ever pray, &c., &c., &c.  
York, 28th February, 1811.

(signed) W. ALLAN.

Mr. Gough then moved, seconded by Mr. Sovereign, that the Petition of William Allan, Esquire, one of the Commissioners for the purchase and exportation of hemp, be referred to the Committee on the Contingent Accounts. Ordered accordingly.

Mr. McLean moved, seconded by Capt. Elliott, that the amendments made by the Legislative Council, in and to the Bill intituled "An Act for amending the highways and roads," be read a second time on to-morrow, which was ordered accordingly.

Read for the first time, the Bill to encourage Useful Arts and Inventions in this Province.

Mr. Mallory then moved, seconded by Mr. Willcocks, that the Bill to encourage Useful Arts and Inventions in this Province be read a second time on to-morrow. The same was ordered accordingly.

On motion of Mr. Dorland, seconded by Mr. Stinson, the House adjourned until eleven o'clock to-morrow forenoon.

*Wednesday, 6th March, 1811.*

Prayers were read.

On motion of Mr. Willcocks, seconded by Mr. Mallory, ordered, that this House do, on to-morrow, resolve itself into a Committee upon Privileges of the House.

Read for the third time, as engrossed, the Bill for laying duties upon Hawkers and Pedlars in this Province.

Mr. McNabb then moved, seconded by Capt. Fraser, that the Bill do now pass, and that the title be "An Act to repeal an Act, passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned; and further for granting to His Majesty duties on Licenses

to Hawkers, Pedlars, and Petty Chapmen, and other trading persons therein mentioned.'” The House divided upon the question, and the names were taken down as follows:—

## Yeas.

MESSRS. MEARS  
 McNABB  
 FRASER  
 GOUGH  
 McLEAN  
 STINSON  
 CASEY  
 ROGERS  
 McGREGOR  
 SOVEREIGN  
 C. WILLSON  
 MARKLE  
 ELLIOTT  
 BABY  
 DORLAND  
 MARSH

## Nays.

MESSRS. MALLORY  
 HOWARD  
 SECORD  
 WILLCOCKS  
 J. WILLSON  
 LEWIS

Carried in the affirmative by a majority of ten. The Bill then passed, and was signed by the Speaker.

Mr. McLean moved, seconded by Mr. Baby, that Messrs. McNabb and Dorland do carry up to the Honorable the Legislative Council the Bill intituled “An Act to lay a duty upon Hawkers, Pedlars and Petty Chapmen,” and request their concurrence in passing the same, which was ordered accordingly.

Read for the third time, as engrossed, the Assessment Bill.

Mr. McNabb, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled “An Act to amend and continue for a limited time an Act passed in the forty-ninth year of His Majesty’s Reign, intituled ‘An Act for continuing for a limited time the Provisional Agreement entered into between this Province and Lower Canada, at Montreal, on the fifth day of July, One Thousand Eight Hundred and Four, relative to duties; also for continuing for a limited time the several Acts of the Parliament of this Province now in force relating thereto.’”

Also an Act intituled “An Act for the Relief of Creditors against Absconding Debtors.”

And also an Act intituled “An Act to repeal an Act, passed in the forty-seventh year of His Majesty’s Reign, intituled ‘An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned, and further for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned,’” reported that they had carried up the said Act, to which they requested their concurrence in passing the same.

Mr. Willcocks moved, seconded by Mr. Rogers, that the Order of the Day for the third reading of the Bill for the Better application of Militia Fines be discharged, and that the said Bill be now recommitted. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Mears took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mears reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. Willcocks then moved, seconded by Mr. J. Willson, that the fifth Rule of this House be dispensed with, as far as it respects any question respecting a Bill for the more regularly accounting for Militia Fines, and that the said Bill be engrossed, and read a third time this day, which was ordered accordingly.

Read for the first time, the Bill for Regulating Special Juries. Mr. Mallory then Moved, seconded by Mr. Willcocks, that the Bill for regulating the mode of obtaining Special Juries be read a second time to-morrow. The same was ordered accordingly.

Mr. Howard moved, seconded by Mr. Mallory, that this House do now resolve itself into a Committee, to take into their consideration the Bill for appropriating money for the Roads.

Read the Petition of the inhabitants of the County of Prescott, which is as follows:—

To the Honorable the Commons House of Assembly, in Parliament assembled.

The Petition of the Subscribers, inhabitants of the County of Prescott, Eastern District, and Province of Upper Canada.

Humbly Sheweth,,

That Your Memorialists beg leave to represent that they have long been settled in this County, and that from its situation on the Rapids of the Grand or Ottawa River they have suffered many and great inconveniences for want of a road in front of the Township of Hawksborough.

Your Memorialists further represent that many valuable settlers, after having passed several years above those rapids, seeing no prospect of having a sufficient road to transmit their produce by land, have actually removed below, and that the heavy expense and risk attendant on ascending the rapids have deterred many from moving to this country.

Your Memorialists further represent that having all these difficulties to encounter, that being cut off from the settlements in the other parts of the District and Province, except such communication as is kept open by individual exertion, the Statute Labour being insufficient to make roads from house to house, on account of the chief part of the lands being held by non-residents,—

Your Petitioners would therefore beg that Your Honorable House will be pleased to take their situation into consideration, and grant such a sum of money as they in their wisdom may think proper to be appropriated to the making a good cart road across the front of the Township of Hawksborough.

And Your Memorialists, as in duty bound, will ever pray.

County of Prescott, Feby. 1st, 1811.

(Signed) Jos. Fortune, Richd. Burnum, David Pattear and thirteen other petitioners.

The House then resolved itself into a Committee, to go into the consideration of the Bill for appropriating money for the roads. Mr. Speaker left the Chair. Mr. Willcocks was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery:—

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act sent up from this House, intituled "An Act to repeal an Ordinance of the Province of Quebec, passed in the twenty-eighth year of His present Majesty's Reign, intituled 'An Act or Ordinance to prevent persons practising Physic and Surgery within the Province of Quebec, or Midwifery in the Towns of Quebec or Montreal,'" to which they have made several amendments, and to which they request the concurrence of this House in passing the same.

And then he withdrew.

Read for the first time, the amendments made by the Legislative Council, in and to the Bill to repeal the ordinance of Quebec respecting the practice of Physic, Surgery, and Midwifery.

On motion of Mr. McLean, seconded by Mr. McNabb, resolved, that the Assessment Bill do now pass, and that the title be "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act to repeal the several Acts now in force in this Province, relative to rates and Assessments; and also to particularize the property, real and personal, which, during the continuance thereof, shall be subject to Rates and Assessments, and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provision for the same.'" The Bill then passed, and was signed by the Speaker. Mr. Willcocks moved, seconded by Mr. Howard, that Messrs. McLean and Mallory do carry up to the Honorable the Legislative Council the Assessment Act, and request their concurrence thereto, which was ordered accordingly.

Mr. McLean, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act to repeal the several Acts now in force in this Province relative to Rates and Assessments, and also to particularize the Property, real and personal, which, during the continuance thereof, shall be subject to rates and Assessments; and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provision for the same,'" reported that they had carried up the said Act, and did request their concurrence in passing the same.

Agreeably to leave given, the House again resolved itself into a Committee to go into the further consideration of the Bill for appropriating money for the Public roads. Mr. Speaker left the Chair. Mr. Willcocks again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had made some progress, and had directed him to ask leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

On motion of Mr. Willcocks, seconded by Mr. Mallory, the House adjourned.

*Thursday, 7th March, 1811.*

Prayers were read.

Read for the third time, as engrossed, the Bill for the better Application of Militia Fines. On motion of Mr. Willcocks, seconded by Mr. Rogers, resolved, that the Bill do pass, and that the title be "An Act to amend an Act passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act to explain, amend and

reduce to one Act of Parliament, the several laws now in being for the raising and retaining the Militia of this Province.'” The Bill then passed, and was signed by the Speaker. Mr. Gough moved, seconded by Mr Lewis, that Messrs. Willcocks and John Willson do carry up to the Honorable the Legislative Council the Bill for amending the Militia Law, which was ordered accordingly.

Mr. Mallory moved, seconded by Mr. Dorland, that the House do now resolve itself into a Committee, to take into consideration the Bill to regulate the mode of obtaining Special Juries. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Mallory was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Mallory reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act sent up from this House, intituled “An Act to repeal an Ordinance of the Province of Quebec, passed in the seventeenth year of His Majesty’s Reign, intituled ‘An Ordinance for ascertaining damages on protested Bills of exchange, and fixing the rate of interest in the Province of Quebec; also to ascertain damages on protested bills of exchange, and fixing the rate of interest in this Province,’” to which they have made several amendments, and to which they request their concurrence in passing the same. And then he withdrew.

Mr. Willcocks, seconded by Mr. Mallory, moved that the Special Jury Bill be engrossed, and read a third time to-morrow. The same was ordered accordingly.

Read for the first time, the amendments made by the Honorable the Legislative Council, in and to the Bill for ascertaining damages on Protested Bills of Exchange. Mr. Gough then moved, seconded by Mr. Dorland, that the amendments made by the Honorable the Legislative Council in and to the Bill for ascertaining the damages on Protested Bills of Exchange be read a second time to-morrow. Accordingly the said amendments were ordered to be read for the second time to-morrow.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to take into consideration the Privileges of the House. Mr. Speaker left the Chair. Mr. Secord was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Secord reported that it is the opinion of this Committee that John Beikie, Esquire, Sheriff of the Home District, has been guilty of a breach of the Privileges of this House, by summoning a Member thereof, and the Officers of this House to attend as Jurors, while attending their duty in Parliament, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Rogers then moved, seconded by Mr. Dorland, that this House do direct the Speaker to inform John Beikie, Esquire, Sheriff of the Home District, that the House of Assembly have resolved that he has been guilty of a breach of privilege, in summoning a Member of this House, and some of its Officers, to attend as Jurors while they were engaged in their duty in the House; but that

the Assembly, being informed by several Members in their places that the said summonses were served by the Sheriff's Officers without his knowledge, do at this time admit that as an excuse, but they will expect that the Sheriff will take care that nothing of the like nature will happen in future, which was ordered and directed accordingly.

Mr. Willcocks, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled "An Act to amend part of an Act passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act to explain, amend, and reduce to one Act of Parliament the several Laws now in being for the raising and training the Militia of this Province,'" reported that they had carried the said Act, to which they requested their concurrence in passing the same.

Mr. Gough, one of the Select Committee to whom was referred the Accounts of the Commissioners appointed for the Encouragement of the Cultivation and Exportation of Hemp, the growth of this Province, reported that Your Committee, to whom were referred the Accounts of the Commissioners appointed under the several Acts of the Parliament of this Province, for the encouragement of the Growth and Cultivation of Hemp within this Province, and the Exportation thereof, beg leave to report as follows.

That there appears in the hands of the Receiver General out of the sum of £750, granted for the purchase of Hemp seed and paying Bounties on Hemp, and paid to the Honorable John McGill and David William Smith, Esquires, 28th July, 1801, as appears per the accounts and letters of the Commissioners, Honorable John McGill and Thomas Scott, Esquires, dated 28th July, 1804, a balance of . . . . . £480 0 0

Paid Hon. James Baby, Richard Cartwright, Robert Hamilton, and William Allan, Esquires, Commissioners appointed in pursuance of the Act of the 44th Geo. III . . . . . 800 0 0

The Inspector General remarks that on the above warrant there was paid;

4 February, 1804, . . . . .	£100	0	0	
6 February, 1809 . . . . .	700	0	0	
				£1,280 0 0

Of which we find William Allan, Esquire, accounts in his account current.

15 January, 1808, for . . . . .	£100			
15 January, 1809, for . . . . .	300			
				400 0 0

To be accounted for by the above Commissioners. . . . . 880 0 0

The Committee have also the accounts of William Allan, Esquire, one of the Commissioners, wherein he acknowledges to have received as per the other side . . . . . £400 0 0

From the Receiver General, and charged by him in the general account of the Provincial fund, therefore does not appear to be a part of the amount on the other side unaccounted for by the Commissioners . . . . . 100 0 0

To which add commission charged by him on his several accounts previous to the Act of the 50th Geo. 3rd, which not being allowed by law the Committee does not find themselves justified in allowing .....

16. 17 4¼

516 17 4¼

And he charges for the purchase of Hemp in the years 1804, 1805, 1806, 1807 and January, 1808, amounting to.....

£516 17 4¼

And he charges for the purchase of Hemp in the years 1804, 1805, 1806, 1807, and January, 1808 amounting to.....

1809, Jan.	Cwt.	qrs.	lbs.					
For the pre- ceding year.	}	42	3	0	cost	£101	9	10
May 8, 1810.		55	1	1	"	187	1	10½
May 15, in part of 1809 & 1810.	}	21	1	5½	"	71	10	2¾
		35	1	11	"	117	10	5½

Total cwt. 154 2 17½ Due by Mr. Allan, ... £39 4 11½

Of the foregoing hemp they have a copy of the account of sales made in London of that shipped in the year 1808, net proceeds whereof amounts to £100. 7.9. Sterling, equal to Currency.

£122 13 0½

Of which they find only paid by the Honorable Richard Cartwright into the Receiver General's hands .....

55 11 1¼

Appears due hereon ..... £67 1 11¼

The other parcels of hemp, purchased by Mr. Allan, since January, 1808, remain to be accounted for, viz.

Cwt.	qrs.	lbs.				
55	1	1	cost	£187	1	10½
21	1	5½	"	71	10	2¾
35	1	11	"	117	10	5½
<hr/>				<hr/>		
111	3	17½		£376	2	4¾

The two first parcels appear to be shipped for England, but the Committee have no account of the sale thereof.

The last parcel has been sold to Mr. Mills, to be manufactured in this Province, agreeable to the act of the Fiftieth George third, which does not appear to have been paid for.

The Committee also observe the sum of £100 in the Receiver General's account paid Thomas Talbot, Esquire, one of the Commissioners for the purchase of hemp, 5th February, 1810, out of the Provincial Funds, but not out of the balance stated to be unaccounted for by the Commissioners, the expenditure whereof is unaccounted for by Mr. Talbot.

Recapitulation of amount to be accounted for by the Commissioners .....	£880	0	0
William Allan .....	39	4	11½
Thomas Talbot .....	100	0	0
Hemp as above 111 cwt. 3 qrs. 17½ lbs., cost .....	376	2	4¾
Honorable Richard Cartwright, on sales of Hemp in England .....	67	1	11¼
<hr/>			
Total .....	£1,462	9	3½

The Committee further beg leave to observe that Mr. Allan, having made no charge for weighing, storing, etc., of so dangerous a combustible, which must be attended with much trouble both receiving in and shipping, they submit to the House the justice of allowing him in such manner as the House may think proper the same commission as is allowed by the 50th Geo. 3rd, as a compensation for his trouble.

Your Committee also beg leave to suggest that nothing remains of the sum appropriated for the encouragement of the growth and cultivation of hemp, the whole appropriation under the Act of the 44th George 3rd, appears to be drawn from the Treasury, to wit.

By the Commissioners in 1805 .....	£800
By Warrant to William Allan, 1810 .....	100
By Warrant to Tho's. Talbot, 1810 .....	100

Being the whole sum appropriated by law .....£1,000

And it appears that no further sum remains for the future encouragement of the growth and cultivation of hemp than what may arise from the different sums unaccounted for, and from the net proceeds of the hemp unaccounted for.

All which Your Committee respectfully submit to the House.

March, 7th, 1811.

(Signed) Thomas B. Gough, Thomas Fraser, M. Elliott, J. B. Baby, David Secord.

Read, the Petition of sundry inhabitants of the District of Newcastle, which is as follows.

To the Honorable the Members of the House of Assembly of the Province of Upper Canada, in Parliament assembled.

The Petition of the several persons whose names are hereunto subscribed; Inhabitants of the Townships Darlington, Clarke, and Hope, in the District of Newcastle.

Humbly Sheweth,

That Dundas Street, through the Township of Clarke, is entirely obstructed by fallen timber, and otherwise, so that travellers and the inhabitants of the said Townships of Darlington, Clarke and Hope cannot pass and repass through the said Township of Clarke on Dundas Street at any season of the year.

That Your Petitioners further state that it is necessary to have the said road opened for travellers. The sleighing continues much longer upon the said road than upon the front, and that for upwards of eight miles there is no settlers to open the same.

Your Petitioners therefore humbly pray that this Honorable House will grant such sum of money for opening the same as they in their wisdom may think proper.



Your Petitioners also further state that Mr. John Hartwell of the said Township of Clarke, will obligate himself to keep the said timber out of the road until there is sufficient inhabitants to repair the same.

And Your Petitioners, as in duty bound, will ever pray.

(Signed) Peletiah Soper, Zachariah Chesney, Wm. Orr, Ebenezer Hartwell, William Borland, Alex'r Fletcher, and nineteen other petitioners.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to take into their consideration the Report of the Select Committee on the Public Accounts.

Mr. Speaker left the Chair. Mr. Sovereign was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had made a progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery:—

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act sent up from this House, intituled "An Act to amend and continue for a limited time an Act passed in the forty-ninth year of His Majesty's Reign, intituled 'An Act for continuing for a limited time the Provisional Agreement entered into between this Province and Lower Canada, at Montreal, on the fifth day of July, One Thousand Eight Hundred and Four, relative to duties; also for continuing for a limited time the several Acts of the Parliament of this Province now in force relating thereto;'" also

An Act intituled "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled 'An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars, and Petty Chapmen, and other trading persons therein mentioned, and further for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other trading persons therein mentioned;'" without any amendment. And then he withdrew.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the Report of the Select Committee on the Public Accounts. Mr. Speaker left the Chair. Mr. Sovereign again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had made some progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

On motion of Mr. Gough, seconded by Mr. Dorland, the House adjourned.

*Friday, 8th March, 1811.*

Prayers were read.

Read for the third time, as engrossed, the Bill for the better regulation of Special Juries. On motion of Mr. Rogers, seconded by Capt. Elliott, resolved, that the Bill do pass, and that the title be "An Act to amend an Act, passed in the forty-eighth year of His Majesty's Reign, intituled 'An Act for the better regulation of Special Juries.'"

The Bill then passed and was signed by the Speaker.

Mr. Speaker acquainted the House that, in obedience to its commands he had drafted a letter to John Beikie, Esquire, Sheriff of the Home District, which he read, and was approved by the House, and is as follows.

Commons House of Assembly,  
March 7th, 1811.

Sir:—

I am directed by the Commons House of Assembly to acquaint you that you have been guilty of a breach of its Privilege, in summoning as Grand Jurors, (to attend a Court of Oyer and Terminer and General Gaol delivery) one of its Members, the Clerk and the Serjeant at Arms, and the Doorkeeper as a Petit Juror, during its sitting; but owing to several Members in their places having acquainted the House that you had informed them that it was done without your knowledge or privity, and having expressed your contrition to them, the House has been pleased at this time to accept of your excuse, in the expectation that a repetition will not be attempted.

I have the honor to be, Sir,

Your Most Obedient and Very Humble Ser't,

To John Beikie, Esquire, (Signed) SAMUEL STREET, Speaker.  
Sheriff of the Home District.

Mr. Rogers again moved, seconded by Mr. Dorland, that Messrs. Willcocks and Mallory do carry up to the Honorable the Legislative Council the Special Jury Bill, and request their concurrence in passing the same, which was ordered accordingly.

Read for the second time, The amendments made by the Legislative Council, in and to the Bill for ascertaining damages on Protested Bills of Exchange.

Mr. Gough then moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee, to take into consideration the amendments made by the Honorable the Legislative Council to the Bill for ascertaining damages on Bills of Exchange. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. Stinson was called to the chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Stinson reported that the Committee had concurred in and to the amendments made by the Honorable the Legislative Council in and to the Bill for ascertaining damages on Protested Bills of Exchange, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received.

Mr. Gough then moved, seconded by Mr. Dorland, that the fifth Standing Rule of this House, which requires that a Member intending to move any question shall give one day's previous notice, be dispensed with, as far as relates to the amendments made by the Honorable the Legislative Council to the Bill for ascertaining damages on Protested Bills of Exchange, which was ordered accordingly. Mr. Gough again moved, seconded by Capt. Elliott, that the amendments made to the Bill for ascertaining damages on Bills of Exchange be read a third time this day. Ordered accordingly. Read for the third time, the amendments made by the Honorable the Legislative Council, in and to the Bill for ascertaining the damages on Protested Bills of Exchange. Mr. Gough moved, seconded by Capt. Elliott, that the House do concur in the amendments made by the Honorable the Legislative Council to the Bill for ascertaining damages on Protested Bills of Exchange, and that Messrs. Willcocks and Mallory do carry up to the Honorable the Legislative Council the message of concurrence of this House thereto. The same was ordered accordingly.

'The Bill then passed as amended, and the message of concurrence is 'as follows:—

Mr. Speaker,—

The House of Assembly have concurred in the amendments made by the Honorable the Legislative Council, in and to the Act intituled "An Act to repeal an Ordinance of the Province of Quebec, passed in the seventeenth year of His Majesty's Reign, intituled 'An Ordinance for ascertaining the damages on Protested Bills of Exchange, and fixing the Rate of Interest in the Province of Quebec, also to ascertain damages on Protested Bills of Exchange, and fixing the rate of interest in this Province.'"

Commons House of Assembly,  
8th March, 1811.

(Signed) SAMUEL STREET,  
Speaker.

Read for the second time, the Bill sent down from the Honorable the Legislative Council, intituled "An Act to amend the process of the District Courts, and further to regulate the proceedings of Sheriffs." Mr. McLean then moved, seconded by Mr. Rogers, that the House do now resolve itself into a Committee, to take into consideration the Bill intituled "An Act to amend the process of the District Courts, and further to regulate the proceedings of Sheriffs." The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. C. Willson was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willson reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Ordered that the report be now received.

Mr. Gough then moved, seconded by Mr. Rogers, that the Sheriffs' Bill be read a third time on to-morrow, which was ordered accordingly.

Read for the second time, the amendments made by the Legislative Council, in and to the Bill to amend the Road Act. Mr. McLean then moved, seconded by Mr. Mears, that the House do now resolve itself into a Committee, to take into consideration the amendments made by the Legislative Council, in and to the Road Act. The House accordingly resolved itself into a Committee. Mr. Speaker left the Chair. Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had gone through the consideration of the said amendments, and had come to a resolution, that the said Bill be read again this day three months, which he was directed to report whenever the House should be pleased to receive the same. Ordered that the Report be now received, and that the said Bill be read again in three months hence.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill to extend the jurisdiction of the Court of Requests. Mr. Speaker left the Chair. Mr. Lewis took the chair of the Committee. Mr. Speaker resumed the Chair, and Mr. Lewis reported that the Committee had gone through the consideration of the said Bill, without any amendment, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered that the Report be now received.

Mr. Willcocks then moved, seconded by Mr. Rogers, that the Bill for extending the jurisdiction of the Court of Requests be engrossed, and read a third time to-morrow, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Report of the Select Committee on the Public Accounts. Mr. Speaker left the Chair. Mr. Sovereign took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had made some progress, and had directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery:—

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act sent up from this House, intituled “An Act to repeal an Act passed in the forty-seventh year of His Majesty’s Reign, intituled ‘An Act to repeal the several Acts now in force in the Province, relative to Rates and Assessments, and also to particularize the property, real and personal, which, during the continuance thereof, shall be subject to Rates and Assessments, and fixing the several valuations at which each and every particular of such property shall be rated and assessed,’ and to make further provisions for the same,” without any amendment.

And then he withdrew.

Mr. Willcocks, one of the messengers named to carry up to the Honorable the Legislative Council the Act intituled “An Act to amend an Act passed in the forty-eighth year of His Majesty’s Reign, intituled ‘An Act for the better Regulation of Special Juries,’” reported that they had carried up the said Act, and did request their concurrence in passing the same.

Also that they had carried up the message of concurrence of this House to the amendments made by the Honorable the Legislative Council, in and to the Bill for ascertaining damages on Protested Bills of Exchange.

Agreeably to leave given, the House again resolved itself into a Committee, to go into the further consideration of the Report of the Select Committee on the Public Accounts. Mr. Speaker left the Chair. Mr. Sovereign again took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

On motion of Mr. Dorland, seconded by Mr. Stinson, the House adjourned till 11 o’clock to-morrow.

*Saturday, 9th March, 1811.*

Prayers were read.

Read for the third time, the Bill sent down from the Honorable the Legislative Council, intituled “An Act to amend the Process of District Courts, and to regulate the proceedings of Sheriffs.” Mr. Willcocks, seconded by Mr. Baby, then moved that the Bill from the Honorable the Legislative Council, intituled “An Act to amend the Process of the District Courts, and also further to regulate the Proceedings of Sheriffs in the sale of goods and chattels taken in execution,” do now pass. The Bill then passed, and was signed by the Speaker.

Mr. Gough Moved, seconded by Mr. Willcocks, that Messrs. McLean and Casey do carry up to the Honorable the Legislative Council the message of concurrence of

this House in and to the Bill sent down by them, intituled "An Act to amend the Process of the District Courts, and further to regulate the Proceedings of Sheriffs in the sale of goods and chattels taken by them in execution," which was ordered accordingly

And the message of concurrence is as follows:

Mr. Speaker:

The House of Assembly have passed an Act sent down from this Honorable House, intituled "An Act to amend the Process of the District Courts, and also further to regulate the Proceedings of Sheriffs in the sale of goods and chattels taken by them on execution.

Commons House of Assembly,  
Saturday, 9th March, 1811.

(Signed) SAMUEL STREET,  
Speaker.

A message from the Honorable the Legislative Council, by Mr. Baldwin, Master in Chancery.

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act sent up from this House, intituled "An Act to amend an Act passed in the thirty-fifth year of His Majesty's Reign, intituled 'An Act for the Public Registering of Deeds, Conveyances, Wills and other incumbrances, which shall be made, or may affect any Lands, Tenements, or Hereditaments within this Province,'" to which they have made several amendments, to which amendments they request the concurrence in passing the same.

And then he withdrew.

Read for the first time, the amendments made by the Honorable the Legislative Council in and to the Bill to amend the Register Act.

Read for the third time, as engrossed, the Bill to extend the jurisdiction of the Court of Requests. On motion of Mr. Willcocks, seconded by Mr. Casey, resolved, that the Bill do now pass, and that the title be "An Act to extend the jurisdiction of the Courts of Requests in this Province." The Bill then passed, and was signed by the Speaker. Mr. Howard Moved, seconded by Mr. Rogers, that Messrs. Willcocks and Casey do carry up to the Honorable the Legislative Council the Bill intituled "An Act to extend the jurisdiction of the Court of Requests in this Province," which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Bill for the appropriation of moneys for the Public Roads. Mr. Speaker left the Chair. Mr. Willcocks was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Willcocks reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. Mr. Howard then moved, seconded by Mr. Gough, that the Bill for the appropriation of money for the roads be engrossed, and read a third time on Monday next, which was ordered accordingly.

Mr. Howard again moved, seconded by Mr. C. Willson, that the Speaker of his House do direct five hundred copies of the Bill concerning Land Surveyors and the admeasurement of land, and for the better and more exactly ascertaining

the boundaries of lands in this Province, to be printed, for the purpose of their being distributed among the Members of the House of Assembly. Ordered accordingly.

Read, the Petition of William Jarvis, Esquire, Keeper of the Rolls, which is as follows:—

To the Honorable the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled.

The Petition of William Jarvis, Esquire, Keeper of the Rolls.

Most Respectfully Sheweth,—

That since the establishment of a Parliament in this Province, Your Petitioner has been Keeper of the Rolls, for which service Your Petitioner has never received any remuneration, except Fifty Pounds Provincial Currency, which Your Honorable House was pleased to grant him during your Session in 1810.

Your Petitioner therefore prays that the Honorable House will be pleased to take this Petition into their consideration, and make him such an annual allowance as the nature of the trust reposed in him shall to them seem meet.

And in duty bound will ever pray.

(Signed) WILLIAM JARVIS,

Keeper of the Rolls.

2nd March, 1811.

Mr. McLean moved, seconded by Mr. Burritt, that the House do resolve itself into a Committee on Monday next, to take into consideration the Contingent Account of Both Houses of Parliament, and that the Clerk do lay the same on the Table on that day, which was ordered accordingly.

Mr. Gough gave notice that he will on Monday next move for a new edition of the Laws of the Province to be printed.

Mr. McLean again moved, seconded by Mr. Howard, that the Petition of William Jarvis, Esquire, be referred to the Committee on Contingent Accounts. The same was ordered accordingly.

On motion of Mr. C. Willson, seconded by Mr. Secord, the House adjourned to Monday next.

*Monday, 11th March, 1811.*

Prayers were read.

Mr. McNabb moved, seconded by Mr. McLean, that the Appropriation Bill be recommended this day, which passed in the negative.

Read for the third time, as engrossed, the Bill for appropriating money for the Public Highways and Roads in this Province. Mr. Howard then moved, seconded by Mr. Rogers, that the following clause be added to the Bill for appropriating money on the roads, "Provided always, and be it further enacted by the authority aforesaid that it shall and may be lawful for the Commissioners to be appointed in and for the District of Johnstown to expend on the bridge on Daniel Jones' Mill Creek the sum of Forty Pounds out of the money granted by this Act for the said District of Johnstown should it appear to them that the money is more wanted on that bridge than on the road in the said District before mentioned, anything in this Act to the contrary notwithstanding," which passed in the negative.

Mr. Willcocks, one of the messengers, named to carry up to the Honorable the Legislative Council the Bill intituled "An Act to extend the jurisdiction of the Courts of Requests in this Province," reported that they had carried up the said Act, to which they requested their concurrence in passing the same.

Also that they had carried up the message of concurrence of this House to the Bill sent down from the Legislative Council, intituled "An Act to amend the Process of the District Courts, and also further to regulate the proceedings of Sheriffs in the sale of goods and chattels taken by them in Execution.

On motion of Mr. Mallory, seconded by Mr. Dorland, resolved, that the Appropriation Bill do now pass, and that the title be "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the use of this Province, to defray the expenses of amending and opening the Public Highways and Roads, and building of Bridges in the several Districts thereof." The Bill then passed, and was signed by the Speaker. Mr. Mallory again moved, seconded by Mr. Baby that Messrs Willcocks and Howard do carry up to the Honorable the Legislative Council the Bill to appropriate money for opening and amending Roads, and building bridges in the several Districts of the Province, and request their concurrence in passing the same, which was ordered accordingly.

Agreeably to the Order of the Day, the House resolved itself into a Committee, to go into the further consideration of the Report of the Select Committee on the Public Accounts. Mr. Speaker left the Chair. Mr. Sovereign took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Sovereign reported that the Committee had come to several resolutions, which he was directed to report whenever the House should be pleased to receive the same. Ordered, that the Report be now received. The Report was accordingly received, and the Resolutions are as follows:—

Resolved, That it is the opinion of this Committee that the Commissioners for the Eastern District have not properly executed the trust reposed in them, by an injudicious application of the moneys committed to them for the purpose of amending and repairing the Highways in the said District.

Resolved, That it is the opinion of this Committee that the money appropriated by law for the District of Johnstown for 1808 and 1809 has been properly applied by the Commissioners of Highways for that District, and that the money appropriated in 1810 has not yet been expended.

Resolved, that it is the opinion of this Committee that the Commissioners of Highways in the Midland District have with propriety executed the trust reposed in them by the Legislature, and they highly approve of the regularity that appears in the accounts received from that District.

Resolved, that it is the opinion of this Committee that Charles Jones, Esquire, Commissioner of Highways in the District of Newcastle has with propriety accounted for the money that has been intrusted to him to lay out on the roads for the years 1808 and 1809, all the charges being accompanied by proper vouchers; and they presume the money now in his hands will be properly accounted for hereafter.

Resolved, that it is the opinion of this Committee, that the Commissioners of Roads appointed for the Western part of the District of Newcastle have misapplied the money committed to their charge for the amending and repairing the Public Highways and Roads in that part of the District, and that great dissatisfaction prevails on account of the improper conduct of the said Commissioners.

Resolved, that it is the opinion of this Committee, that the Commissioners for the Home District have properly executed their duty for the years 1806, 1807, 1808 and 1809, and that all the sums received by them up to that time appear to

be duly accounted for. They presume that the sum granted for 1810 will hereafter be properly applied and accounted for.

Resolved, that it is the opinion of this Committee that the Acting Commissioners of Highways appointed for the District of Niagara have neglected the trust reposed in them; that the sum of Four Hundred and Forty One Pounds, Three Shillings and Elevenpence Halfpenny remains in their hands unaccounted for, and that no vouchers have been produced in confirmation of the sums said to be expended by the said Commissioners.

Resolved, that it is the opinion of this Committee that of the sum of Fifty Pounds, Provincial Currency, granted in the year 1810 for the road from Buchner's Bridge in Willoughby, to William Steele's in Humberstone, there has only been the sum of Thirty Pounds and One Shilling, New York Currency, expended on that Road, agreeable to the intention of the Legislature.

Resolved, that it is the opinion of this Committee that the Commissioners of Highways for the London District have abused their Office by the misapplication of the moneys committed to their care, and that Three Hundred Pounds rests in the hands of Mr. R. Nichols, a Commissioner, no part of which appears to have been applied to public uses.

Resolved, that it appears that the Commissioners of Highways in the Western District have faithfully executed the trust reposed in them by the Legislature, and have properly applied the sums intrusted to them.

Capt. Fraser moved, seconded by Mr. McNabb, that the sixth Rule of the House be dispensed with so far as it relates to the reading of the Petition of John Beikie, Esquire, and that the said Petition be now read.

The said Rule was accordingly dispensed with, and the Petition of John Beikie was then read, and is as follows:—

To the Honorable the Speaker and the Members of the Commons House of Assembly.

The Memorial of John Beikie,

Respectfully Sheweth,

That Your Memorialist performed the duty of Clerk, during the year 1810, to the Commissioners appointed to carry into effect an Act of the Parliament of this Province, passed in the forty-eighth year of His Majesty's Reign, intituled "An Act to continue an Act passed in the forty-fifth year of His Majesty's Reign, intituled 'An Act to afford relief to those persons who may be entitled to claim lands in this Province as Heirs or Devisees of the Nominees of the Crown, in cases where no Patent hath issued for such lands, and further to extend the benefits of the said Act.'"

That Your Memorialist has been allowed a small compensation for services to the 31st December, 1809, and therefore prays that his case may be taken into consideration for the year 1810, and that such allowance may be made to him as the House shall think meet.

And Your Memorialist will ever pray.

9th March, 1811.

(Signed) JOHN BEIKIE.

Mr. Gough then moved, seconded by Capt. Fraser, that the petition of John Beikie, Esquire, be referred to the Committee on Contingent Accounts, which was ordered accordingly.

On motion of Mr. Gough, seconded by Mr. Dorland, resolved, that it is the opinion of this House that five hundred copies of the Provincial Statutes are re-



quisite for the use of the House and the Province, and that this resolution be referred to the Committee on Contingent Accounts, to provide for the printing thereof.

Mr. Mallory moved, seconded by Mr. Willcocks, that a certain sum of money allowed to Levi Lawrence for attending the Bar of this House by virtue of a Warrant issued for him, be referred to the Committee on the Contingent Accounts, which was ordered accordingly.

Mr. Willcocks gave notice, that he will, on to-morrow, move an Address to His Excellency the Lieutenant Governor, upon the subject matter of several resolutions passed this House, relative to the conduct of certain Commissioners of Highways and Roads in this Province.

The Clerk, by order of the House, laid upon the Table the Contingent Accounts of both Houses of Parliament during the Recess and present Session, and are as follows:

Sum necessary for Stationery for the use of the Legislative Council for the year 1812 .....	£20	0	0
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Legislative Council Chamber                      Approved,  
March 11th, 1811.                                      (Signed) THOS. SCOTT, *Speaker*.

Province of Upper Canada

to George Lawe, Dr.

No. 1 To Amt. of Wm Allan's Acct. ....	£15	1	10½
No. 2 To Amt of Joshua Leech's Acct. ....	10	5	0
No. 3 To Amt. of Margt. Bright Acct. ....	5	0	2
No. 4 To Amt. of Philip Klinger's Acct. ....	6	0	0
No. 5 To Amt. of John Basset's Acct. ....	20	0	0
	£56	8	10½

George Lawe maketh Oath, and saith that the above account is just and true to the best of his knowledge and belief.

Sworn before me, at York, the  
12th day of March, 1811.

(Signed) THOS. SCOTT, *Speaker*.  
York, Upper Canada, 11th March, 1811.

The Contingent Account of the Clerk of the Commons House of Assembly's Office, for the third Session of the fifth Provincial Parliament.

No. 1 Due the Copying Clerks .....	£105	10	0
1 Balance due for Station'y .....	12	0	4½
2 Almanac . . . . .			7½
3 John Cameron .....	13	0	0
4 Mr. Allan's Acct. for Postage .....	2	13	6
5 Allowance for Stationery for the ensuing Session of Parliament . . . . .	40	0	0
Provincial Currency .....	£173	4	6

Commons House of Assembly,  
March 12th, 1811.

(Signed) SAML. STREET, *Speaker*.

The Honorable the House of Assembly in Account Current with the Clerk, for Stationery for the Third Session of the Fifth Provincial Parliament.

1810.

Aug. 11. No. 1 To William and James Crook's Acct.....	£35	3	6
1811. To William and James Crook's Acct.....			
Feb. 18. No. 2 Imported parchment from the United States.	8	2	6
No. 3. To William Allan's Account .....	8	3	1½
No. 4 To Quetten St. George's Acc't .....		11	3
	<hr/>		
Provincial Currency .....	£52	0	4½
To Balance brought down .....	£12	0	4½
By Cash advanced for the purchase of Stationery.....	£40	0	0
By Balance due .....	12	0	4½
	<hr/>		
E. E. York, 12th March, 1811.	£52	0	4½

(Signed) DONALD McLEAN, Clerk of the House of Assembly.

The Honorable the House of Assembly in account current with the Clerk for Copying Clerks, during the third Session of the fifth Provincial Parliament.

Dr. Acct.

No. 1 To Chas Baynes .....	£28	0	0
No. 2 To T. G. Ridout .....	28	10	0
No. 3 To William Shaw .....	23	0	0
No. 4 To George Kuch .....	23	0	0
No. 5 To Edward McMahan .....	9	0	0
No. 6 To Arch. McLean .....	8	0	0
No. 7 To Ed. McMahan for 34 days employment in the Office of the Clerk of the Assembly, copying and comparing sundry writings during the recess of Parliament, between 1st. Apl. and 1st Aug., 1810, at 7s. 6d. per day .....	12	15	0
	<hr/>		
	£132	5	0
Copying Clerks, Credit side.			
By Cash appropriated by Law for copying clerks, not yet received .....	£25	0	0
By Balance due the House of Assembly, not yet expended....	1	15	0
By Balance due .....	105	10	0
	<hr/>		
Provincial Currency .....	£132	5	0

E. E. York, 12th Mar., 1811.

(Signed) DONALD McLEAN, Clerk of the House of Assembly.

York, Upper Canada, 12th March, 1811.

The Contingent Account of the Commons House of Assembly for the Third Session of the Fifth Provincial Parliament.

1 Thomas Hamilton's Account .....	£73	18	5
2 George Duggan's Account .....	7	0	0
3 Joshua Leach's Account .....	4	15	0
4 Alex'r Wood's Account .....	3	12	9
5 William Allan's Account .....	9	9	2
6 Hugh Carfrae's Contingent Account .....	23	18	11
7 Hugh Carfrae's usual allowance as Messenger .....	20	0	0
8 John Beikie .....	5	0	0
9 Hugh McLean .....	5	0	0
10 Benj. Marsh .....	13	7	6
11 Levi Lawrence .....	3	5	0
12 A. Janes .....	12	10	0
13 William Allan .....	16	17	4
14 Thos. Hamilton .....	5	0	0
15 William Jarvis, Esq. ....	50	0	0

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Provincial Currency .....

£253 14 1

Commons House of Assembly,  
March 12th, 1811.

(Signed) SAML. STREET, Speaker.

Agreeably to the Order of the Day, the House resolved itself into a Committee to take into consideration the Contingent Accounts of both Houses of Parliament. Mr. Speaker left the Chair. Mr. Marsh was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Marsh reported that the Committee had made a progress, and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.

On motion of Mr. Dorland, seconded by Mr. Stinson, the House adjourned.

*Tuesday, 12th March, 1811.*

Prayers were read.

Read, a letter from Wm. Halton, Esquire, Secretary to His Excellency the Lieutenant Governor, which is as follows:

Lieutenant Governor's Office, 11th March, 1811.

Sir,—I have the Honour to inform you, by command of the Lieutenant Governor, that His Excellency has been pleased to appoint Wednesday next, the thirteenth instant, at four o'clock in the afternoon, for the prorogation of the two Houses of the Legislature of this Province.

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

(Signed) WM. HALTON, Secretary.

His Honor, the Speaker of the House of Assembly.

Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Contingent Accounts of the two Houses of Parliament. Mr. Speaker left the Chair. Mr. Marsh took the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Marsh reported that the Committee had made some progress, and directed him to ask for leave to sit again this day. Leave was accordingly granted for the Committee to sit again this day.

A Message from the Honorable the Legislative Council by Mr. Baldwin, Master in Chancery:

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to acquaint this House that they have passed an Act sent up from this House, intituled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province to defray the expenses of amending and opening the Public Highways and Roads, and building of Bridges in the several Districts thereof," without any amendment, and then he withdrew.

Agreeably to leave given, the House again resolved itself into a Committee to go into further consideration of the Contingent Accounts of both Houses of Parliament. Mr. Speaker left the Chair. Mr. Marsh again took the Chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. Marsh reported that the Committee had gone through the consideration of the Contingent accounts of the two Houses of Parliament, and that they had come to several resolutions therein, which he was directed to submit to the House whenever it should be pleased to receive the same. Ordered, that the Report be now received.

He then read in his place the said resolutions, and afterwards delivered the same in at the Clerk's table, where they were again read, and are as follows, viz.:

Resolved, that it is the opinion of this Committee that it is expedient to advance to the Clerk of the Legislative Council the sum of Twenty Pounds to enable him to purchase Stationery for the use of the ensuing Session of Parliament.

£20 0 0

Resolved, that it is the opinion of this Committee that there is due to George Lawe, Gentleman Usher of the Black Rod, agreeable to his account as certified by the Speaker of the Legislative Council, for sundry contingent expenses thereof during the present Session, the sum of Fifty Six Pounds, Eight Shillings and Tenpence Halfpenny .....

£56 8 10½

Resolved, that it is the opinion of this Committee that there is due to the Clerk of the House of Assembly, for disbursements in his office, and for paying of Copying Clerks during the recess and the present Session, One Hundred and Thirty-three Pounds, Four Shillings and Sixpence .....

£133 4 6

Resolved, that it is the opinion of this Committee, that it is expedient to advance to the Clerk of the House of Assembly the sum of Forty Pounds, to enable him to procure a supply of Stationery for the use of the next session of Parliament.

£40 0 0

Resolved, that it is the opinion of this Committee that there is due to sundry persons, for repairs done to the House of Assembly during the recess and present session, and also for articles purchased by the Serjeant at Arms for the use of the House of Assembly during the recess and present session, One Hundred and Forty-two Pounds, Fourteen Shillings and Threepence .....

£142 14 3

And that he do also charge in his Contingent Account, and pay to the individuals therein named agreeable to the resolutions of this Committee, the several sums allowed to them, viz.:

To John Beikie, Esquire, Five Pounds .....

£5 0 0

Hugh McLean, Five Pounds .....

5 0 0

Benj. Marsh, Thirteen Pounds Seven Shillings and Sixpence ....

13 7 6

Levi Lawrence, Three Pounds Five Shillings .....	3	5	0
A. Janes, Twelve Pounds Ten Shillings .....	12	10	0
William Allan, Esquire, Sixteen Pounds, Seventeen Shillings and Fourpence .. . . .	16	17	4
Thos. Hamilton, Five Pounds .....	5	0	0
William Jarvis, Esquire, Fifty Pounds .....	50	0	0
Making in all One Hundred and Ten Pounds, Nineteen Shillings and Ten- pence, which, including the amount of articles purchased by the Serjeant at Arms during the recess and present session, and repairs done to the House, makes in all Two Hundred and Fifty-three Pounds Fourteen Shillings and One Penny	£253	14	1

Resolved, that it is the opinion of this Committee that there be allowed to John Beikie, Esq., for stationery purchased and services attending the Commissioners under the Act to afford relief to those persons who may be entitled to claim lands in this Province as Heirs or Devisees of the Nominees of the Crown, for the year 1810, Five Pounds .....

£5 0 0  
To Hugh McLean, Messenger attending the said Commissioners, Five Pounds, in all .....

£10 0 0  
Resolved, that it is the opinion of this Committee that the sum of Thirteen Pounds, Seven Shillings and Sixpence be allowed to Benjamin Marsh, of the Township of Hope, being the sum paid by him for a License to work a Still in the year 1810, which Still was destroyed by fire .....

£13 7 6  
Resolved, that it is the opinion of this Committee that William Allan, Esquire, one of the Commissioners for the purchase of hemp, during the years 1804, 1805, 1806, 1807, 1808, and 1809, for his trouble, risk, and storing of hemp purchased by him, be allowed, in lieu of commission, which not being allowed by law was deducted from his account, Sixteen Pounds, Seventeen Shillings and Fourpence .....

£16 17 4  
Resolved, that it is the opinion of this Committee that there be allowed Thomas Hamilton, then Acting Deputy Serjeant at Arms, for extraordinary services during the recess of Parliament, Five Pounds .....

£5 0 0  
Resolved, that it is the opinion of this Committee that the sum of Three Pounds Five Shillings be allowed to Levi Lawrence for attending at the Bar of the House of Assembly for the year 1807, as a witness in the contested Election, the like sum having been then ordered by the House to be paid to him by the Special Messenger, Noel De Lisle, but which he made appear he did not receive. ....

£3 5 0  
Resolved, that it is the opinion of this Committee that there be allowed to A. Janes, for making new discoveries, and introducing useful inventions into this Province, Twelve Pounds Ten Shillings .....

£12 10 0  
Resolved, that it is the opinion of this Committee that there be allowed to William Jarvis, Esquire, Fifty Pounds, as a compensation for services performed as Keeper of the Rolls .....

£50 0 0  
On motion of Mr. Gough, seconded by Mr. McLean, resolved, that this House doth concur in the foregoing resolutions reported from the Committee.

Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor, to request that His Excellency will be pleased to issue his Warrant in favour of John Powell, Esquire, Clerk of the Honorable the Legislative Council, for the sum of Twenty Pounds; to George Lawe, Gentleman Usher of the Black Rod, for the sum of Fifty-six Pounds; to Donald McLean, Esquire, Clerk

of the House of Assembly, for the sum of One Hundred and Seventy-three Pounds Four Shillings and Sixpence; to William Stanton, Esquire, Sergeant at Arms, for the sum of Two Hundred and Fifty-three Pounds Fourteen Shillings and One Penny.

Also resolved, that it is the opinion of this Committee that an Humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency will be pleased to issue his Warrant to the King's Printer, for the sum of Four Hundred Pounds, for compiling and printing five hundred copies of all the Acts of the Several Parliaments of this Province, including those of the present session, when the printing is completed; and the said Acts so compiled and printed shall be received from the Printer in compliance of a resolution entered into by the Committee.

On motion of Capt. Fraser, seconded by Mr. Marsh, ordered, that Messrs. Rogers and Howard be a Committee to draft an Address to His Excellency the Lieutenant Governor, in conformity to the several resolutions on the contingent account of both Houses of Parliament, which was ordered accordingly.

Mr. Rogers, from the Committee appointed to draft an Address to His Excellency the Lieutenant Governor, reported that the Committee had drafted an Address accordingly, which they were ready to submit whenever the House should be pleased to receive the same. The House then resolved that the draft of the said Address be now received. Mr. Rogers then read the draft of the Address in his place, and afterwards delivered the same in at the Clerk's table, where it was again read. On motion of Mr. McNabb, seconded by Mr. Markle, the House resolved itself into a Committee to go into the consideration of the said Address. Mr. Speaker left the Chair. Mr. McGregor was called to the chair of the Committee.

Mr. Speaker resumed the Chair, and Mr. McGregor reported that the Committee had gone through the consideration of the said Address without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Resolved, that the Report be now received. On motion of Mr. C. Willson, seconded by Mr. Sécord, ordered, that the said Address on the Contingent Accounts of the two Houses of Parliament to His Excellency the Lieutenant Governor be engrossed and read to-morrow. The same was ordered accordingly.

On motion of Mr. McLean, seconded by Mr. Dorland, resolved, that an humble Address be presented to His Excellency the Lieutenant Governor, to request His Excellency will be pleased to issue his Warrant in favour of the King's Printer for the sum of Four Hundred Pounds, for compiling and printing five hundred copies of the Provincial Statutes, including those of the present Session. Resolved, that the House doth concur in the foregoing resolution reported by the Committee. On motion of Mr. C. Willson, seconded by Mr. Lewis, ordered, that Messrs. Gough and McLean be a Committee to draft an Address to His Excellency the Lieutenant Governor, in conformity to the resolution of the House this day relative to the printing of the laws. Mr. Gough from the Committee appointed to draft an Address to His Excellency the Lieutenant Governor, grounded on a resolution of the House this day, relative to the printing of the Provincial Statutes, reported that the Committee had drafted an Address accordingly, which they were ready to submit to the House, whenever it should be pleased to receive the same. The House then resolved that the draft of the said Address be now received. Mr. Gough then read the Address in his place, and afterwards delivered the same in at the Clerk's table, where it was again read. On motion of Mr. McNabb, seconded by Mr. Baby, the House resolved itself into a Committee to go into the consideration of the said Address. Mr.

Speaker left the Chair. Mr. C. Willson was called to the chair of the Committee. Mr. Speaker resumed the Chair, and Mr. C. Willson reported that the Committee had gone through the consideration of the said Address without any amendment, which he was directed to report whenever the House should be pleased to receive the same. Resolved, that the Report be now received. On motion of Mr. J. Willson, seconded by Mr. Mallory, ordered, that the said Address be engrossed and read to-morrow.

On motion of Capt. Elliott, seconded by Mr. Baby, the House adjourned.

*Wednesday, 13th March, 1811.*

Prayers were read.

Mr. Willcocks gave notice that he will, on the first day of the next Session, move that the House do resolve itself into a Committee to take into consideration the propriety of the Executive Government of this Province disposing of large quantities of lumber, and not accounting to the House of Assembly for the proceeds thereof.

Agreeably to the Order of the Day was read, as engrossed, the Address to His Excellency the Lieutenant Governor, respecting the Contingent Accounts of both Houses of Parliament during the present Session, which then passed and was signed by the Speaker, and is as follows, viz.:

To His Excellency Francis Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency,—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that it may please Your Excellency to issue your Warrants directed to the Receiver General, requiring him to pay to John Powell, Esquire, Clerk of the Legislative Council, the sum of Twenty Pounds; to George Lawe, Gentleman Usher of the Black Rod, the sum of Fifty-six Pounds; to Donald McLean, Esquire, Clerk of the House of Assembly, the sum of One Hundred and Seventy-three Pounds, Four Shillings and Sixpence; to William Stanton, Esquire, Serjeant at Arms, the sum of Two Hundred and Fifty-three Pounds, Fourteen Shillings and One Penny, to enable him to pay the Contingent Expenses of the present Session, and to provide a supply of Stationery for the ensuing Session of Parliament.

We therefore do most humbly pray that Your Excellency will be pleased to issue your Warrants to carry the said resolutions into effect, and the Commons will make good the several sums of money to Your Excellency at the next Session of Parliament.

Commons House of Assembly,  
13th March, 1811.

(Signed) SAMUEL STREET,  
Speaker.

Mr. McLean moved, seconded by Mr. Rogers, for leave to bring up Petitions from Sundry Inhabitants of the Province, relative to the incorporation of a bank. Leave was accordingly granted, and the said Petitions were ordered to lie on the Table.

Agreeably to the Order of the Day, was read as engrossed, an Address to His Excellency the Lieutenant Governor, requesting that he would be pleased to order five hundred copies of the Provincial Statutes to be printed, which Address passed, and was signed by the Speaker, and is as follows:

To His Excellency Frances Gore, Esquire, Lieutenant Governor of the Province of Upper Canada, etc., etc., etc.

May it please Your Excellency,—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that it may please Your Excellency to cause five hundred copies of all the Acts of the several Parliaments of this Province, including those of the present Session, to be printed, for the purpose of promulgating the laws generally throughout the Province; and that Your Excellency will be pleased to issue your warrant for the same, when the said number of copies are printed and delivered, which sum the Commons will make good to Your Excellency the next Session of Parliament.

Commons House of Assembly,  
13th March, 1811.

(Signed) SAMUEL STREET,  
Speaker.

Mr. Rogers moved, seconded by Mr. Baby, that Messrs. McGregor and McNabb do present to His Excellency the Lieutenant Governor the two Addresses of this House respecting the Contingent Accounts and the Printing of the Provincial Statutes, at such time as His Excellency will be pleased to receive them, which was ordered accordingly.

On motion of Capt. Elliott, seconded by Mr. Baby, the House adjourned for half an hour.

The House being met, Mr. McGregor, one of the Messengers named to present to His Excellency, the Lieutenant Governor, the two Addresses which passed the House this day, reported that, in obedience to the commands of this House, they had waited upon His Excellency the Lieutenant Governor, and did present the said two Addresses; and that His Excellency was pleased to answer that he would give the necessary orders to comply therewith. The names of the Members present were taken down, and are as follows:

The Speaker, Messrs. Tho's Fraser, Tho's Mears, Abraham March, Henry Markle, Stephen Burritt, James McNabb, David McG. Rogers, Thomas B. Gough, John Willson, Levi Lewis, Joseph Willcocks, Peter Howard, Allan McLean, John Stinson, Thomas Dorland, Willet Casey, Crowel Willson, Benajah Mallory, Philip Sovereign, John McGregor, Matthew Elliott, J. B. Baby, David Secord.

A Message from His Excellency the Lieutenant Governor, by Mr. George Lawe, Gentleman Usher of the Black Rod:

Mr. Speaker,—

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon him in the Legislative Council Chamber.

Accordingly, Mr. Speaker, with the House, went up to attend His Excellency; when he was pleased to give, in His Majesty's name, the Royal assent to the following Public and Private Bills:

An Act to amend an Act passed in the forty-eighth year of His Majesty's reign, intituled "An Act to explain, amend and reduce to one Act of Parliament the several laws now in being for the raising and training the Militia of this Province."

An Act to amend the process of the District Courts, and also further to regulate the proceedings of Sheriffs, in the sale of goods and chattels taken by them in execution.

An Act to repeal an Ordinance of the Province of Quebec, passed in the seventeenth year of His Majesty's reign, intituled, "An Ordinance for ascertaining



Damages on Protested Bills of Exchange, and fixing the rate of interest in the Province of Quebec," also to ascertain the damages on Protested Bills of Exchange, and fixing the Rate of Interest in this Province.

An Act to extend Personal Arrest to the sum of Forty Shillings, and otherwise to regulate the practice in cases of personal arrest.

Mr. Speaker then said:—May it please Your Excellency to approve of the five Bills which the Assembly, with the concurrence of the Legislative Council, have passed in aid of His Majesty, which are as follows:

An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant-Governor in pursuance of an Address of this House.

An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled "An Act to repeal the several Acts now in force in this Province, relative to Rates and Assessments, and giving the several valuations at which each and every particular of such property shall be rated and assessed," and to make further provision for the same.

An Act to amend and continue for a limited time an Act passed in the forty-ninth year of His Majesty's Reign, intituled "An Act for continuing for a limited time the Provisional Agreement entered into between this Province and Lower Canada, at Montreal, on the fifth day of July, one thousand eight hundred and four, relative to Duties, also for continuing for a limited time the several Acts of the Parliament of this Province now in force, relating thereto."

An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, intituled "An Act for granting to His Majesty's Duties on Licences to Hawkers, Pedlars, and Petty Chapmen, and other trading persons therein mentioned," and further for granting to His Majesty Duties on Licences to Hawkers, Pedlars, and Petty Chapmen, and other trading persons therein mentioned.

An Act for granting to His Majesty a certain sum of money out of the funds applicable to the use of this Province, to defray the expense of amending and opening the Public Highways and Roads, and building of Bridges in the several districts thereof.

To which five Bills His Excellency, the Lieutenant-Governor, was pleased to give the Royal assent in His Majesty's name.

And then His Excellency was pleased to make the following Speech to both Houses:

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

In closing this Session of the Legislature I am happy in expressing the sense I entertain of the diligence and attention with which you have conducted the various objects of public concern that have come under your notice.

It is with pleasure I observe that your liberality is continued, and further extended, to the opening and amending of Roads and the Building of Bridges; as it is by a facility of communication, and of intercourse, that the interest of agriculture and commerce may be effectually promoted, and the industrial settler enabled to receive his merited reward.

The progressive state of improvement in this Province presents us with the most flattering prospects of success, and while it affords convincing proofs of what patient industry can accomplish, holds forth, also, a well-grounded hope, that by the fruits of our labour and the fertility of our soil we shall be enabled not only to insure plenty to ourselves, but, through the intervention of commerce, to become a valuable Colony to our Parent State.

The other laws which you have enacted, and to which I have now given the Royal assent merit also my approbation. It only remains for me to recommend that you will strengthen the laws of your country by your influence and example, and that added to your public exertions in this place, you will, as individuals, promote good order, industry and loyalty among your fellow subjects, as it is only by such means that we can expect or hope for the continuance of that comfort, security and liberty, which we, under the protection of our Parent State, and under the best of Kings, have hitherto enjoyed.

13th March, 1811.

After which, the Honorable Speaker of the Legislative Council said:—It is His Excellency the Lieutenant-Governor's will and pleasure that this Provincial Parliament be prorogued until Wednesday, the seventeenth day of April next, to be then here held; and the Provincial Parliament is accordingly prorogued until Wednesday, the seventeenth day of April next.

[I hereby certify that the above and what is written on the foregoing pages is a true transcript of the Journal of the House of Assembly in Upper Canada, being the Third Session of the Fifth Provincial Parliament, assembled in the Town of York, on Friday, the first day of February last, agreeably to the Proclamation of His Excellency, Francis Gore, Esquire, Lieutenant-Governor of the Province of Upper Canada; &c., &c., &c.; and prorogued by His Excellency on Wednesday, the thirteenth day of March last.

Clerk of Assembly's Office, York, 15th May, 1811.

DONALD McLEAN, Clerk of the Commons House of Assembly.]

[Certified to be true copies from the original Records in the Colonial Office.]

GEO. MAYER, Librarian and Keeper of the Records.

Colonial Office, Downing Street, 26th May, 1856.]



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