Provincial Parliament.

HOUSE OF ASSEMBLY.

Wednesday, Nov. 20.

Petitions brought up of Job Loder and others of the Gore District; of David Soles and others of the County of Simcoe; of Duncan Campbell and others of the County of Norfolk District of London, of John Plountz and others of the United States, owning lands in the Townships of Woolwich and Waterloo, in the Gore District; of W. P. Patrick and Joseph Easton, Executors to the estate of the late Thomas Stovell of the Town of York.

Mr. Thomson gave notice of a bill on to-morrow to repeal part of an Act passed in the 3d year of His Majesty's reign, entitled "An Act granting to his Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned.

Mr. Morris gave notice of a Bill on Friday next, to amend the Court of Requests Law.

Mr. Berczy gave notice of a Bill on Monday next, to render the Judges of the Court of King's Bench independent of the Crown.

Mr. Shade gave notice of a Bill on Monday next, to divide the County of Halton into two separate counties.

Mr. W. Wilson gave notice of a bill on to-morrow for the separation of the County of Norfolk from the London District into a separate District.

Mr. Berczy gave notice of a bill on Monday next, to make Stage proprietors and drivers liable to certain penalties to be prosecuted in a summary way for accidents to passengers conveyed by them.

Mr. Jarvis gave notice of a Bill on Monday next, to establish an asylum for insane persons.

Mr. Duncombe gave notice of a Bill on Tuesday next to establish County Courts in this Province.

Mr. Howard gave notice of a Bill on Thursday next to repeal an Act passed in the 8th Geo. 4th entitled "An Act to require the justices of the several districts of this Province to publish a statement of their District Accounts,& to make further provision for the publication of District Accounts."

Mr. Duncombe gave notice of a Bill on the last Thursday of this month, authorising, establishing and endowing a Deaf and Dumb School in this province.

Mr. Duncombe gave notice of a Bill on Wednesday next, providing for raising and expending £500,000 in McAdamising 500 miles of Road in this province, consisting of one Easterly and Westerly road through such parts of this province as have not navigable waters in their vicinity, and Cross roads at suitable distances to connect the interior inhabited parts of the province with the McAdamised roads with navigable waters or with both.

On motion of Mr. Morris, ordered that the Clerk be directed to exhibit daily in the Lobby a copy of the Journals for public information.

Mr. Boulton gave notice of a Bill on Monday next, to extend and define the qualification of persons entitled to vote at elections in this Province.

On motion of *Mr. Jarvis*, the bill to afford further relief to bail, in certain cases was read a first time and ordered for a second reading to-morrow.

On motion of *Mr. Howard* for leave to bring in a bill to allow electors to vote by ballot at all elections to be held in this Province for the election of Members of the House of Assembly, the yeas and nays were taken as follows.

Yeas.—Messrs. Bidwell, Campbell, Duncombe, Horner, Howard, Ketchum, Shaver, Werden, Wilson,—9.

Nays—Messrs. Berczy, Boulton, Burwell, Chisholm, Elliott, Fraser A., Fraser D., Jarvis, Jones, M'Nab, Morris, Robinson, Shade, Thomson,—14—decided in the negative.—Majority 5.

(Sundry other motions were also made, and on Mr. Bidwell moving a resolution for Mr. McKenzies admission as a Member a debate ensued, which we omit for want of room. The result of the division was given in our last.)

On motion of *Mr. Jarvis*, the bill to extend the limits to certain gaols in this province was read a first time, second reading to-morrow.

Thursday, Nov. 21st.

There was no quorum to-day, and the Speaker adjourned the house at half-past twelve o'clock.

Friday, November 22d, 1833.

Mr. Robinson brought in a bill to make and keep in repair the highways in the province, which was read a first time.

On Motion of Mr. Morris, the journals of last session relating to a despatch from His Majesty's Government on School lands were read, whereupon he moved that the house resolve itself into a committee of the whole on to-morrow on the subject of School lands and education.

In committee of the whole house on His Excellency's speech, Mr. McNab in the chair.

Mr. *Morris* moved the resolutions in answer to the speech, which called forth little discussion except the last which related to the subject of education, and was as follows:

Resolved—That the important subject of public education which has in several sessions occupied much of our attention, shall not fail to receive our early and most anxious consideration; particularly the means by which an improved system of township school education may be best promoted, and also the application of sales of school lands to that object, as well as to the endowment and support of free Grammar schools in the several districts.

Mr. *Burwell* said he had drawn up a resolution which he thought went more fully into that part of the speech than that proposed by the hon. member for Lanark, which he would submit to the committee.

"That it affords to the house the highest satisfaction to witness the lively interest His Excellency feels on the important subject of the education of the people generally, and we concur most heartily in opinion with His Excellency of the existing necessity for a revision of our system of township or common schools, and of passing a suitable enactment for the application of the proceeds of the sale of school lands for the support of superior District or Grammar schools: and we feel the most sincere gratification at the information communicated by His Excellency that the Province is fully prepared to reap the benefits which were intended to be conferred on it by the establishment of King's College. The house will use diligence in considering and maturing the requisite extension of the Royal charter under which the University is at present established: and His Excellency's assurance that His Majesty will readily give effect to any measure proposed by us regarding its future government and the appropriation of the school lands to promote the purposes of the Institution, is an additional proof of His Majesty's paternal care for the advancement of the most important interests of his subjects."

Mr. *Morris* said he had avoided any expression in the resolution which might be considered as a pledge concerning King's College, as he did not think the province was prepared to reap the full benefit of a University. Free Grammar schools were wanted in the several Districts as preparatory to King's college before the full benefit of the institution could be realised.

Mr. *Boulton* believed it was customary to follow the language of the speech, and he did not see why the hon. member who moved the resolutions had departed from it in this instance.

Mr. *Berczy* would like to vote for the resolution of the hon. member for Middlesex, but could not as he thought it contained a pledge on the part of the house for the establishment of king's college.

Mr. *Bidwell* said as the hon. member for Lanark had taken upon him to move the resolutions in answer to the speech, unless there was something very objectionable in them they should not be superceded by any other; especially when that proposed by the hon. member for Middlesex contained a pledge concerning king's college.—At this early day of the session, when many hon. members were yet absent, it would be highly injudicious to give any expression of opinion on a subject in which the people of the province felt so much interest. He would be happy to support the resolution of the hon. member, and would feel much obliged to him if he would tell the meaning of the next clause of the speech—how they could make any extension of the Royal Charter.

Mr. *Morris's* resolution carried, and he then moved the next resolution, that the subject of education should as heretofore receive their serious consideration.

Mr. *Jarvis* thought the words "as heretofore," should be struck out, as the subject had hardly received any consideration from that house.

Mr. *Perry* said the hon member who made that objection had not been long in that house or he would have been better informed. If there had not been much done last session there had at least been a good deal said—a committee had the subject under consideration the whole of the session, and made three long reports on it which excited a good deal of discussion; but whether any thing had been done he could not say.

Mr. *Bidwell* said the subject of education had received very great consideration in that house; but not in another quarter.—Their representations had to this day been unattended to.

Mr. *J. Wilson* had doubts as to the propriety of using that expression, which would seem to throw a reflection on another branch of the Legislature. If that house has passed a bill on the subject and it had not received attention in another quarter, they would have a right to make such expression. He did not then recollect what had been done in former sessions; but no such bill was passed last session; and for them to say to the world they would as usual give it attention, &c. would be throwing a shade over another branch of the Legislature, which should not be done, when no measure had been matured by that house. He liked the resolution of the hon. member for Middlesex, which embraced the whole subject and went more fully into it than the other. Something must be done to improve the present system of common or township schools; and as to the District schools they had not answered the end for which they were established, and many of them were a disgrace to the Districts in which they were established, persons being employed to teach them who were neither fitted by moral or literary qualifications for the situation.

The committee rose and reported the resolutions, and on the Speaker taking the chair Mr. Burwell moved his resolution which called forth the above discussion, on which the yeas and nays were taken:

Yeas—Messrs. Boulton, Burwell, Jarvis—3.

Nays—Messrs. Berczy, Campbell, Elliot, A. Fraser, D. Fraser, Horner, Howard, Jones, Ketchum, McNab, McNeilledge, Morris, Perry, Samson, Shade, Shaver, Thomson, Werden, J. Wilson, W. Wilson—20.

Majority against Mr. Burwell's amendment, 17.

It was then moved that the words "as heretofore" be struck out. Mr. Wilson contended that they should be strurk out, as the house had done nothing on the subject since the despatch had been received.

Mr. *Morris* was surprised to hear the hon. gentleman say they had done nothing. They had done much—they had passed an address to His Majesty informing him that his late Royal Father had been graciously pleased to set apart 740,275 acres of land for the endowment of Free Grammar schools in this province, and that up to this day not one school had been endowed out of the proceeds of them; and that it would be better if the broceeds were placed in the hands of the Receiver General subject to the controul of the legislature, and not in the hands of a special receiver as heretofore. To which address Lord Goderich had answered, acceding to their request. And now they should address His Majesty again, informing him that a great part of the lands originally set apart for the endowment of Free Grammar schools, had been granted to individuals and to King's College; and praying him that lands of equal value be given in their stead. That was the course he intended to have followed last session, and the hon. gentleman who now objects that nothing has been done did all he could to retard the measure. He (Mr. M.) would pursue the same course this session, and hoped to have the assistance of that hon. gentleman and the support of the house in carrying through the measure.

The yeas and nays were taken on the motion, and it was lost by a large majority.

Mr. Howard brought in a bill to compel justices of the peace to publish their District accounts, specifying particulars of to whom monies have been paid and for what purpose; and to regulate the publishing of the same.

Mr. Jarvis's bill to afford relief to bail in certain cases was read a second time, and ordered to a third reading to-morrow.

Several bills of minor importance were read a first or second time.—Adjourned.

Saturday, 23d.

Mr. Jarvis's bill for extending the limits of the several Goals in this province, read a third time and passed.

Mr. *Boulton's* registry bill read a first time.

SUMMARY PUNISHMENT.

Mr. Robinson brought in a bill to provide for the summary punishment of offenders in certain cases, which was read a first time.

The debate was proceeding when the Reporter entered the gallery. Mr. Bidwell was concluding a speech against the bill, and

Mr. Boulton remarked in reply, that something of the kind contemplated by the bill was much needed, though he would not go to the extent proposed by the bill. He thought two or three magistrates might be associated for that purpose.

Mr. Samson said the necessity for this bill was not so apparent to those living in towns as to those in the country, or living at a distance from the county town. In Bellville he knew a great many offences passed unpunished in consequence of the trouble and expense attending the prosecution of them; and when such offences were prosecuted at the Quarter Sessions the court and jury were detained four or five days with matters which might as well be settled by two or three justices of the Peace.

Mr. Werden agreed in substance with the remarks of Mr. Samson. The trouble and expense in Prince Edward of prosecuting petty offences was so great that it was generally neglected, in consequence of which crime was on the increase.

Mr. McNab had not so despicable an opinion of the magistrates as the hon. member for Lenox and Addington. He believed they were as upright and as good as in any country. If the bill was printed he believed some hon. members would change their opinion of it.

Mr. Thomson was in favor of the principle of the bill, as something of the kind was necessary to lessen the business of the Quarter sessions. He believed the magistrates to be a respectable body of men.

Mr. Bidwell moved an amendment that the bill be read a second time that day three months. He did so in order to record his opinion on the journals against the principle of the bill. He considered it objectionable on several grounds. In the first place it was taking away one of the dearest privileges of a British subject, trial by jury; and putting his character and all he held valuable into the hands of a magistrate who might be selected by the prosecutor or account of a difference of political views; and the very principle which gave such a power was objectionable. It was also objectionable on another ground; it was creating a new offence, as a person could be indicted by this bill for what he could not now be indicted, putting it in the power of the Justice of the Peace to say what was an offence.

The Justices of the Peace were as good here as they were any where else; but they did not act under the influence of salutary public opinion as they did in England. Our juries, did, and were as intelligent and impartial as were to be found in any country. He was of opinion this bill would increase vexations and provocations among neighbours.

Mr. Werden said it was as he had said, crime was on the increase in Prince Edward; but the present system of prosecution was too expensive to individuals and to the people of Upper Canada.

Mr. Burwell believed it was the first time he had heard the hon. and learned member from Lenox and Addington say that a wholesome check did not exist through public opinion in this province. He (Mr. Bidwell) was always appealing to public opinion. Some check to crime was necessary; and when the house went into committee on the bill there would be an opportunity of explanation.

Mr. Morris was sorry for the motion of the hon. member for Lenox and Addington, as there might be many good things in the bill; and let amendments be moved in committee to those parts which were objectionable. No person could attend our courts without seeing a great loss of time by vexatious suits which benefited no body but gentlemen of the legal profession. (Hear, hear.) He did not throw out such remarks as a reflection on them; but as a truth. He was sorry the hon. member (Mr. B.) had set out this session with a temper calculated to retard the business of the country.

Mr. Perry. In considering any measure the question was, would it do more good than harm? The question relative to this bill was, is it proper to put this power into the hands of the Justices or not? He tho't not. In support of this opinion he would merely remark, that if it would be convenient for two or three magistrates to settle petty disputes without trouble and expense, look at the other side. Would it not put it in their power to settle cases of great moment. In times of great excitement, where party spirit runs high, and persons have been mobed, would it not be doing a great deal of harm to give magistrates, who themselves were interested, power to judge between individuals concerned.

He was surprised to near the hon. member for Prince Edward say that crime was on the increase. Under the most excellent government of Sir John Colborne one wo'd suppose all crime would be put down. But look at Port Hope. Had not representation after representation been made, and the persons complained of had not been removed: and to put such power into the hands of the magistrates would do much harm under such a state of things, especially as had been said by his hon. colleague, when the prosecutor would have the opportunity of selecting the person before whom the case should be tried. It would have a better effect to find a man guilty in a public court if he was not fined a single farthing, than to fine him two or three pounds in a corner. His hon. colleague's allusion was to the influence of public opinion on public men, which did not exist in this country as it did in England, though in courts it would always operate more or less where all was done publicly.

Mr. Bidwell explained that his remarks concerning the magistrates did not apply generally. There were persons in the commission of the peace in whose hands he would trust his life; but there were others who were unworthy of the office; and the house should recollect that bill gives the same power to all.

The amendment, that the bill be read a second time this day three months, was lost by a majority of 11, 7 voting for it and 18 against it.

The bill was then ordered to be read a second time on Monday next, and 200 copies printed for use of members.

U. E. LOYALIST LANDS.

Mr. Perry rose and said there was a subject of great importance he wished to bring before the house—the location and sale of Crown Lands, and the conditions on which they were granted to U. E. Loyalists and others entitled to receive them for services rendered to the government. Report said no lands would be granted but upon condition of personal settlement, and that house ought to enquire whether that was the case, or what were the regulations of the land granting department; and for that purpose he would move an address to His Excellency for information.

He was of opinion the U. E. Loyalists should receive lands free of all charges for what was done by their fathers; and for the Executive to say that so and so should be done was improper, and he (Mr. P.) contended that those persons thus entitled to lands ought to receive them as heretofore. But it appeared the services of U. E. Loyalists were forgotten, and the policy now pursued was to afford facilities to another description of persons. While he was on this subject he would say, his opinion was that the whole system of land granting should be regulated by law. It was changing every day, and there was no knowing by persons at a distant part of the province what the present regulations were: on coming to York they might find them totally different from what they were on leaving home Let the whole system be regulated by law, and let persons be entrusted with the management of it who have an interest in the country. He would like also to ascertain how the lands were sold. What were lands given to U. E. Loyalists for! For services rendered, which were worth more to the Government than all the revenue arising from the sale of lands to others; but those services did not now increase the casual and territorial revenue.

If the house could not get the desired information from the Government here, it was his intention to move an address to His Majesty, in order that justice might be done. He was aware it was said, the regulation was made in order to prevent the lands getting into the hands of speculators. But the more obstacles were thrown in the way of U. E.'s getting their lands, the more those lands were thrown into the hands of speculators. He considered it most absurd to require actual settlement on the lands. How was an unmarried female, for instance, to do so: or was the son of a U. E. already settled on a farm to leave it and settle on his U. E. right, or not get it! And if the Government had adopted such a course it showed they were blinded, notwithstanding all the facilities they have had for information.

Mr. McNab was certainly in favor of the motion; for the regulation concerning lands granted to U. E. Loyalists was the most absurd and unjust, (he would say so in his place in that house,) ever made—saying they should not receive their grant without complying with certain conditions. He would say further, that he was of opinion the Government had no power to do so.—He ought, perhaps, to inform the house that he had speculated largely in U. E. rights: he did so because he had a right to do it; and the present order in Council was made on purpose to injure an individual—assented to in the Council, as he had understood, by only one member of it. The Executive Council wished to give those lands to whom they pleased, and the commissioner of Crown lands was to be speculator general. U. E. Loyalists were not now treated as they were in days of yore, 40 years ago. He would say again, it was a high handed step, and one which they had no power to enforce.

Mr. Robinson could not believe that any order in council could be carried by one member of it, or that the present order was made to injure an individual, but to protect U. E.'s against the arts practised on them by land speculators. The honorable and learned member for Wentworth ought rather to have given suitable advice to poor people how they might obtain their lands than buying them for five or six pounds.—He had understood there were two partners in the trade of buying those lands. He thought also such remarks should not be made concerning the Commissioner of Crown lands, when there were no charges against his conduct in that department; and who he believed conducted it uprightly and honorably.

Mr. Berczy had long ben of opinion that the land granting system in this country was bad, and if any thing could be done by the information they could get, it would be well. He thought reflections should not be made on individuals. However, the information could do no harm; and he hoped it would show that such remarks were unfounded.

Mr. Bidwell remarked, it had often been said theat discussion elicited truth, and so it was on this occasion. Several important facts had been brought out in the course of debate, and he hoped the information sought would contain more; at any rate, as the hon. member for Kent said, the information could do them no harm. He hoped that remark would never be forgotten; he could even wish it were inscribed on the walls of that house, that "information could do them no harm." They had got some information concerning the Executive Council, and he would like to get some more. He would like to know what are their powers—how far they are a check upon the Governor, and like the Cainet Council in England:—the information, at all events, could do them no harm.—They had a little more informatiu, that U. E. Loyalists are not now regarded as they were forty years ago: that information wo'd do them no harm. It was not long since they addressed the Executive Government, requesting that settlement duties should not be exacted from any U. E.; and if their prayer had been complied with, and settlement dutier not exacted, they would not have sold their lands, but these lands would have been what they were intended to be—a reward to them and their families for their attachment and loyalty to the United Empire. And did that house think if the House of Commons in England had made such representations to the crown, they would not have been attended to! But had theirs been attended to! No;—and that too when made in favor of U. E. Loyalists who, they were told, ware not now regarded as they were forty years ago.—The motion should be adopted in justice to the Executive Council, that they might have an opportunity to vindicate themselves from the aspersions which had been thrown upon them in this discussion—at any rate, the information could do them no harm.

Mr. Burwell said the information could do them no harm. The U. E. Loyalists he believed to be the most deserving class of people that ever came into this country, the most devoted to the interests of the country and His Majesty's Government; and he had no doubt it would turn out that the order in council was for the protection of U. E. Loyalists against the iron grasp of speculators. As to the sale of crown lands, he was glad that they sold so well. They were the property of the crown; and he was glad to so many emigrants were coming out to this country to buy them, taking off the redundant population of the Mother Country, and enriching this. He thought the hon. mover should have given notice of this motion, and he hoped he would withdraw it and bring it in a regular manner.

Mr. Thomson said the mover should have been certain the order had passed before he assumed it to be so. He did not think it had.

Mr. Boulton stated that great complaints had been made by U. E. Loyalists of the extreme trouble which they had in getting their lands. He certainly thought they ought to get them in such manner as would do them some good.

The motion was put and carried unanimously.

EDUCATION.

The house went into committee on School Lands and Education, and Mr. Morris read and submitted a series of resolutions for an address to the King on the subject, remarking, that he did not intend to discuss them at that late hour, but to have them laid on the table, that they might be taken into consideration at an early period of the Session. After a few remarks from Col. Burwell, stating that he came to different conclusions on the subject from Mr. Morris, and would oppose the resolutions, the committee rose and reported progress, to sit again on Monday next.

The following are the resolutions submitted by Mr. Morris to the conmittee:

Resolved, That it is gratifying to this House to learn, by the despatch of the right hon. Lord Goderich, that his Majesty has been pleased to express, in answer to the address of this House of the 23d December 1831, his gracious desire, that "the sums arising from the sale of that portion of the School Lands which has not been already alienated, should be paid into the hands of the Receiver General, to be applied in the promotion of Education in such manner as the Legislature may direct.

Resolved, That it appears by a statement sent down to this House by his Excellency the Lieut. Governor, that the whole reservation of School Lands amounted to 740,275 acres, of which there have been conveyed to individuals,

	Acres.
	170,719
To University of King's College,	225,944
To Upper Canada College,	66,000
To surveyors for surveying,	19,282
And remaining applicable to the support of Grammar Schools,	258,330
	740,275

And it is therefore obvious, that an inconsiderable portion of the whole reservation has been left for purposes which, in the minds of those individuals who made the legislative application in the year 1797, as well as that of the Royal Donor, took precedence of every other object, and were entitled to a much more valuable endowment.

Resolved, That of the quantity of land remaining for the support of Education in the several districts of the province, 186,902 acres are in the townships of Sheffield, Bedford, Merlin, and Proton, and as the lands in these townships are understood to be of bad quality, the means which may be derived from their sale cannot answer the object which his Majesty's government contemplated in complying with the joint application of the legislature, for a grant of land to establish, in the first instance, free Grammar Schools in the several districts, and in due process of time a Provincial Seminary of a more comprehensive nature.

Resolved That it appears by the said statement, that for the endowment of King's College, and for other purposes, exchanges of the School Lands have been made, which have had the effect of depreciating the value of the remaining portion of the appropriation so low, that the just expectations of the inhabitants of the province can never be realised without the interposition of his Majesty's government, by restoring to the several districts the lands set apart by his late Majesty King George the Third, for the endowment and support of District Grammar Schools.

Resolved, that the establishment at the capital of the province of a University, endowed with the greater part of all the valuable school land's reservation, may confer much benefit on the inhabitants in its immediate vicinity, and also on the wealthier part of the population who are more remote, but it can never answer the intentions which actuated his Majesty in making the grant, inasmuch as the people resident in distant parts of the country have no opportunity of giving to their sons a preparatory course of instruction, even if it were in every respect convenient and agreeable to send them many hundred miles to attend the University.

Resolved, That from the reasons set forth in the foregoing resolutions, as well as for many others which might be adduced, this House is constrained to represent to his Majesty the serious injustice of the measure which deprived the people of Upper Canada of that munificent grant of land which was set apart for the diffusion of Education, by the endowment of free grammar Schools in the several districts; it is therefore necessary to acquaint his Majesty that the primary object for which these lands were set apart has hitherto been neglected, and by far the most important and valuable portion of them alienated for the immediate establishment of an institution which was intended, not only by the joint application of the legislature in the year 1797 but by the answer of his Majesty, should be endowed after the Grammar Schools were provided for.

Resolved, That though unwilling to trespass on the time of his Majesty, so important in our estimation is this subject to the best interests of his faithful subjects in this province, and we feel bound by the most sacred obligations of duty, as representatives of the people, to express to his Majesty our opinion, that the buildings erected by his Excellency the Lieut. Governor for Upper Canada College, are sufficiently extensive and commodious to answer every purpose of a University, and ought therefore to be applied to that object, and thus prevent the vast expenditure which is contemplated in the construction of buildings for the University of King's College, and that Upper Canada College may, under existing circumstances, most properly be designated the University of King's College, and be endowed as such by the legislature of the province out of the school lands.

Resolved, therefore, That an humble address be presented to his Majesty in pursuance of these resolutions, and imploring his Majesty to direct such measures as to him may seem meet for the restoration of the lands set apart for the support of free Grammar Schools, or in the event of its impracticability, to direct that an appropriation of equal value be made for that purpose, and also to convey to his Majesty the earnest hope of this House, that his Majesty may be pleased to appoint Commissioners to ascertain the value of any lands which may be granted in lieu of those which have been taken from the District Grammar Schools.

Monday, Nov. 25.

No business was done to day for want of a quorum.

Tuesday, Nov. 26.

The house waited upon His Excellency with their answer to his speech at the opening of the session.

Mr Ketchum moved a resolution, the object of which was to allow Mr. Mackenzie a seat in the house, which was debated about an hour and a half, and was decided in the negative by a majority of one.

The house went into committee on the second reading of several bills, and after adopting the preambles rose and reported progress. No debate worth reporting took place.

To His Excellency Sir John Colborne, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c.

May it please Your Excellency:

We, His Majesty's most dutiful and loyal subjects, the Legislative Council of the Province of Upper Canada, in Provincial Parliament assembled, beg leave to offer our respectful thanks for Your Excellency's Speech from the Throne.

In the assurance we feel of the progressive advances of the Province in all that constitutes a flourishing community, and of the favourable prospects of its several Districts, we have cause for much congratulation; and although the recent emigration has not proved so extensive as we were led to expect, yet the great excess of capital transferred to the Province above that of any corresponding period, and invested by the Emigrants of this season, cannot fail to produce essential benefit.

Our information of the statistical changes rapidly taking place, and of the energy displayed by the inhabitants of the Province in profiting by her lakes & rivers, to improve their communications, enables us to appreciate the resources of the Colony; and we concur with your Excellency in believing that were they sufficiently known, the Parent State would be encouraged to regard this fertile country as an asylum for a large portion of her redundant population, which by an extensive system of emigration under proper management might be rendered the means of increasing her own commercial prosperity; of promoting the welfare of the Province; and ameliorating the condition of her laboring classes.

We shall receive with satisfaction the report of the Arbitrators appointed under the British act 3d Geo. 4th, to ascertain the proportion of duties which Upper Canada is entitled to claim; and shall not fail to give it our best consideration.

Upon the important subject of Education, we shall take an early occasion to deliberate; especially on the necessity of extending the Royal charter establishing an University; on the application of the proceeds of sales of School Lands for the support of superior District Schools; and on the revision of the system of Township Schools.

In pursuing these subject—in considering what course we can best suggest to ensure the immediate opening of the University of King's College, under any modification that may be judged necessary, and in proposing measures for the future government and appropriation of School Lands, we shall be accompanied by the grateful assurance that His Majesty will readily give effect to any system that can tend to facilitate the diffusion of Education among all classes, and add to the advantages which, under the blessing of Divine Providence, this Colony now enjoys.

JOHN B. ROBINSON, Speaker.

Legislative Council Chamber,
21st day of November, 1833.

REPLY.

Gentlemen:—I return you my thanks for this Address, and for your assurances that you will take into consideration the subjects to which I have directed your attention.

To His Excellency Sir John Colborne, Knight, Commander of the most honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General commanding His Majesty's forces therein, &c. &c. &c.

May it please your Excellency.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank your Excellency for the gracious Speech with which your Excellency was pleased to open the present session of the Legislature, and assure your Excellency that we have great pleasure in receiving your Excellency's congratulations on the favourable prospects of the several Districts, with whose interests we are particularly connected, and on the progressive advances which the Province is making in all that constitutes a flourishing community.

Although the recent Emigration has not proved as extensive as we were led to anticipate, from the number of settlers located last year, yet the country cannot but derive essential benefit from the property invested by Emigrants this season, which it is gratifying to learn from your Excellency far exceeds the capital transferred to the Province during any corresponding period.

The information we possess of the statistical changes rapidly taking place, and of the energy displayed by the inhabitants of several Districts in the improvement of their interior water communications, enables us to judge of the extensive resources of the Colony, and we concur with Your Excellency, that were they sufficiently known and appreciated, the Parent State would be encouraged to regard this fertile country as an asylum for a large portion of her present redundant population, and to adopt an extensive sytem of Emigration, which, with prudent regulations could not fail to ameliorate the condition of the laboring classes, promote the welfare of the Province, and increase her own commercial prosperity.

We will thankfully receive from your Excellency the Report of the Arbitrators appointed under the British Act of the 3d Geo. 4th, to ascertain the proportion of duties to which Upper Canada is entitled, and we regard as a certain and pleasing indication of the prosperity of the Colony, your Excellency's information, that a majority of the Arbitrators have determined that one-third of the revenue collected in L. Canada upon importations by sea, shall be paid to this Province for the four years from the 1st of July 1832.

We beg to assure your Excellency that when the accounts for the current year and the estimates shall be laid before us for examination, we shall not fail to bestow upon them our particular attention—and we will thankfully receive from your Excellency (in compliance with an Address of last Session) the detailed accounts of the Casual and Territorial Revenue, from the 1st January, 1831.

The important subject of public Education, which has in several Sessions occupied much of our attention, shall not fail to receive our early & most anxious consideration, particularly the means by which an improved system of Township School Education may be best promoted, and also the application of sales of School Lands to that object, as well as the endowment & support of free Grammar Schools in the several Districts. The requisite extension of the Royal Charter of King's College, shall, as heretofore, receive our most deliberate consideration, and we cannot but express the pleasure we derive from Your Excellency's assurance, that His Majesty will readily give effect to any measures proposed by the Legislature, regarding its future Government, & the appropriation of School Lands, to promote the purposes of the Institution.

ARCHD. McLEAN, Speaker.

Commons House of Assembly,
23rd November, 1833.

REPLY:

Gentlemen,—I thank you for this address, and for the assurance given by you that the subject to which I have directed your attention will receive your early and anxious consideration.

We regret to learn that our Friend Bishop M'Donell has lost £7,000 by the late disastrous fire at Kingston. It is consoling to his friends to learn that his Lordship has yet enough left to support him in his old age. He has landed property in Kingston for which he refused £10,000. He has a pension of £600 sterling per annum from His Majesty's Government. He has also in the shape of tithes an annuity of £800 from the people of Glengary, besides large grants of valuable lands which he received from time to time from our local Government, so that his Lordship is still comfortably provided for.—*York Correspondent.*

A case has recently been brought before our Magistrates, of rather a singular nature, and we believe, rather unprecedented in the history of our legal tribunals. The question involved in it is, "whether a father can engage that his minor daughter shall not contract marriage during her aprenticeship." Mr. Williams, late postmaster in this city, indentured about six months age, his daughter for two years and a half, to Miss Bourne, a milliner, & in consideration of being taught her business, engaged to board, lodge and clothe his daughter. By a clause in the indenture, however, the young daughter was not to contract marriage during her apprenticeship. Last week Miss Williams was married, and damages were demanded from her father, for this disobedience of the stipulations of the in-

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