

Chronicle & Gazette,

AND KINGSTON COMMERCIAL ADVERTISER.

NEC REGE, NEC POPULO, SED UTROQUE.

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VOL. XVII.]

KINGSTON, UPPER CANADA, WEDNESDAY, MARCH 16, 1836.

[NO. 75.]

LETTERS

REMAINING in the Post Office at Kingston, on 5th March, 1836, rated with British Postage.

Avat, Joseph and John
Anby, John
Aniston, Ann
Anselm, Daniel
Anderson, Alex.
Aolin, Joseph
Bates, Peter
Baret, Benj.
Bailey, Henry
Barn, Matthew
Bailey, Sarah
Baring, Margaret
Badgley, Edwin
Bell, James
Black, A.
Boyd, James
Boice, William
Boice, Joseph
Boice, A.
Bradford, Mrs. Wm.
Brass, William
Brown, John
Brown, Isabella
Brown, John
Bristol, Catherine
Bruce, Robert
Buchanan, Archd.
Callaghan, Charles
Charbonneau, Francis
Chapman, John
Chitten, Henry
Clows, James
Coulter, James
Cromwell, Ann Jane
Cromwell, Mary
Cromwell, Ann Jane
Cropper, James
Day, Walter
Day, Mrs.
Daly, David
Dean, Thos.
Dean, Francis
Derquet, Mary
Dunsmore, John
Dunsmore, John
Dunn, Michael
Elliott, Benj.
England, John
English, James
Evans, Samuel
Farwell, Sactina
Fairley, Terence
Fair, Edward
Ferris, N.
Fraser, Daniel
Friel, John
Fraser, Thomas
Fife, George
Fisher, Simon
Forsyth, James
Fox, George
Fuller, Daniel D.
Gebout, Joseph
Green, Wm.
Gilmore, Wm.
Gibson, Robert
Gibb, John
Grant, Peter
Grinshaw, Wm.
Hallon, John
Harden, William
Harris, Matilda A.
Harris, N.
Hartman, Henry
Heany, James
Horne, Paul
Higgins, James
Hickey, Sephrens
Hins, Mrs.
Horn, Mrs.
Horn, Mrs. George
Hunt, Wm. H.
Jacob, J. H.
Johns, N.
July, Joseph & Peter
Julius, Mrs. C.
Jois, Widow
Keeler, Fanny A.
Kennedy, Wm.
Kelsb, Patrick

Rated with United States Postage.
Abbot, Anson
Aldrich, Daniel C.
Brien, John
Brid, Ann
Bulger, P.
Cassess, Mrs.
Cameron, Robert
Campbell, James Senr.
Cearns, Samuel
Clarke, Andrew
Cocke, John & Joseph
Cunningham, Luke
Day, D. N.
Draper, Thomas
Ferguson, John
Garvin, Thos.
Gordon, J. McKenzie
Gordon, Samuel
Gordnier, William H.
Hood, Anthony
Kerr, Mrs. M. A.

N. B. Such of the above mentioned Letters as are not retired within 6 weeks from this date, will be transmitted to the General Post Office.

JOHN MACAULAY, P. M.

MARINE STORES.

FOR SALE BY THE SUBSCRIBER.
150 BOLTS Dundee Canvas.
300 Coils fresh Liverpool Rope.
consisting of Cables, Hawser, Shirruds, Lanyards, Halyards, Ratlines, Deep Sea lines, Marine, and Houseline.
5 Bales Sail and Seine Twine,
4 Tons fresh pickled, long Okum,
1000 Blocks of Sorts, with Hooks and Thimbles,
50 Assorted Anchors, with Chain Cables,
50 Barrels Stockholm Pitch, Tar & Rosin,
with a variety of Spy Glasses, Compasses, Lanterns, Caulking Irons, Mallets, Tar Brushes, Deck Lights, Mops, &c.
GEO. ARMSTRONG.
Kingston, Feb. 3, 1836. 61z

FISH.

FOR SALE by the Subscriber—
4 Tons Cod Fish.
50 Barrels North Shore Herrings,
20 do. Mackarel,
5 Tierces Bay of Chaleur Salmon,
10 Kegs Cod Sounds,
50 Boxes Digby Herrings,
Warranted in excellent order.
GEO. ARMSTRONG.
Kingston, Feb. 3, 1836. 62z

LIST OF LETTERS,

REMAINING in the Post Office at Napanee, on 7th March, 1836.

Anderson, Henry
Alexander, William
Benn, Hugh
Bogert, Gilbert C.
Bowers, George
Barlett, Mrs. J. P.
Barhart, Peter
Bogart, John
Blanchard, Anson
Bush, Henry
Buckingham, Fredk
Barton, Andrew
Chamberlain, B.
Clapper, Lambert
Conger, William
Chamberlain, Chas.
Chamberlain, George
Campbell, Archd.
Dettler, George
Dettler, J. M. G.
Dennison, William
Demorest, James
Empy, John Senr.
Embury, David Senr.
Fairfield, Henry
Forshee, John
Forshee, James
Fries, Benjamin
Graves, Charles W.
Griswald, Nelson
Grifard, Monsieur
Hill, John Senr.
Hoskins, Alexander
Hyde, Asa or Mason
Hudson, William
Jobson, James
Kesler, Peter
Loft, John
Lucas, Alexander
Lucas, George
McPherson, William
Mose, William
McGregor, Alexander

ALLAN MACPHERSON, P. M.

LIST OF LETTERS,

REMAINING in the Post Office, River Trent, 6th March, 1836.

Boullittier, Francoise
Ballard, Francis
Baker, W. C.
Baker, Olivier
Cummings, James
Chisholm, A. D.
Clapp, Elizabeth
Crowe, J. Brooks
Davison, Sophia
Dane, Hiaman
Dionne, Joseph
Delisle, Isidore Joseph
Devlin, Mark
Frost, David
Finlay, Mr. J.
Graehain, Monsieur
Gregoir, Simon
Greer, Mrs.
Gervais, Narcisse
Goodyear, Edward
Graves, Daniel, Senr.
Haskins, Martha
Hanes, James F.
Hogle, David
Hoy, Leonard
Henrehan, Michael
Kitchum, Mr. P.
Lafaire, Barille
Munson, Lenor B.
Morgan, Orrin
Mouthens, Susan

Such of the above letters as are not redeemed within six weeks from this date will be sent to the Dead Office at Quebec.
(Signed) W. ROBERTSON, P. M.

NOTICE.

THE Subscriber respectfully informs his friends and the public, that he has received the following Goods on Commission, which he offers for sale at his old stand, in this town; Cognac Brandy, Holland's Gin, Jamaica Spirits, Shrub, Peppermint, Whisky, Port, Madeira, Wine, Sicilian and L. P. Teneriffe Wines, Muscovado Sugar, Coffee, Seine twine, Tobacco and Snuff, Bloom and Muscatel Raisins, Figs, Soap, Candles, Starch and Blue.
The above articles are as good a quality as any offered for sale in this market, and will be sold on reasonable terms; he, therefore, solicits a share of public patronage.
WALTER McCUNIFFE.
Kingston, 15th February, 1836. 67z

TO MILLERS.

JUST received, direct from the Manufacturers in Europe, with whom arrangements have been made for a constant supply of articles of the best quality, viz—
Real Dutch Bolting Cloths, assorted
Blackmore's Patent do do
French Burr Stones,
For Sale by
LAROCQUE, BERNARD & Co.
July 25. 18z

TO LET,

FROM the first day of November next, that commodious House and Store, lately occupied by Messrs. J. D. Bryce & Co., situated on the west side of Store street, in the Town of Kingston, near the Commercial Hotel. These premises are exceedingly well adapted for commercial purposes, being situated in that part of the Town best calculated for all kinds of business. If necessary, possession will be given on the 1st of June next. For further particulars application may be made either to James Nickalls, Junr. Esq. Kingston, or to Robert Maxwell, Esq. Montreal Bank, Quebec.
Kingston, 8th May, 1835. 68z

JUST RECEIVED,

and for sale at the Chronicle & Gazette Office, a TOWN-SHIP MANUAL, neatly bound, comprising all the laws now in force relating to the townships; among which are the Highway and Assessment Acts; new township meeting act, The Laws respecting Boundaries; Line Fences and Water Courses; Inn-keepers; the law and office of Constable, the law of Landlord and Tenant; distress for rent; Court of Requests Act; Summary Punishment Act; Jury law; the laws relative to Mills and Mill Dams; Flour; Pot and Pearl Ashes; Statute labour; Travellers; Weights & Measures, &c.; and on many other interesting subjects.
By the Author of the "Provincial Justice."
Price one Dollar.
Kingston, December 5, 1835. 46

CELTIC SOCIETY OF UPPER CANADA.

At a general meeting of the Celtic Society of Upper Canada, held at the British American Hotel, in the Town of Kingston, the 4th day of February, 1836, the following Resolutions were unanimously adopted.

Resolved,—That this Society having witnessed the inconvenience and loss which their fellow countrymen have experienced on their arrival in this, to them strange and foreign country, from the want of immediate information necessary to their location and future success; deems it advisable, as one of the most useful means to which it can apply a portion of its yet limited surplus funds, to offer a premium for the best written Essay on Upper Canada; the primary object of which shall be, to furnish Emigrants here, or the intending Emigrant at home, all possible information, with respect to Soil, Climate, Prospect and means of obtaining employment; cheapest and best routes of transportation; British and local Emigrant laws; necessary advice for the preservation of their health, and the husbanding of their resources; and such other disinterested and general information, as long residents acquainted with all the localities of the Province can give, and Emigrants can confidently, and therefore would most cheerfully receive. For although much has been written on this subject by individuals to their friends, yet the communications have most commonly been directed with their own individual success or disappointments, and contain only such local information as could be obtained in their own immediate individual districts; therefore they do not deserve, nor can they obtain that confidence required to influence an enterprising Emigrant; nor have those communications issued by the different Emigrant Societies and Land Companies produced much better effects; for however pure the motive of communication, they are not free from the suspicion of being interested. From this Society, unconnected as its members are with land or other speculations, that could be expected in this case to bias their judgment, united as they principally are for the benefit of their countrymen, and as auxiliary to the parent society at home, whose benevolent views are so well known and appreciated, it is believed any information bearing its sanction would be productive of great good as it would be received with confidence by persons at home, desirous of emigrating to British North America. Therefore,

Resolved,—That a gold Medal shall be awarded by this Society to the author of the most approved Essay on the above subject, which shall in the most clear and comprehensive manner embrace the views contained herein, with such other information as may be useful to the emigrant.
Each Essay to be addressed to the Secretary of this Society, enclosing a sealed paper, containing the name and address of the Author, which paper will not be opened unless the author of the accompanying essay shall be the successful candidate.
The rejected as well as the successful essays to be the property of the Society. As the premium will be awarded on the 18th of September, no essay can be received after the first day of August.

Resolved,—That all newspapers in the Canadas, friendly to Emigration, be requested to give this publicity.
By Order,
JOHN A. MACDONALD,
Sec. Secretary.

Kingston Save Company.

THE Shareholders of the Kingston Save Company are hereby notified, that ten per cent on the Stock, is required to be paid in to the Subscriber (the Company's Agent,) on or before Monday the 14th instant. They are at the same time apprized, that, as one of the Lists for Subscribers has been returned a few days ago, (the last one out,) and exhibits the Stock more than taken up by \$160, and that as several of the Stockholders in Kingston have expressed a desire, since the formation of the Company, to relinquish, or sell their Shares; there is now an opportunity for their doing so, by sending intimation of their intention to the Subscriber before the day above mentioned for the payment of the first Instalment. Any past intimation given on this matter by any Shareholder, to relinquish his Stock, is not considered binding. Should more stock be given up than the \$160 subscribed for, over the Company's Capital, those continuing to hold Stock can have an opportunity of increasing the amount for which they may have originally subscribed; and any desirous of doing so, will please give notice before Monday next, to A. CAMERON, Agent K. S. C.
Kingston, March 9, 1836. 93z

TO BE LET,

FOR one year, or a longer term, from the fourth day of April next, all that well known and long established WHARF, and two extensive STORES, situated at the lower end of Store-street, in Kingston, called *Maguire's Wharf*.
The above premises are unrivalled for situation and convenience in the Upper Province, and are well worthy the attention of any person desirous of embarking in the Forwarding trade.
For further particulars, apply to JOHN MAGUIRE.
Kingston, 30th Dec., 1835. 54z

Wanted,

A STEADY, ACTIVE MAN, as Wharf-inger, who understands keeping accounts.
ALSO,—A middle aged person, as Warehouseman or Porter. Certificates as to character will be required. Application to be made at the office of the Niagara Harbour and Dock Company; if by letter, post paid.
By order, D. L. COX,
Secretary.
Niagara, 12th Feb'y, 1836. 68z

TO LET.

FOR ONE YEAR, or longer term, if required,
A SHOP and DWELLING HOUSE, opposite the Napanee Hotel, in the flourishing village of Napanee.
The above premises cannot be rivalled in point of situation in the Upper Province, and are well worthy the attention of any person desirous of entering into the mercantile line, having attached to them an excellent store-house, &c., complete.
Apply to ALEX. CAMPBELL,
Napanee, Feb. 18, 1836. 68z

Provincial Parliament.

UPPER CANADA.
INDEPENDENCE OF THE JUDGES.
[Continued from last Chronicle.]

It will not, however, be necessary to call upon the Legislature to grant the whole of the sum of £19,100, inasmuch as by the Provincial Act of 35, Geo. 3, Chap. the sum of £5,000, is permanently granted towards the maintenance of the Civil Government. The moderate sum of £14,100 is therefore all that is deemed necessary to ask for the completion of the proposed arrangement.

Having now stated to Your Lordship the nature and details of the proposition to be submitted to the Legislature, I proceed to explain the mode in which the arrangement can best be carried into effect.
As the duties with which it is proposed to deal in the manner above described, are appropriated by Acts of the British Parliament, the change in their disposition cannot take place without the sanction of the same authority—a bill will therefore be submitted to Parliament, in the course of the present session, for the purpose of releasing the Lords of the Treasury from their present obligation of appropriating the duties, and for authorizing His Majesty to leave their appropriation to the Colonial Legislature. The date at which it is proposed that the bill should come into operation is on July 1st, 1832. This distant period is taken in order, on the one hand, to give full time for the Legislature of Lower Canada to enable His Majesty's Government to meet the possible (though I trust highly improbable) contingency of such a satisfactory result not taking place.

In order, however, to enable the Government at home to give the earliest possible effect to the measures, which may be taken by the Colonial Legislature, for the satisfactory settlement of this question, it is proposed to give His Majesty in Council a power to bring the British law into operation at an earlier period than July 1st, 1832. If, therefore, the Canadian Act should provide for the commencement of the proposed civil list, in January 1st, 1832, (which I should be inclined to recommend,) or at any earlier period, then His Majesty's Government would lose no time in advising the issue of an order in Council, to accelerate the commencement of the British Act, so that the whole plan would come simultaneously into effect.

It now only remains for me to state, that the duration of the civil list may be either for the life of His Majesty, or for some definite term of years, not under seven, as may be more agreeable to the Provincial Legislature. I trust, that the arrangements detailed in this Despatch will be received in the spirit in which they are detailed, a spirit of conciliation and confidence. His Majesty is prepared to surrender a large and increasing revenue; he asks in return for a fixed and moderate Civil List, much less in amount than the revenue given up; and the settlement of this long agitated and perplexing question, will be deemed by His Majesty one of the happiest events of His reign, the glory of which (the people of Canada may be assured) will be the promotion of the happiness and content of all classes of His subjects to every quarter of the Globe.

I have, &c.,
(Signed) GODERICH.
Lieut. General
Lord Aylmer, K. C. B.
&c. &c. &c.
(Copy.)
No. 16. Downing Street, }
8th February, 1831. }

Sir,—In the Despatch, dated the 24th December last, No. 2, which I had the honor to address to you on the subject of the Financial arrangements to be proposed to the Legislative Council and Assembly of the Province of Upper Canada, I signified to you His Majesty's pleasure, that you should propose to the Provincial Assembly to grant such Civil List as might be necessary for securing at all events, the independence of the Governor and of the Judges. The various sums proposed in that despatch, for the maintenance of the Judges, amount together to the annual sum of £3,300. The other expenses of the proposed judicial establishment being required for the Attorney and Solicitor General, and contingencies, amounting together to £700.

In making this demand upon the liberality of his faithful Commons in Upper Canada, His Majesty was desirous to secure to his subjects in that part of his dominions, the full enjoyment of those advantages which have been so largely derived in this kingdom from the independence of the judicial office. A question of very grave importance connected with that subject, was not noticed in the Despatch, to which I refer, because the ministers of the Crown were unwilling to submit to the King any opinion upon so important a topic, until they should have found an opportunity for more mature deliberation than had been practicable at the date of that despatch. I now proceed to convey to you the commands, which it is His Majesty's pleasure to issue, upon a full review of the great question of judicial independence in his Canadian Provinces.
The connexion which happily subsists between the Canadas and this kingdom, suggests the propriety of transferring to those Provinces every institution which the more ample experience of Great Britain recommends as calculated to promote at once the stability of Government and the welfare of society at

large. There is no branch of our civil policy, which has been more fully proved to be conducive to these great ends than the establishment of judges independent at once on the royal authority, and on the pleasure of the popular branch of the Legislature.

There was not I apprehend, any legal or constitutional reason which would have prevented the King from granting the offices of the Judges of England, during their good behaviour, but to render that principle immutable, it was necessary that Parliament should prescribe the form of commission, to be used on such occasions. Accordingly, the Statutes passed in the 13th year of the reign of William the Third, and in the first year of George the Third, have deprived the Crown of all discretion on the subject.

In conformity with these precedents, and in pursuance of the great general principle on which they were founded, the King is graciously pleased to command, that you do avail yourself of the earliest opportunity for proposing to the Legislative Council and Assembly of Upper Canada, the enactment of a bill declaring that the commissions of all the Judges of the supreme courts shall be granted to endure during their good behaviour, and not during the Royal pleasure, and you will in the name and on the behalf of His Majesty, assent to a bill for carrying that object into effect.

It is, of course, an essential condition of this arrangement, that an adequate and permanent provision should be made for the Judges, and I am happy to find, that the repeated assurances of the House of Assembly, preclude the possibility of any objection being made by that body to this part of the proposal.
In further pursuance of the general design of imparting to the Canadas the benefit of this important principle of the British Constitution, I am to signify to You His Majesty's commands to communicate to the Legislative Council and Assembly, His Majesty's settled purpose to nominate, on no future occasion, any Judge as a member, either of the Executive or of the Legislative Council of the Province. Whatever reliance might be placed on the personal integrity of the Judges, it is desirable that they should be exempted from all temptation to interfere in Political controversies, and even from a suspicion of any such interference.

The single exception to this rule, will be that of the Chief Justice of Upper Canada, who will be a member of the Legislative Council, in order that they may have the benefit of his assistance in framing laws of a general and paramount character.

But His Majesty will not fail to recommend even to that high officer, a cautious abstinence from all proceedings by which he might be involved in any political contentions of a party nature.
You will perceive that these rules are framed with reference to the corresponding practice in this kingdom, where although it has not been unusual to elevate the Chief Justice of the King's Bench, and other Chief Judges to the Peerage, the Puisse Judges cannot vote in either House of Parliament.

I am persuaded that the Council and Assembly of Upper Canada will perceive in the measures which I have thus had the honor of explaining to you, a liberal and judicious mode in which the King is at all times actuated to promote the best interests of that important part of the British Empire.

I have, &c.,
(Signed) GODERICH.
M. General,
Sir John Colborne, K. C. B.
&c. &c. &c.
(Copy.)
No. 8. Upper Canada, }
York, 21st March, 1831. }

My LORD,—I have the honor to acknowledge the receipt of your letter of the 24th December, with copies of instructions, which have been conveyed to Lord Aylmer respecting the revenue proposed to be placed under the control of the Legislature of these Provinces, and to acquaint your Lordship that I took an early opportunity of laying that important subject before the House of Assembly.

I regret to state that it was not considered expedient by the Assembly to grant the amount proposed in my message. They objected to provide for the part of the Lieutenant Governor's salary, which had always been defrayed from the Casual and Territorial Revenue, and also for pensions of every description—and decided that the sum for contingencies ought to depend on an annual vote. But they have granted the sum of £6,500 permanently for the salaries of the undermentioned officers, and have repealed the Provincial Act of the

Salary of the Governor, £2000
Judges, 3,300
Attorney General, 300
Solicitor General, 200
5 Executive Councillors, 500
Clerk of the Council, 200
I have without hesitation assented to the bill, being persuaded that if the independence of the principal officers and Judges can be ensured it is most desirable to dispose of this question as soon as possible, in a manner that will give satisfaction generally in the Province.
Your Lordship will perceive from the enclosed copies of my communications to the Assembly, that it was left entirely to them to adopt the arrangement which might appear best suited to the interests of the Province, as to the duration of the grant in lieu of the revenue proposed to be relinquished.

I however think that such inconveniences would have arisen had the sum been granted for a limited period. A copy of the bill passed for the grant is enclosed.

I have &c.,
(Signed) J. COLBORNE.

The Right Hon'ble
Lord Viscount Goderich,
&c. &c. &c.
(Copy.)
No. 26. Downing Street, }
23d May, 1831. }

Sir,—I have received and laid before the King your despatch of the 21st March last, No. 8, announcing that you had assented to a bill for settling the civil list of the Province of Upper Canada; and I have the satisfaction of assuring you, that His Majesty entirely approves of your conduct upon that occasion.

It is certainly to be regretted that the Assembly did not think proper to grant a civil list to the full extent, which you had been instructed to ask; but as the provision, which they have made limited as it is, is nevertheless permanent instead of temporary, and as the arrangement has been made without bringing into inconvenient discussion the question of the casual revenue I cannot but flatter myself that the result will prove advantageous to the Province, and tend to maintain due harmony and good understanding between the different branches of the Legislature.

The bill which had been introduced into Parliament at the commencement of the late session had not been passed into a law before the dissolution took place. His Majesty's formal assent to the Provincial Act cannot therefore be immediately given; but as soon as the new Parliament meets, the bill will be introduced.

I think you acted with sound discretion in so far departing from your instructions as not to include the Fee Fund amongst the revenues to be given up to the Legislature. It is very doubtful whether that additional concession would have induced the Assembly to make a larger grant, and you would in that case not have had at your command adequate means for meeting those charges which the Assembly declined to include in the Civil List, and which they probably would not be disposed to provide for by annual votes. I trust however, that the addition of the Fee Fund to the other resources at your disposal will relieve you from all difficulty on that score.

But as that addition will not be equal to the additional charges to be provided, it will be necessary to make a distribution of the Casual Revenue different in some degree from that contained in my despatch of the 24th December last, No. 2.

The Casual Revenue may now be estimated as follows:

Canada Company,	£16,000 0 0
Land and Timber,	5,000 0 0
Incidental,	1,000 0 0
Fee Fund,	1,500 0 0
	£23,500 0 0
Deduct charge of collection,	2,000 0 0
Total,	£21,500 0 0

It may safely bear the following charges:
Lieutenant Governor to complete his salary to £3000, £ 1,000 0 0
Retired Judges, 2,700 0 0
Compensation in lieu of Fees, 2,560 0 0
Royal Grammar School, 500 0 0
University, 1,000 0 0

Protestant Clergy, (in lieu of Parliamentary Grant),	3,000 0 0
Presbyterian Clergy,	1,000 0 0
Roman Catholic Bishop,	500 0 0
do Clergy,	1,000 0 0
Pensions, (supposed to be about)	1,700 0 0
Surveyor General,	300 0 0
Emigration,	5,000 0 0
Total,	£20,266 0 0

Leaving a reserved balance of rather more than £1,200 which would be liable to increase as proportionate as the floating charges, such as pensions, retired allowances, and compensations for fees may fall in.
This distribution, may, however, be liable to change before the Civil List comes into operation, and if you have any suggestion to offer as to the proposed application of the casual revenue, I shall be glad to receive them, at as early a period as may be convenient.

I have, &c.,
(Signed) GODERICH.
Sir J. Colborne, K. C. B. &c. &c. &c.

No. 42. Downing Street, }
30th Sept, 1831. }

Sir,—With reference to my despatch of the 23rd May last, No. 26, I have had the honor to transmit to you an act of Parliament, passed in the present session, to amend the statute 14 Geo. 3, ch. 88, which places at the disposal of the Legislature of Upper Canada, the revenues of that Province arising from the statute of Geo. 3.

The Act having been passed on the 22nd instant, it has not been practicable since that time to issue the necessary order of His Majesty in Council for confirming the Provincial Statute of the 1st year of His Majesty's reign, c. 14. That order will, however, be issued by the earliest possible opportunity. The Provincial Act will, in the mean time, have its operation. I have, &c.
(Signed) GODERICH.
Major General, Sir J. Colborne, K. C. B.