Now the magistrate in this case has administ election. before it can be received by the Assentials of these foul means the present members for the certificate to be given by the magistrate, member in it, for they are unaccustomed to received by that House, with a regard to the polition was received without urging them. duty they owed to the people of the Province Why did not some hon, gentleman then make at large, and especially to the constituenty who his objections; that was the proper time to oppose had sent the two hon. g. ntlemen to Parliament, the petition. But here an hon, gentlemen. who were now petitioned against.

MR. LAFONTAINE said, that they must bear case, starts up and makes objections that not

that that petition was abandoned. doned.

SOLICITOR GENERAL SHERWOOD .- Yes it MR. LAFONTAINE .- How could that be?

from some expression in the Journals-the there in reality, perhaps from a similarity of meaning of which be did not understand- sound, and said all the precedents instead of he concluded it was abandoned. No proceed- all the proceedings. But even if it were all ings were had on it.

N ... 1

jected that they should state in the polition required no such particularity. It required the very same terms as this. me ely that the certificate of the Magnetrate should be given, and that it should be annexed to the perition. When that was given, you most suppose that the petitioners were electors Levels did not understand the meaning of affiat the time of the election. In the contented davit, [hear hear.] The diligence of that hon. election of 1832, for the West Ward, referred to member was productive of some good conseby Mr. Gowan, in which Mr. Walker was one quences, and he [Mr. Aylwin,] would take up of the peritioners, it is not stated that they the precedent of the contested election for the were electors at the time of the election .- East Ward of Montreal, in 1832. Even the petition of Colonel Gugy does not state it ; but still you are bound to conclude they were, as the certificate a newed that they nathe required by law were taken. The ob-

right to vote at an election, should take one or quite groundless. He [Mr. Lafontaine] showed more of the paths following, numbered 1, 2, 3, that the certificate of one Justice of the Peace 4. 5:" that is to say, if he claim as a freebold- was looked upon as sufficient by the Parliaer, he wanted have to take the oaths numbered ment of Lower Canada, and that no ellegation 1, 2, 3; if as a proprietor, those numbered 1, 2, was contained in those precedents, that the 4; or if as a tenent those numbered 1, 2, 5; petitioners were electors at the tune of the

tered an oath, but was it the oath required of Ms. AyLWIN looked upon this as a most freeholders, or the nath required of proprieturs, extraordinary speciacle. Ten men came beor the out, which must be taken by tenants? fore the House with a petition, in which they The law required that the due qualification of made the most extraordinary charges. That the parties shou'd be reaved-not by the certification elections were carried by brute force .cate of the magistrate, but by the oath of the That the highest military officer in the country, people themselves, (Cries of no, no, Yes ! nay, more, one who was thought worthy of the yes!) " shall be ascertained by the oath of such confidence and fellowship of the Governor electors." The 4th sec, of the same act pin- General, voted at the elections. That a high vide 1 if that all persons who effered themselves mulitary officer acted as a partizan on that ocas sureties for cost," in any case of a contro- casion, and acted most muvarrantably. That verted election, should justify their sufficiency. The military forces were brought out as partibefore the judge of the court of Queen's Henris, wars to keep the electors from approaching which certificate, under the hand and seal of the polls, and that the streets were barricasted the Province." Now in this case, the some Montreal are in their seats. If such a petition words which were used in the previous section were laid before the English Commons, it to enact the oath to be taken by electors, and would claim the most serious attention of every were here used with reference to the recognitional military interfering in their elections, zance; but he would ask-was it not intended. And although they are called on to do in-tice by the Legislature that the recognizances should | to these ton men, it is necessary, first of all be sent to the House? How wou'd it be pos- to debate two, three, or four nights, far more sable to forfeit recognizances, unless they had important questions than the elective franchise. possession of them? If the magistrate were And what are these important points? Were the to lose possession of the recognizances, what people who petition really electors at the time recourse would the sitting members have, in of the election! That is, that this most diffi ease the polition was decided to be frivolous? cult and obstrust question, whether they were They might have recourse against the magis- electors six weeks before, that is at the time of trate, no doubt, but the security-the very es- the election, must be reserved by an anxious insence of the recognizance, would be gone. He vestigation. But this was only secondary to contended that nothing short of the very letter another of very great importance indeed, of the law would bear the House out in a sleci- raised by the honorable member for Leeds .eath he might think fit. The practice of Lower to vote by the law of the land? What was Canada, as he had shown, had always been to more easy, than for the parties themselves to affix the affi lavits of the ten petitioners to the bring up Mr. Darn and the other petitioners, if petition, set forth in full length; without which they doubted their qualification, and enquire indeed, there could be no affidavit at all. But whether they are or are not qualified. Surely if any gentleman could show that the practice it would not be so difficult; they must be well had not been so, it would convince him (Mr. known in Montreal. But no, that would settle Gowan); & he hoped if they did so, they would the point too easily. The question really at carry with them the votes of his side of the issue is, whether the certificate of the magis- life are was strictly in compliance with the law, were electors a House; but if not, he hoped that the hon, trate is one that we will receive or throw members opposite would be prepared to support aside, because, by some arcident, it did not the practice which had always hitherto pre- say the petitioners were qualified. Let the hon. vailed. It was the duty of every man in the gentlemen who doubted their qualification House to ferret out what that practice had been, make a motion to bring them to the har, and and, having done so, to stide by it. In con- there question them. Not the slightest obclusion, he would say, that he had not taken the jection would be made to that. In-tead, howcourse be had done at the solicitation of either ever, of doing that, this fine drawn, wiry disof the hon, sitting members, who, he was quite tinction is made, were they electors at the sure, were the last men in the world to wish time at which the election took place. He to suppress this enquiry; but because in search- would ask those hon, gentlemen who had ing through the documents which he had just electioneering experience in Upper and Lower laid before the House, he was forced to the Canada if they ever heard of such symonism conclusion that the petition was so informal, in in these matters. How was it that no counsel such essential particulars, that it could not be came up with any objections of this soit. The

in mind that the oaths taken by the Returning even a counsel would make. Why, he re-Officer were exactly similar to those taken by peated, did they not object to the receipt of ust interleung between the parties in a case. The hon, member for Leeds argued like Mn. Gowan explained to the hon. gentle- a lawyer, but he was playing with edged tools, trian, that Mr. Aylwin had seen the papers and there was some danger he would hurt when they came up from Quebec, there was himself, as he was not accustomed to them. no concealment. They were open on the table. (Mr. Gowan "I admit that") (hear, hear.) Mr. Lafontaine did not attach any blame His arguments were merely two or three to the hon, member. When the election for sophisms, if the hon, member would excuse the East Ward was contested, one of the very the term. He read the statute laying this meabers who is now protested against, was down in his own fashion, and construed it to concerned in that election-that was one coin- suit his own purpose, but he [Mr. AyTwin] cidence. But there was another. If the would read it in a legal manner, and begued metly the same in 1842. The House decired he had, he would be very happy to be enthat the petition should be received, 39 in lightened on dark points by their long exfavor of it, and 12 against. The oath was perience. From the manner in which he read annexed to it, and the names of all the peti- it, it was very apparent the hon member's tioners who took the oath were not mentioned construction could not be borne out. The fact was, that he did not know the meaning of Me. LAFONTAINE.-No, it was not aban- are all the laws. But the hon, gentleman had

read these are all the precedents. MR. Gowan, No. no. all the proceedings. Mr. AYLWIN-what! All the laws, agreeing to the proceedings. The thing was ridi-Commissioners were appointed to investigate culous. It was the laws that were continued that petition, and could that be done unless the in force, not the proceedings. [Hear, hear, petition was received? It was a subsequent and faughter.] He must learn to read statutes properly, before he attempted to expound them. MR. Gowan did not interrupt the hon. [flear, hear.] He introduced also into the gentleman for the sake of interruption. But statute a different word from any that was the precedents, he denied that they were bind-

MR. AYLWIN .- Read the extract from the ing. How often have the courts of law changed their precedents? That which was MR. Gowax admitted that the petition was made a precedent by one judge was changed received on that occasion. So was this, [No, by another, and then that became a precedent.] Would the hon, member say that these pre-MR. LAF STAISE referred to the St Mourice cedents, like the laws of the Medes and Percontested election, in which the petitioner was sians, never changed? Should it be said that Colonel Gugy, one of the most celebrated a bad, perhaps a corrupt precedent; would be Barr-sters in Canada. The petition was then be told that a precedent made at a time when received on its merits, but afterwards rejected every thing was carried on by foul means, was by the House. He showed, that under the a law to govern him? Who would enter on law it was not necessary to reduce to writing the performance of his duty if he were to be the natis taken before a Justice of the Peace, transmelled thus? He never would consent That might be done, but the law did not require to be bound. With reference to the law of more than the certificate of the Magistrate, this country in particular; the very first prin-As that was the case, all those procedents copie of it is, that we must decide every thing shewing that they were reduced to writing were occouning to law, not according to precedents. of no effect, and when the Magistrate's certical but he had spoken of precedents knowingly, ficate was annexed, the law was fulfilled .- and seemed to have an extraordinary idea that He admitted that in certain cases the naths there must be a precedent in order to come at were in writing, and he had shown that a a decision. On the contrary he [Mr. Aylwin] petition very similar to this was received by thought that there must be a decision before the House. He knew that it was of great im- you form a procedent. All the trouble that he portance that this one should not be received, look in examining throughout the dusty papers for in that case the petition against Mr. Daly's that came up from Qu hec was intended to election must fall to the ground. The Petition work a great impression on some minds, which against the return of the member for Megantic, would doubtless have been greatly increased who be believed was a particular friend of Mr. by the production of 300 or 400 instead of thir-Gowan's, thear, hear,] was drawn up in the ty or buty cases. It was well, however, that same terms as this, and could not therefore he he took all this trouble, it was precedents that received if this were not. He showed that they wanted, and he would ask the hon, genthere was no necessity for reducing the oaths Heman to produce a single one in which the to writing; not even to tosert the names in the same questions were made as in this. He was certificate, and when the objection was taken it still more unfortunate in not having read his was not allowed. The member for Leeds ob precedents through. He [Mr. Aylwin] had, but could not find in one of them, any statenot only that they were electors, but electors ment that the politioners were electors at the at the time the election took place. The law time of the election. In short they were in

Ma. Gowan-The afficavits are there. Mit. Avi.win was coming to them in a moment, and he would show that the member for

Mr. Gowan-That petition was abandoned. Mn Avi.win- No, it was received and acted upon.

MR. Gowan - So is this.

Province. The 16th sec. of the 5th Geo. 3, en. precedents brought forward appealed direct coming to the certificate he found the name of Terrebonne harmst taken the ground assumed justice to all parties, but as one of her Majesty's arted, "that any person claiming to have a ly against his two propositions, which were C. Sabrevois DeBleury, who was the polition- by the membern Quebec. He had not said Counsel, and as one who he hoped was not unor in 1832; now in 1845 he is petitioned that the cases med were not precedents, but learned in the law, he could not give his vote against. There was his own form of petition- had exerted hiself to appose them, by citing for a motion in direct opposition to the law; if that form, but he found friends in the House first session of the Parliament of United Cana- so he would be brief. When he had first heard

for trial under a penal statute for stealing £50, silentio, and thefore could have no power denied that; the house was bound, no doubt, he would soon find out what made and provide to overthrow predents which had been long to follow the provisions of the s'atute, so far as ed signified, thear, hear. I It his legal studies previously estilished. It was a series of they could be followed; but he would ask were a little more advanced, he would find out that it is untechnical to say more than remark, whichestablished a rule. The hon, followed? If it could not, then recourse most made and provided. There was the certificate gentleman contuited by recapitulating the be had to the English law. It was on this they were called on to consider, his ingenuity arguments again the polition, - firstly, that it ground that the Solicitor General had put the had discovered Mr. DeBleury's own manu- did not state the petitioners were electors | whole question, and his arguments had been the said judge, shall be affixed to the petition for the same purpose. And that it was by facture, and he would leave it to his ingenuity at the time offer election; secondly, that sustained by the clearest possible precedents in to make out the difference between the two. from what appared on the face of the docu- Lower Canada. He (Col. Prince) appraise He could show the hon, member a great many ments, there as nothing to show that the to the lawyers on his side of the house, whedifferent forms of certificates. One in particu- parties had talo the proper oaths; thirdly, lar, a sort of mixture, balf certificate, balf affilavit, in the contested election for the County of Stanstead. The person who wrote it began fication, that obeing freeholders. in the form of an affidavit, " You so and so do colemnly sweat." - Others were so hadly spelt deal had been did about precedents, and his neant, but no objection was ever taken on this bited a great dil of industry in collecting his tleman thought he knew more about Lower been said, he int (-) and he was sorry for expelled five times from its Parliament, or Mr. The argument of that hon, gentleman would Scott, or Mr. Lafentaine, and a whole host of have been all cry well, if there had been no others. It was a pity the hon, member had statutes to reso not left the difficulty in the hands of one of his men'; but will there was a late statute exthe certificate said outh instead of ouths. If court; but he ust say, that he too often found such an objection were taken in the English that parliament'y precedents were introduced Commons, it would be scouted at once, for pe- and carried outsid over-ruled, merely as it titions are tried there now on their metits; all might suit the

> the door on you for want of an S. The hen. gistrate certific searcely worth talking about. pouted from all the precedents that had been essential part of who himself is to be one of the judges in the

receive it. That this was the law in England, self he felt perfectifly clear upon the point in was proved by the case cited by Mr. Baldwin question, and if he had wanted anything to some time previously, of the trial of a petition convince him, it would have been supplied by against the return for Montgomery, in which the course which the hee, and learned member the objections against its informality were for the North Ridling of York had token, when raised after the petition had been received, he withdrew his Metition against the hon, memafter the committee had been struck, and even ber for Leeds, for the pupose of amending the af er the committee had chosen its chairman .- very same defect which was complained of in The hon, member for Quebec had, however, the present case, viz. the want of an allegaattempted to make a distinction between the tion that the peristioner was an elector at the law of parliament and the practice of parlia- time of the election. Mr. Laframboise might motion made in December last with regard to the hon, gentleman to mark the difference. In recollect a former discussion in that house, house would require semething more than his but he understood from gentlemen of both parment, but he (Mr. Mc Donald) would wish him probably he a very good sort of a man, but the in which the rule had been clearly laid down certificate, before it would consider that the ties that those barriers had been erected by ed,—which was negatived.—Your 20, Nays 36. could say how it was decided. It was ex- who cried hear? had studied law as long as both by himself (Mr. Aylwin) and his friend evidence as to the oaths being taken, was confrom the fourth riding of York, who had both clusive. He trusted that what he was doing of them stated that the custom of parliament would meet with the approbation of his conwas its law. The hon member for Quebechad stituents; but if it did not, he should be ready also said, that it was not requisite that the par- to resign his seat whenever a requisition from ties should formally state that they were elec- them called upon him to do so. Mu. Gowan reminded the hon, member, precedent. [Hear from Mr. Gowan.] At the which that rule had not been observed. Per- this matter first came before the house, he had conclusion there was this sentence, and these haps that was so, but if it were, the fact was been free to confess that in his opinion the restated in the body of the petition, and it was quirements of the law had been satisfied. At easy to be discovered somewhere; but in the the same time he wished for a little delay, in petition before the house there were no means order to give time for consideration. He cerof ascertaining anything about it. It had been tainly would have been better pleased if some admitted on all hands that the presumption of case precisely in point had been adduced, and the law-was in restraint of these petitions ; but then there would have been no doubt upon the il appeared that in the present case the house mind of any man in the house; but, that had was to assume everything in favor of the peti- not been done, and how then was he to form tioners, and everything that would go against his judgment? In this way,-by looking at the claims of the sitting members. The the practice which had prevailed upon former house was to presume that the petitioners had occasions, not at any single case, but at the taken three oaths, because the magistrate had preponderating evidence of the mode which had certified that they had taken one, and was far- always been pursued, when he had done so, ther to presume, that the parties who had sign- he came to this conclusion, that since the year ed the recognizaners were freeholders, at- 1829 there had been ten petitions against elec- Chabot. Chauveau, Christic, Desaulaiers, DeWitt, though the judge had not stated that fact in his tion returns, and upon all those occasions the certificate, nor did it appear upon the record, oaths had been set forth in words at length; The petitioners were not taken by surprise in and as there was an important reason why they this matter; if there were any errors in the should be so set forth, he came to the conclusion that Morin, Nelson, Powell, Price, Roblin, Rouspetition, it was their own tauft, for they had that the house ought to a sintain that tule, senu. Smith [Wentworth], Tuche, Tucherenu, had plenty of time between the election and and he should accordingly vote for the amend. Thompson-35. the opening of parliament to see that every- ment. thing was put into proper order, and, therefore, Mr. Renun fell that this occasion was an the house would do a positive injustice, not so important one and be must say that in his opinmuch to the sitting members, because they ion the bon, member for Leeds had entirely were willing to go into the merits of the case, tailed in shewing one case in point; because

vided;" but it was rather a curious circum- ment.

ing, drawn up in the same terms as this one the cases of the East Ward of Montreal, and was upon that principle alone that he would refere the House. He would not object to another one with had taken place during the attempt to debate the question, and in doing who went further than he did, and continued da; but that intleman should recollect, that the arguments of his learned friend, the Solicitor his own form. [Hear, hear,] And in the cer- one swallow see not make a summer, and General, he was certainly surprised at the force tificate, there were these words; that the said neither does or case establish a precedent.— of his reasoning, and he soon found that he of their tribe.

C. Sabrevois DeBleury took the oaths made and provided.

With regard tithe example afforded by the petition againstic East Ward of Montreal, he adopting. The only argument which was township of the course of their tribe. Mr. Gowan-What oaths were made and thought that bload shown it was no' a piece- jurged in reply was this - there is the statute, dent at all; at as to the other, it appeared you can have no other law but that, and you MR. AYLWIN-If the hon, gentleman were to have been assed through the house sub can follow no other guide. He (Col. Prince) decisions, not single example passed without whether this was a case in which it could be that it did not poear that the parties who had signed the recordances had the proper quali- Leeds; he would be wanting in common sense

MR. M'Dox D[Dundas,] said, that a great

Canada law than his hop, friend who had been it, - but he must rete against his hon, friend, those little niceties of the law, so much in re- therefore, recoin the statute; and he did not tell Mr. Peter Dunn, and the other petitioners, certificates; he ing the House so long on a question that was law. The law shands; and the house had a the matter in b MR. McDonard (Kingston) said, that it ap- right to assuming duty. He thought it would

year 1832 that the naths required by law had friends on this funder any circumstances; but, at full length had been affixed to the petition. and bloodshed beflected, that by his vote he The petition to which he referred as an exceptive; when he are of keeping up on excitetion, had been abandoned; it was unnecessary might be the maht again lead to fatal results; to inquire why. All that was known was this, ment which meter upon this, he must say. that there was no decision upon it. It was - when he reft vote with extreme hesitation, just in the same position as the petition which that he gave hinetance, which nothing else of the law of the land theory beautijust in the same position as the permitted and before he again descrived similar ones; for him-

as to the constituency who had sent them to the be had not shown one, in which a petition was house; and it would be making a breach in rejected for a similar informality. The honthe law, if these persons, who came there to gentleman then alluded to the remarks of the claim justice, did not have it administered in a hon, member for Cornwall, who, he said, would legal manner. He was much amused at the without could, be extremely happy in the good attacks which the hon, men ber for Quebec opinion of the inhabitants of the large and had made upon the legal lore of his friend the flourishing Town of Cornwall, but who ought member for Leeds, especially that part of his not to allow considerations of popularity, even remarks which referred to the form of the cer- with so vast a constituency as that, to affect his tificate—he actually growed over the words vote. The Low, member concluded by saving

"under the statute in that case made and pro- that he would vote against the amendstance, that the statute which empowered the Cor. PRINCE said, that from the curiosity magistrate to administer the oaths, was not the manifested by the public, and the elequence statute which prescribed the oaths that were to which had been employed that evening, he be taken. The Act which gave the magis found that the present question was one of no frate his authority, was enacted in the 9th year small interest. Whether the importance which of Geo. IV., but the statute which was " made | was attached to it within the house, arose from and provided" in the case of the oaths, was either of the circum-tances to which he had at one of a much earlier date. If that certificate | fuded ; or whether it arose from the rack and was to satisfy the house, it must be on the as- wealth of the parties concerned the knew not, sumption that this Mr. Laframboise, who or whether it belonged to the discussion of the probably was so lawyer, was nevertheless point of law in dispute; but this he knew, that return for the County of Oxford infallible, and so well acquainted with all the be attached very little importance indeed to -talutes that he was competent to decide what the question at issue. A great deal had been outh was, and what was not, according to any said about statutes and percedents, but as an particular law. He had a case in point with English lawver the question appeared to reference to this particular matter, and he him to readive itself into one single point. would mention it, although it was a little an- Was the petition clothed with those forms ticipating the business of the next evening, with which the law required it should be inupon the Megantic petition. In the certificate vested? The present was not the first time affixed to that petition, the magistrate asserted upon which a petition had been presented that he had administered the wrong oath, or against the seat of a member of that house, rather that he had not administered the right and he would be extremely sorry if it were to one; and probably, if the gentleman who drew go forth to the would that the seat of Messra, up the certificate in this case, had put it in the Moffatt and De Bleury had been attacked withsame form as in the Megantic petition, and out the house regulting all the forms which had specified the wrong statute as had been had been previously observed. The question done there, the magistrate would have been then was this, - was the petition got up in the just as ready to sign it, as he had been to sign manner which the law warrants? He said it

ther any one thing had been adduced to set aside the arguments used by his hon, friend for f he said that the precedents which that gentleman had brought forward had been contravened, or that their force had been weakened

that it was scarcely possible to know what it hon, friend thanember for Leads, had exhi- in any manner. The hon, gentleman had began by citing twenty-three cases-and how account. He was certain that the hon gen- authorities. Bt notwithstanding all that had be had acquired the aptitude of applying those without a legal education, he did not knowbut he had began by citing twenty-three cases which had occurred prior to the passing of the act, which determined the mode in which conto for the practice of Parliatested elections were to be tried; and in every instance, the petitions contained the identical learned friends of great philological attainments, pressly upon it subject, it was the bounden matter, the necessity for which was now conwho would at once have explained all errors duty of the hase to act in strict accordance tended for on the other side of the house,sion that the magistrate could administer any Whether the pelitioners were really qualified from fifty grammarians and one hundred lexi- with its provision. He liked precedents very | Since the year 1829 they had the case of the cographers. Another great of jection was, that well, and was tlling to bow to them in every controverted election for the county of Kamourasks, and many others, and in the whole of them the afficavits were set forth at full length, and the petitioners had always aworn rests of parties. He would. that they were electors. If these forms were not complied with, where was the utility of the quest in the days of Solomon, are not thought find therein at clause which required that law; for he would ask how it was possible to of now in the days of Lore Durham. The cer- parties who per med should declare that they indict a man for perjuty unless it was known what oath he had taken? He was glad to they described themselves as have to speak to so many learned Queen's the law, were they wiser than the law? - electors. He ("ught that met the first objec- Counsel on that side of the house, for he was Would it not be preposterous to turn round and tion. The nethought that all that is required man would assert that an individual could be Gentlemen, we cannot do justice, we must shut by law had been under his hand and sent, that upon what path he had been sworn. It might upon what oath he had been sworn. It might the door on you for want of an S. The hon, gistrate certific taken the naths according to indeed be done if there were only one oath regentleman concluded by apologising for detain- the parties have quired his certificate, and left quired, and the magistrate might be got to prove the circums ances; but in case he dies that he had not left out any his certificate would be of no utility at all; i was this that made it necessary to set out the did not do so. For these reacited, except the case of the petition against be unjust if the kell obliged to vote against his had looked at the whole thing very attentively, the return for the east ward of Montreal, in the sons he felt his casion; he would be extremeheen sworn before the magistrates, and certifiedly sorry to do a bere the scenes of violence for the amendment, because the petition was sinn to which he belonged, to give his vote ed by tiese efficers; and that the eaths set out when he tempthich had taken place in this one which was fairly out of court, for want of

force. The hon, member for Quebec had set lege, was undered to be printed-200 copies. out by observing, that the whole of the objections resolved themselves into technical points -no doubt that was true, but if those technical points were got rid of, what would become would ask why the Commander of the Forces, who, perhaps, paid a rent of £200 or £300 per cinthe, was postponed till Monday next. anonm for his house, has not got as good a right as any other person to walk quietly up to the meetings, was read the second time, and referred poll and give his vote. Then it was complain- to a select committee. ed that the troops were left in the town; they were there because it was a garrison town, and it was never thought necessary in England for troops to be ardered out of the towns where they are in garrison, though it sometimes happened that they were so in fowns where they be expunged, and "this day six months" submutual consent, so that he thought even upon the merits of the case there was nothing in it; and though he would be the last man to prevent petitioners from bringing in their complaints to the har of the house, if they came in a

to allow respectable members to be disturbed, unless the parties who petitioned against them came to the house with all the formalities properly fulfilled. The amendment was then carried-by the following division :-YEAR .- Mesers, Boulton, Bosoks, Chalmers, Colville, Cummings, Duly, Dickson, Duggan, Dunlop, Ermatinger, Foster, Gowan, Grieve, Hale, Hall, Jessup, Johnston, LeBoutilier, Lawrenn, MacDonell [Corowall], Macdonald [Kingston]. McConnell, Meyers, Murney, Petric, Prince, Rid. dell, Scott, Seymonr, Sherwood [Brockville], Sher.

wood [Toronto], Smith [Frontenac], Smith [Mis.]

proper manner, he would also be the last man

sisquei), Stewart [Prescutt], Watts, Webster, NATS .- Messes Armstrong, Aylwin, Baldwin, Franchère, Jolain, Lacoxte, Lafoutaine, Lantier, Laurin, Lemoine, Leelie, McDonald [Glengarry]. Macdonell (Dundas), Macdonell (Stormont), Me-

ROUTINE BUSINESS.

WEDNESDAY, January 15. The House proceeded to ballot for a Committee to try the merits of the Petition of Alexander McLean, Esq., against the Election of D. Æ. Mc. Donald, Esq., for Stermont, and after the usual forms lend been concluded, the Committee was ted on the Lachine Canal, have been communideclared to consist of the following members, viz: cated to us by a respectable person, on whose venell, Grieve, Watts, LeMoine, Lacoste, Dunlop, Seymour, Marney, Nominee for Petitioner; John McDonald. Nomince for Sitting Member.

The absence of the Hon. Mr. Papiness was and Mr. Chalmers also from one-and both gentlemen were excused.

to the Committee on the Oxford contested elce. hill, The store-keeper observed that he thought tion to the 1st March. Sitting Member for Oxford, and the petitioner

to, on or before 1st February, to be left with their agents in the County of Oxford. And the Clerk of the Crown in Chancery was directed to transmit to the Chairman of the Com-

The following Petitions were read :-Nine Petitions from Vembers of the Church of England, residing in Warwick and Adelaide, Dar. got clear. - Montreal Transcript, Jan. 16. ington and Clarke, Cayan, Niagara, Chippuwa, Devoushire Settlement, Goderich, March und Huntley, praying that the proportion of the Clergy Reserves pertaining to the Church of England in this Province, be placed under the Management of the Church Society of the Diocese of Toronto.

Perot, and thence down the Lachine road to the to live in comfort and tranquility.-Chronicle. ferries on that Island and the Island of Montreal, Of M. Christin, praying indomnity for lunes. who were drowned in crossing from Heautharnois, has been entered into for the construction of a new

Of certain shoemakers of the District of Victoria, for a duty on all articles manufactured o

leather from the United States. Of John P. Gibbs, praying indemnification for the loss of his shop, which was burnt during the disturbances on the public works on the the River

praying that the whole of their reserved land may be sold, or appropriated to the religious instruction Of Charles DeWitt and others, praying that the township of Godmanchester may not be divided

Of the Mohawk Indians of Bay of Quinte

Of the Religious Ladies of the Hotel Dieu of Montreal for authority to invest the funds arising from the commutation of the tenure of lands in Fiels held by them. Of J. Williamson and othes, for aid to complete

the Macadamized road from Queenston to London and Sandwich.

Of John Hammill, for the payment of a balance of £788 10s due on the contract for building a bridge on the Grand River at Brantford, with in-

Of Daniel McDougal, Chairman of a public meeting at Niagara, praying for the incorporation

of that town. Of John McKenzie and others, praying compensation for losses sustained by them in consoquence of an erroneous survey, by the correction I which they are deprived of the valuable portion of a tract of land belonging to them in the Gore of Bewrly.

Of Joel Smith and others, members of the Church of England, residing in Grimsby, for an alteration of the Common School Lows. Of the Trustees of Queen's College, Kingston for such an alteration in the constitution of King's College, Toronto, as to secure to all sections of the community a fair amount of influence in the University,-or that Queen's College may be en-

dowed, and provision made for its expenses during he last three years, Of C. Hales and others, of Kingston, for a re Voffee and Tobacco to 1d per lb, when imported

from the United States. Of the Trustees of Quebec Turnnike roads.

£8,882, to complete the same. Of Jacob Brown and others, of Osnabruck praying compensation for injury to their farms struction of the St Lawrence Canal. Of G. Robertson and others, of Milleraches

complaining that by the contraction of the St. Lawrence Canal they are cut off from the main of the interest and principal of Government Deland, and their property is much depreciated in bentures, to be sold for the purpose. The amount value, and praying compensation. Col. Prince presented a report on the petition

writy of legal votes at the election, and was therefore duly elected. The following petitions were referred :-

the Committee on former petitions Of C. C. Greer and others-to the Committee

against the Government. Of A. Irvine and others, of Ancoster. Of M. Christin, of G. Robinson and others,

and of Jacob Brown and others,-to the committee on Beaulurnois Canal losses. The Petition of the Trustees of Queen's Col-The Return to the Address for information respecting the lease of the Forges of St. Mau-

rice, was ordered to be printed, 500 copies. On motion of Colunel Prince, the Clerk of the Crown in Chancery was directed to transmit to W taise, fund referred to a select Committee. The order for the consideration of the petition

against the return of Mr. Boutillier for St. Hya. The Bill to enable Noturies to call contain

to authorise the recovery of certain taxes in the Huron District was read the second Mr. Dunlop moved that the Bill be now refer

red to a committee of the whole. Mr. Boulton moved an amendment that " now"

Mr. Solicitor General Sherwood, moved an amendment to Mr. Boulton's amendment, that

one week " be substituted.-Which was carried The amendment as amended was then carried, and the main motion as so amended was also carried, and the Bill ordered to be committed in one

The Bill to indemnify Clergymen who voted at the last general election, was read a second time. and committed. Progress reported-to sit again on Monday.

The House went into committee on the expediency of amending the Act for better securing the freedom of the Assembly as respects Clergymen voting at elections in future, and a Resolution was reported, declaring that so much of the said Act as prevents Clergymen from voting be repealed,-

which resolution was adopted .- Yeas, 23, Nays, 11 YEAR - Messrs. Baldwin, Cauchon, Chalmers, Colville, Daly, Duggan, Dunlop, Ennatinger, Fos. ter, Gowan, Grieve, Hule, Jessup, Laurin, Lawrason, MacDonald, [Kingston, Macdonell, [Dundas, M'Conneil, Methot, Moffatt, Powell, Price. Roblin, Seymour, Smith. [Frontenac.] Smith, Missiaquoi.] Taché, Williams,-28.

Nava-Messas, Aylwin, Boutillier, Chubot, Chaveau, DeWitt, Jobin, Lafontaine, Nelson, Rousseau, Scott, Taschereau-11.

certain Militia Land Script in Lower Canada. Adjourned.

[Want of room compels us to defer the Routine ousiness of Thursday and Friday, although in

BO' ANOTHER OUTRAGE ON THE LACHINE CANAL. The following particulars of an outrage commit-- Mesers Rolland McDonald, Methor, McCon. Incity we place full reliance.-On Thursday night lust, between 9 and 10 o'clock, three men knocked at the door of a store kept by a person named Costigan, situated in the midst of the shanties, on the Canal, and demanded admittance, stating that reported from two Election Committees this day, they were " fr ends," and that they wanted to purchase some tea and sugar for a sick woman. The door being opened, they came in and made some On median of Mr. Chavenu, leave was granted purchases, for which they tendered a five dollar

he had not got change, and proceded to open un On Motion of Mr. Smith, of Frontenac, the account book in which he had placed some notes, amounting to £5 or £6, to see if he could make were ordered to exchange lists of voters objected up the sum required. Finding that he could not, was struck a vird-nt blow by one of the purties, money. When outside they threatened death to the Mutual Indomnity Insurance Company.

Continue if he followed them, and by this money.

The only other hidding which has transpired

177 Colonia, Firzgisson - We are hoppy to see by a Message to the House, from the Governor General, that the point of remanaration to Colonel 20000 taken this morning by Mesers. Hara-Fitzgibbon for his long and valuable services, is to be considered. These services have been both Of Rev. I. Prouse and others, for aid to build Civil and Millitary, and so highly appreciated were bridge over the River Etchemins in Dorchester. they, that we believe in the two Houses of Parlin-Of D-naid M'Intesh and others, of the County ment manimous votes have been pass d in favor of Vandrenil, for amendments in the Municipal of his chain. His has been a long life spent in the and Common School Lows, and that the plank service of his country, and we trust that for the road at the Cedura may be continued over Isla short remnant of it which remains, he will be able

periods taken by the Solicitor General in Mr. Ave.win.—As he said before, it was the last disconsisted were groundless. All the election for the East Ward of Montreal.—On and provided." The honourable member for by any other consideration than a desire to do the said before in consumers of the party feelings, and provided." The honourable member for by any other consideration than a desire to do the certificate which stated the onth to be the was not. He wishers the certificate which stated the onth to be the was not. He wishers one prescribed by the statute in that case made they having been obliged to loave in consumers of Manmoth gun to replace "the Peace-Maker," they having been obliged to loave in consumers of the party feelings, and provided." The honourable member for by any other consideration than a desire to do the certificate which stated the onth to be the was not. He will be certificate which stated the onth to be the was not. He certificate which stated the onth to be the was not. He certificate which stated the onth to be the certificate which stated the onth to be the was not. He certificate which stated the onth to be the certificate which stated the onth to be the was not. He certificate which stated the onth to be the certificate which stated the onth to be t 17 The United States Steamer Princeton under sailing orders for England, where a contract

BRITISH WHIG

"Opifer per Orbem Dicor."

KINGSTON, TUESDAY, JAN'Y. 21, 1845. COUNTRY LETTERS RECEIVED DURING THE WEEK. W. W., Toronto ; E. J. B., Montreal ; D. B., New Orleans.

It will be seen by the Report of the proceedings in the House of Assembly, on Thursday, that the question of the validity of the Montreal Election has been set at rest, and that in a satisfactory manner. The vote was a pretty close one, however, 37 voting for Mr. Gowan's amendment, that the order of the day for taking into consideration the Petition of Peter Dunn and others, be discharged, and 35 voting against it. Messra. Moffatt and DeBleury, did not vote; and Mr. Drummond paired off with Mr. Guillet.

On Wednesday, the obnoxious Act of last Session, imposing a penalty of £500 on Clergymen voting at Elections, was repealed by a large majority.

The other proceedings of the Assembly, up to Friday night, are of no interest. In the Legislative Council nothing of the

slightest consequence has taken place. We have been very much disappointed at not

receiving a letter from the Editor, for the present number of the British Whig, but shall probably have two for the next, to make up the deficiency. duction of the duties on Tea to 2d per lb. and on In a private letter, written on Saturday, he says : "The only news I can give you is, that last

night Mr. Sherwood announced in the House, the praying for authority to ruise a further loan of intention of Government to pay off the rebellion losses of Upper Canada, and in this way :- To redoce the amount of Tavern Licenses to £4 each, and orchards, from exposure, &c., during the con- for the general purposes of revenue, and to lay aside all that the Magistrates in Session might impose in addition, to form a fund for the payment required was stated to be £40,000, and the time against the return of H. D. Jessup, Esquire, for of re-payment is supposed not to extend beyond a Grenville,-that the sitting member had a ma- period of eight years. The proposal was received with tokens of general approbation, and several of the Lower Canada Members expressed a wish Of members of the Church of England, residing that something of the kind might be attempted in Cavan, in St Thomas, and in Darlington,-to for Lower Canada. The singularity of this plan is, that as the Tavern-keepers were the greatest, on the Bill for relief of persons having claims and perhaps the only gainers by the rebellion, they are thus made to pay the losses!"

SIMCOE ELECTION.

The full returns have at length been published, and give a still more decided majority for the Inspector General than we anticipated. The state of the poll at the close, in the different townships, was as follows :-

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est Gwillimhury	. 174		- 86
0	83		84
illia	82		17
y	37		3
y	20		3
38			_
	970		594
	594		970
Vajority for Mr. Robinson	376	Total I	564
	10.0000		

TWO DAYS LATER FROM ENGLAND. The packet ship Quebec, Herbard, arrived at

New York on Thursday morning, from London and Portsmouth, with advices from the former place to the 13th ult. The monster steamer Great Britain, three hun-

fred and thirty-feet long, has been sufely floated into deep water.

The Archbishop of Canterbury has announced is intention to summon a meeting of the Bench of Bishops, in consequence of the unhappy agits. ion pervading the Church of England, in order or determine upon the observance of the rubrics.

It appears that Puscyism is not yet very strong in England. According to the papers a Court of Common Council was held in London, on the 12th f December, chiefly to consider a petition for aid n the endowment of a free church in St. Gilea's in he Fields. The grant was opposed on the ground that the new church was got up under Pusevite auspices, and defeated, only five voting in its favor, when about a hundred and fifty were present.

FRANCE.

The French press are active in their animadversion on the English for the capture of a supposed slaver. Le National says :---

The shameful letter of excuse addressed by the Count de St. Aulaire to Lord Aberdeen, and the recital of the capture and condemnation of the Curiouse, a vessel employed in the service of the State, demonstrate, that if the ambition of the English Government has not become more moderate, the complaisance of our rulers towards it is Mr. Secretary Daly presented a return to the equally without bounds. It is not only at Tahiti Address for information respecting the issuing of that M. Guizot blames and disavows the officers who maintain the honor of France.

He acts in the same manner on the coast of Africa, and we find there a French vessel seized and condemned by the English under pretence that she had been engaged in the slave trade, which could not even with justice be suspected of that offence, as she was employed by the Governor of Senegal, and ought to have been considered as belonging to the royal navy. The owners of the Curiouse have determined to

calmust all possible means in order to obtain jus-ties. All France will aid them with their good wishes, because the question is connected with the liberty of the seas, and with our national

But what can they effect against the English. aided by M. Guizot? What justice can they expeet when the owners of the Marabout, captured four years since, but discharged by the tribunals, have not yet been able to recover the indemnity awarced to them?

MARKETS.

LONDON MONEY MARKET, Dec 23 -This morn. ing, at the Treasury. £80,000, the portion undishe feld the men, when one of them stated that he posed of the pending Canada contract, was wished to purchase some tolacces also. As Cas., taken by Hammond, Scott & Co., at 1112, that tigan was stooping down to get the tobuceo, he being the minimum price of the Chancellor of the Exchequer. To this firm, therefore, the whole missioners, a certified copy of the several poll which stunned him of the same time the men sum of £200 0300 has been assigned, and it is backs in his possession, connected with the last rushed out of the shop, taking with then the goods understood that with the exception of a very smell they had purchased, and the book cont iming the portion of it, the principals in the transaction are

is that of Mr. Maubert, presomed to set for a leading banking-house, who offered 1111 for the whole amount, and he would, no doubt, have roadity given the reserved price, or 1113, for the mand, Scott & Co., had they declined availing themselves of their option.

Thus there appears to have been a singular coincidence in the estimate of the value of the enrity between the leading men in the money murket and the Chancellur of the Exchequer, especially when it is beene in mind, that, since the ast regotiation of the kind took place, when the reserved price was nearly the same, a rice of 2 per cent, had taken place in Cousole. But all seem o have taken into their consideration the effect of the new lunking law, which, by imposing greater caution upon banks generally, in looking up their resources, has partly shut them out of the competition on the present occasion.