

PROVINCIAL PARLIAMENT.

HOUSE OF ASSEMBLY.

Monday, 18th March, 1839.

A petition was read from several Merchants in Toronto, praying the House to pass a Bankrupt Law.

Petition of the Clergy of the "Established Church," assembled under the authority of the Lord Bishop of the Diocese of Montreal, praying that the question of the appropriation of the clergy reserves may be settled by some competent tribunal, was read.

The same petition on the subject of the Medical profession, reported by Bill, which was read a first time.

The select committee to which was referred the despatch from the Secretary of State, respecting the granting of lands to C. A. FitzGibbon, reported a bill, which was read the first time.

The select committee to which was referred the petition of Jacob Lutz and others, on the subject of the Waterloo Bridge Company, reported a bill, which was read the first time.

The select committee to which was referred the Election amendment bill, reported the bill amended, and it was read the first time.

The Speaker reported that he had received from the cashier of the Gore District bank in obedience to the orders of the house, a statement of the affairs of that institution. See first page.

That part of his Excellency's speech which relates to the militia laws of this Province, was referred to a select committee, consisting of Messrs. Attorney General, Gowat, Chisholm, and Prince.

The bill to appoint Police magistrates in large towns, was read the second time. The committee of the whole House on the lunatic asylum bill reported a resolution. That there be granted to Her Majesty the sum of five thousand pounds to enable Her Majesty to erect a lunatic asylum in this Province, and that an additional assessment of one eighth of a penny in the pound be yearly levied and assessed on the rateable property in each and every district in this Province for the purpose of raising the said sum of five thousand pounds, and providing for the support of the said asylum, which was carried. Mr. Cook only voting against it. The resolution was thereupon referred to a select committee.

The Speaker reported that he had received from the President of the Commercial Bank of the Midland District, in obedience to the orders of the House a statement of the affairs of that institution. See first page.

The Address to his Excellency, for information respecting the Rideau canal tolls was read the third time and passed.

The following petitions were read: Of George Hamilton and others, of the town of Cobourg, that the act incorporating said town may be repealed.

Of John E. Carey, of the township of Carradoc, and F. R. Carey, of Lobo, (District of London) to be naturalized.

Of Robert F. Gourlay, that a committee may be appointed to investigate his conduct.

Of the Trustees of the Anaster Literary Institution, for pecuniary aid to that institution.

Of John McDermid, late Lieutenant in the Ontario militia, for the arrears of his pension.

Of the President and Board of Police of the Town of Hamilton, for authority to erect a second market in said town, and also to effect a loan.

Of Donald Cameron, of the Township of Thorah, (Simcoe) for the appointment of a committee to investigate the matters contained in his petition to the House in 1837.

Of George P. Kerby and others, of the county of Kent, against the opening of a road from London to Port Stanley.

Of Thomas Milburn, Senior, and others, of the Newcastle District, that the road from Peterboro' to Chemung Lake may be macadamized.

Of Thomas Harper and others, of the township of Peterborough, praying that said town may be incorporated.

Of James Sinclair and others, connected with the forwarding trade on Lakes Huron Erie and Ontario, and the river St. Lawrence, to prevent the forwarding trade being monopolized by American vessels, and also for the passing of an act to restrict the importation of salt from the United States.

Of Thomas Markland, and others, of the town of Kingston, for the erection of a new pier in Kingston harbor.

Of Mary Ann Smith, of Streetsville, in the township of Toronto, (York), praying remuneration for the loss of her trunk with its contents, which was taken from her at the Peacock tavern, on Dundas street, by the rebels, in December, 1837.

The select committee to which was referred the petition of C. Wilmer and others of the medical profession, reported by bill to establish a college of physicians and surgeons, and the bill was read a first time.

The committee banking reported a bill to authorize institutions incorporated for carrying on the business of banking in Lower Canada, to establish agencies and carry on the business of banking in this province, which was read the first time.

Mr. Prince brought in a bill to prevent the hunting and killing of deer and feathered game at certain seasons of the year, which was read the first time.

The bill to grant 5,000 acres of land to Col. FitzGibbon, was read the second time.

The House went into committee on the bill, and reported it without amendment. The petition of Nosh Freer and others, shareholders in the Welland Canal Company, praying that the private stock in any company may be purchased by government, was read, and referred to a select committee on the subject of the Welland Canal.

Mr. Prince gave notice of a bill to indemnify from loss, those who have suffered in property by the late unnatural rebellion and invasions of this province, and to provide for the speedy payment of all just claims for monies expended and services performed, and for all other demands from persons who assisted in the defence of the province, by supplying the troops and otherwise.

Mr. Attorney General gave notice of a bill to amend so much of the act authorizing the erection of the county of Huron into a separate district as authorizes the raising a loan for the building a grout and court house.

Mr. Cartwright gave notice of a bill to amend the act incorporating the Commercial Bank of the Midland District.

Mr. Prince gave notice of a bill to prevent aliens and foreigners from the United States, practicing the profession of civil engineers within this province.

The report of the select committee to whom was referred the petition of John Howick, Esquire, and others, respecting the harbour at Port Stanley, was referred to a committee of the whole on supply on Monday next.

The select committee to which was referred the bill to define the power of sheriffs, presented a report which was received and read.

The select committee on expiring laws, presented a report, and the drafts of several bills. The report was received and read as follows:

The committee appointed to examine and report to your honourable House what Laws have expired, and are about to expire, respectfully present their first report, as follows:

That an Act to revive and continue in force the Act passed in the fifty-fifth year of the reign of King George the Third, entitled "An Act to repeal an Act passed in the fifty-fourth year of His Majesty's reign, entitled 'An Act to supply in certain cases the want of County Courts in the Province and to make further provision for proceeding to outlawry in certain cases therein mentioned,'" passed Feb. 12th, 1833, will expire at the close of the present session of Parliament.

An Act to revive and continue a certain Act passed in the fourth year of His late Majesty's reign, entitled "An Act to repeal an Act passed the forty-fifth year of his late Majesty's reign, entitled 'An Act to regulate the trial of controverted Elections, or returns of members to serve in the House of Assembly, and to make more effectual provision for such trials,'" and also a certain other Act passed in the eighth year of His late Majesty's reign, entitled "An Act to continue and amend the law now in force for the trial of controverted Elections, passed February 22nd, 1833, will expire at the close of the present session of Parliament.

An Act to continue an Act passed in the eleventh year of the reign of His late Majesty King George the Fourth, entitled "An Act to revive and continue, with certain modifications, an Act passed in the fifth year of his late Majesty's reign, entitled 'An Act to alter the laws now in force for granting Licenses to Innkeepers, and to give to Justices of the Peace in General Quarter Sessions assembled, for their respective districts, authority to regulate the duties hereof to be paid on such Licenses,'" passed February 13th, 1833, will expire at the close of the present session of Parliament.

An Act to continue the duty upon Licenses to Hawkers and Pedlars, passed February 13th, 1833, will expire at the close of the present session of Parliament.

An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty King George the Third, as relates to the regulation of the nomination and appointment of Justices of the Peace within this province, as relates to the office of Peace-officers being discharged by Overseer of Highways and Roads," passed March 6th, 1834, will expire at the close of the present session of Parliament.

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An Act to continue and amend the law for attaching the property of absconding debtors, passed April 16th, 1835, will expire at the close of the present session of Parliament.

An Act to continue for a limited time an Act entitled "An Act to promote the Public Health, and to guard against infectious diseases in this Province," passed March 4th, 1837, will expire the close of the present session of Parliament.

An Act to authorize the apprehending and detention of persons guilty of high Treason, Misprision of Treason, and Treasonable practices, passed January 12th, 1833, will expire at the close of the present session of Parliament.

An Act to provide for the more effectual execution of certain persons charged with Treason and Treasonable practices, committed in this Province, passed January 12th, 1833, will expire at the close of the present session of Parliament.

The bill to amend the Waterloo Bridge Company, was read a second time, and referred to a select committee.

The Election Law amendment bill was read a second time.

The bill to define the powers of Rectors, and to provide for their removal in certain cases, was read the first time.

Some Petitions were laid on the table.

The bill granting 5,000 acres of land to Colonel FitzGibbon, was read a third time and passed, and sent to the Legislative Council.

The petition of William Anderson and others, for a sum of money to make a road from Sandwich to Chatham, was read and referred to the committee on roads and bridges.

The petition from the Anaster Literary Institution, was referred to the committee on Education.

The petition of several merchants in Toronto, for the enactment of a Bankrupt law, was referred to a select committee.

The petition of James Sinclair and others, connected with the forwarding trade on the Lakes, was referred to a select committee.

The petition of Thos. Markland and others, for the erection of a new pier in Kingston Harbour, was read, and referred to a select committee.

The Attorney General, seconded by Mr. Robinson, moved, and it was ordered, that the petition of the Bishop and Clergy of the established Church of England, be entered on the Journals of the House. [See first page.]

Mr. Prince gave notice that he will on to-morrow bring in a bill to invest in the Crown, the Clergy Lands.

Mr. Howat gave notice of a bill to amend the laws now in force, for the punishment of persons who shall induce or attempt to induce any soldier to desert from Her Majesty's service.

Mr. Gowat gave notice of an Address to His Excellency, expressing the deep regret with which the House heard of the violent and unjust proceedings of the State of Maine towards our sister Province of New Brunswick, and the determination to defend the integrity of the Empire, and resist and punish American aggression—and to assist as far as in us lies, our fellow-colonists in New Brunswick, to protect their soil from foreign aggression and plunder—that we are not only ready and willing, but desirous to make common cause with them, and in the name of the people of Upper Canada, whose representatives we are, to place our lives and properties at the disposal of His Excellency the Lieutenant Governor; not alone for the defence of this Colony against aggression, but also to assist His Excellency Sir John Harvey, with the gallant New-Brunswickers, in defending the rights of the nation and the honour of the Empire.

The select committee to which was referred the petition of the President of the Board of Police of the town of Hamilton, reported a bill, which was read the first time.

The select committee to which was referred the bill to authorize the Magistrates of the Home District, to effect a loan, to complete the new Canal and Court House therein, reported the bill amended, and it was read the first time.

The House was again put into a committee of the whole on the bill to amend the practice of the District Courts. The chairman reported further progress in the bill, and asked leave to sit again to-morrow, which was granted.

The House was again put into a committee of the whole on the state of the Province—wherein a man reported progress, and asked leave to sit again to-morrow, which was granted.

The bill to increase the salary of the keeper of the False Docks' Light House, was read the 2nd time, and referred to committee of the whole, which was submitted for the bill without amendment, and submitted for the bill without amendment.

The bill to authorize the Banks of Lower Canada to establish Agencies in this Province, was read the 2nd time, and referred to a committee of the whole, which was submitted for the bill without amendment, and submitted for the bill without amendment.

The bill to regulate the hunting of deer, &c. was read a second time, and referred to a committee of the whole, which was submitted for the bill without amendment, and submitted for the bill without amendment.

The bill to declare the powers of Rectors, was read the second time.

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The select committee to which was referred the bill to authorize the Magistrates of the Home District, to effect a loan, to complete the new Canal and Court House therein, reported the bill amended, and it was read the first time.

The House was again put into a committee of the whole on the bill to amend the practice of the District Courts. The chairman reported further progress in the bill, and asked leave to sit again to-morrow, which was granted.

There being no returns in the possession of the provincial government of the tolls of the Rideau canal, it is not in my power to transmit to the House of Assembly the information requested in this Address.

Mr. Gowat's resolution relative to the Maine and New Brunswick proceedings was put and carried, and an address to His Excellency, praying that the resolution was received and read twice.

Thursday, 21st March, 1839.

Mr. Chisholm of Halton, presented a petition of the United Synod of the Presbyterian Church in Canada praying for a share of the clergy reserves.

The address to His Excellency the Lieutenant Governor, relative to the conduct of the state of "Maine" towards New Brunswick, was read the third time.

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

Ordered—That when this House adjourns this day, it do stand adjourned until one o'clock to-morrow to enable the members thereof to attend the funeral of the late John Keble, Esquire, who was formerly a member of the House of Assembly of this province.

Petition was read of the president and directors of the Great Western Rail Road Company, praying that the capital stock of said company, may be taken up by the government, referred to a select committee.

Mr. Solicitor General gives notice that he will on to-morrow move that it be resolved that the clerks of this House be appointed the officers and commissioned officers and privates, of the regular and militia forces who so nobly discharged their duty in the defence of the province against the lawless invasions of this province by foreign brigands and pirates, in the late war with the United States.

The select committee to which was referred the Dover bill, reported by bill, which was read the first time.

The Hon. R. A. Tucker brought down from His Excellency several messages and documents, amongst them is one relative to the rectories, as follows:

Geo. Arncliffe.

In compliance with the Address of the House of Assembly, of the 31st inst. The Lt. Governor now transmits a copy of the Minute in Council under the authority of which Fifteen Rectories were established and endowed within this Province, together with copies of several Despatches and other documents connected with these Rectories and with the Clergy Reserves.

The correspondence on those subjects already communicated to the House of Assembly by Sir Francis Head with his message of the 10th of February, 1838, includes a Despatch from Lord Glenelg, of the 15th Nov. 1837; and the Lieutenant Governor has accordingly considered the present application of the House for further information respecting the Rectories to be necessarily confined to papers of subsequent date.

With reference to the Despatch to Lord Glenelg, No. 63, of the 21st September, 1838, the Lieutenant Governor deems it proper to observe, that copies of the several papers originally forwarded with that Despatch to His Lordship are in a course of preparation, and will be laid before the House of Assembly as soon as they can be completed.

Under an anxious desire to avoid delay in furnishing the House with all the information in his power on the subject of their Address, the Lieutenant Governor has been induced to transmit the accompanying documents without waiting for the copies of the enclosures to which he has just alluded.

Government House, 21st March, 1839.

THE BRITISH COLONIST

WEDNESDAY, MARCH 27, 1839.

The House of Assembly were engaged the greater part of last week in discussing a series of Resolutions submitted by Mr. Merritt, on the state of the Province. The discussion turned chiefly on the propriety of an Union of the two Provinces of Upper and Lower Canada, and a majority of the members declared their sentiments in favour of it. The Solicitor General spoke very earnestly in support of the proposed Union, while the Attorney General opposed it with equal firmness. Thus we have the two legal advisers of the Crown, and one of them a member of the Executive Council, at issue—and, according to Mr. Hagerman, His Excellency Sir George Arthur, declines expressing an opinion on the subject.

The first Resolution submitted to the House was as follows: "That during the last Session of the Legislature, a series of Resolutions was adopted, attributing the chief causes of the evils under which these Provinces have suffered, to the injudicious division of Canada into two Provinces, which, with an address dated 26th February, 1839, were transmitted to the Home Government, praying for the adoption of such measures as would carry the same into effect." The Attorney General at first denied that such sentiments were contained in any former proceedings of the House, and he was scarcely convinced of his error, when the Journals were produced—as he then stated, that the Resolution did not mean what it expressed, but something else! Be that as it may, we have no hesitation in saying,

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