

Journal of Titles of Bills passed during the 3rd Session, 18th Provincial Parliament, 3rd Victoria, 1839-40.

An Act to extend the time for completing the Erie and Ontario Rail-road.
An Act to extend the limits of Port Darlington Harbour.
An Act to regulate the inspection of Fish, and to prevent non-residents in this Province from fishing with the waters of the Great Lakes.
An Act to appoint the time for holding the Court of General Quarter Sessions of the Peace for Home District, and to repeal the law now in force for that purpose.
An Act to alter certain Townships to the County of Huron.
An Act for the better regulation of the Office of Reporter to the Court Queen's Bench, in this Province.
An Act for further regulating the manner of granting Licenses to Inn keepers, and to the keepers of Ale and Beer Houses within this Province.
An Act to extend the time for completing the expenditure upon the Post-road between Cornwall and L'Orignal.
An Act to authorise the Receiver General to dispose of the Provincial Stock in the Bank of Upper Canada.
An Act for stopping up parts of Streets in the City of Toronto, in the West-ern District, and for other purposes therein mentioned.
An Act to make good certain monies advanced in compliance with the Address of the Legislature of this Province, during the last Session of the Legislature, for the disbursement of certain Expenses thereof.
And the following Bill, together with an Address, was in compliance with the provisions of the said Order of the House of Assembly, presented by Mr. S. J. Smith, to His Majesty the Governor of St. John, in order that it might be laid before both Houses of the Imperial Legislature:
An Act to provide for the sale of the Clergy Reserves, and for the distribution of the Proceeds thereof.
An Act to repeal an Act passed in the forty-fourth year of the reign of His late Majesty King George the Third, entitled "An Act for the exemplary punishment of all persons who shall seduce, or attempt to seduce, or aid or assist, or attempt to aid or assist, any Soldier to desert His Majesty's service, or who shall harbour, conceal, receive or assist any Deserter from such service," and to make farther provision for the punishment of such offenders.
An Act for dividing the Township of Hallowell in the District of Prince Edward.
An Act to divide the limits of the Town of London in the District of London, and to establish a Board of Police therein.
An Act to enable Her Majesty to remunerate the services of Sir Allan Napier MacNab, Knight, Speaker of the Common Council of the said City of London.
An Act to authorise the levying an additional tax on the inhabitants of the Midland District, for the payment of the debts of the District, and for other purposes therein mentioned.
An Act to alter and amend the Act passed during the third session of the present Parliament, entitled, "An Act to authorise the establishment of Boards of Authority to consider the limits of the Towns in the several Districts of this Province."
An Act authorising the payment of pensions to militia-men, and widows of deceased militia-men, under certain restrictions, and for other purposes therein mentioned.
An Act to incorporate certain persons, under the name and style of the President, Directors and Company, of the British Hair-bowls.
An Act to compel certain persons not assented to, to perform statute labour.
An Act to remunerate John Kidd, for certain services.
An Act to alter and amend an Act passed in the forty-fifth year of the reign of His late Majesty King George the Third, entitled, "An Act to regulate the picking, curing and inspection, of Beef and Pork."
An Act to increase the capital stock of the Portage Harbor Canal Company, and to extend the period for completing the said Harbour.
An Act to authorise Her Majesty to take possession of lands, for the erection of a Prison in the City of Kingston, under certain restrictions.
An Act granting a further sum of three hundred and fifty-nine pounds for completing the Bridge over the River Thames, at Chatham, in the County of Kent.
An Act to prevent the introduction of spirituous liquors into the common goals of this Province.
An Act to provide for the management of the estate of William Handley, Esquire.
An Act to confirm and regulate certain sales of land for taxes, in the District of Ottawa.
An Act granting to Her Majesty a certain sum of money, to defray the expenses of the Civil Government, for the year one thousand eight hundred and forty.
An Act to regulate the Weight of Salt.
An Act to revise and make perpetual all the Statutes relating to the Duty on licenses to Auctioneers, and on goods, wares, and merchandise sold by Auction.
An Act to authorise the Receiver-General of this Province to borrow a certain sum of money, for the purchase, for the purposes therein mentioned.
An Act to extend the provisions of an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, in relation to the Duties on remembrance the Honourable John Henry Dunn, for services rendered to this Province."
An Act to repeal, alter and amend, the laws now in force for the regulation of the several Freighted Roads within this Province.
An Act to amend and make permanent an Act passed in the fifth year of His late Majesty's reign, entitled, "An Act to prevent the sale of spirituous liquors to Indians."
An Act to authorize certain duties to be imposed and collected on Wooded Skills within this Province, and for other purposes therein mentioned.
An Act to amend the temporary occupation, by the proposed University at Kingston, of the General Hospital at Kingston, upon certain terms therein mentioned.
An Act for the relief of Allan McDonnell, Esquire, the Sheriff of the Midland District.
An Act to provide for the relief of William Kingmill, and William Chisham, Esquires.
An Act to authorise the appointment of Commissioners to regulate the practice of the Court of Chancery.
An Act to authorise the raising of a sum of money in the District of Niagara, for the purpose of relieving the said District from debt.
An Act to afford assistance to the House of Industry, in the City of Toronto.
An Act granting a sum of money for the support of the Poor in the City of Toronto, and for the support of the poor in the County of York, over and above the sum of ten thousand eight hundred and forty.
An Act to remunerate the Writ, for his long and faithful services, by granting a Pension to him and his age, and the need of assistance of them, during their natural lives.
An Act to provide for the support and maintenance of the Penitentiary Prisoners.
An Act to continue, and make perpetual

An Act of the reign of His late Majesty King George the Third, entitled "An Act to alter the laws now in force for granting Licenses to Inn-keepers, and to give them Justice in their own Courts," passed in the Quarter Sessions as before, for the respective Districts, authority to regulate its duties hereafter to be paid on such Licenses; and for other purposes therein mentioned."

An Act to alter and amend an Act passed in the thirty-second year of the reign of His late Majesty King George the Third, entitled, "An Act to establish the Winchester Dispensary, and to continue the same;" and An Act to continue an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, "An Act to alter and amend an Act passed in the first year of His Majesty's said reign, entitled, "An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto." And also an Act passed in the fourth of a Mill dam across the River Thames.

An Act to continue and make perpetual an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to amend an Act passed in the second year of His Majesty's said reign, in respect to imprisonment for debt."

An Act granting a Pension to Joseph Ramell, who lost his arm in the service of Her Majesty.

An Act to make perpetual certain parts of an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to prevent the unnecessary multiplication of law suits, and increase of costs, in actions on Notes, Bonds, Bills or other Negotiable Instruments; and for other purposes therein mentioned."

An Act granting a Pension to the Widow and Children of the late William Kelly, who was killed in the service of Her Majesty.

An Act granting a sum of money to Samuel B. Smith, to make good a deficiency in his salary, as one of the Junior Clerks in the office of the Secretary of State, of our Lord one thousand eight hundred and thirty-nine.

An Act to make perpetual an Act passed in the sixth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to repeal and amend certain parts of an Act passed in the thirty-third year of the reign of King George the Third, entitled, "An Act to amend an Act for regulating the manner of licensing Taverns, and for punishing persons selling Spirituous Liquors without license, and also for regulating the duty to be levied upon Licenses to Shopkeepers."

An Act to regulate the time for making returns and payments by Collectors, and other persons receiving the public revenues of this Province, and for other purposes therein mentioned."

An Act to make permanent an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to amend and continue the Act granting Military Pensions."

An Act to amend the time for re-paying the loan to the Oakville Harbour.

An Act for the relief of Philip De Grassi.

An Act to revive, continue, and make perpetual, certain Acts passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to continue and amend the law for attaching the property of absconding Debtors, and for other purposes therein mentioned."

An Act to extend and amend the Statute in relation to the District of Victoria are authorized to levy an additional rate in the said District, by an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, "An Act to authorize the erection of the county of Hastings into a separate District."

An Act to continue an Act passed in the sixth year of His late Majesty's reign, entitled, "An Act to amend and amend certain Acts of this Province, in relation to the Gold and Silver Coins made current by law, and to make further provision respecting the rates at which certain Gold and Silver Coins shall pass current in this Province."

An Act to authorise the Court of Queen's Bench to admit John Ford Maddock, to practice as an Attorney to that Court.

An Act to establish and provide for the maintenance of the style of the University at Kingston.

An Act to provide for the continuation of suits and process, in cases of formation of new Districts.

An Act to prevent the circulation of Printed Privilege Notes, under the value of five shillings.

An Act to incorporate certain persons, under the title of the York Bridge Company.

An Act to ratify and confirm the sale in the first year of Her Majesty's reign, entitled, "An Act to protect the inhabitants of this Province against lawless aggressions from the Subjects of foreign countries at peace with Her Majesty."

The following Bills were reserved by His Excellency the Governor General for the consideration of Her Majesty's pleasure thereon:

An Act to naturalize Elijah Nellis.

An Act to enable her Majesty to make a grant of land to James Fitzgibbon, Esq.

An Act to limit and settle the rights of claimants of all just claims arising from the late Rebellion and Invasions of this Province.

An Act for altering and amending the Charter of the President, Directors and Company of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the Company.

An Act to increase the number of shares to be held therein.

An Act for the relief of John Stuart.

An Act for the altering and amending the Charter of the President, Directors and Company of the Bank of Upper Canada, and for increasing the number of shares to be held in the Capital Stock of the said Company.

An Act to make provision for the management of the temporalities of the United Church of England and Ireland, in this Province, and for other purposes therein mentioned.

An Act to impose duties on certain articles imported into the Province from the United States of America.

An Act to incorporate the Farmers' Joint Stock Banking Company, under the style and title of the President, Directors and Company of the said Company.

An Act to continue an Act passed in the seventh year of His late Majesty's reign, entitled, "An Act granting a salary to the Clerk of the Crown in Chancery, and for other purposes therein mentioned."

An Act to make provision to indemnify persons for losses occasioned by the acts of insurrectionists, between the fourth day of December in the year of our Lord one thousand eight hundred and thirty-eight, and the first day of January one thousand eight hundred and forty.

An Act to amend an Act passed in the ninth year of the reign of King George the Fourth, Chapter two, entitled, "An Act for the relief of the religious societies, therein mentioned."

An Act to incorporate sundry persons, under the style and title of the President, Directors, and Company, of the Permanent stands protracted to Monday the 16th day of March next.

[illegible]

KINGSTON, TUESDAY, FEBRUARY 18, 1840.

The American mail last night brought us the New York *Courier & Enquirer* of Thursday morning, but the LIVERPOOL had not arrived then.—By the packet ship Philadelphia, from London, we have two days later news,—London, Dec'r. 27,—but nothing of the slightest interest.

The Governor General arrived here about a quarter before 11 o'clock last night, having left Toronto at seven, A. M. making about 13 miles per hour, stoppages included, and the roads bare in many places. At Belleville he stopped an hour. His Excellency staid here only long enough to change horses, and then flew off for Montreal. The Macadamised road is bare of snow, and as the sleigh dashed over it last night, streams of fire were left in its wake.

By an *Official Gazette* extra of last Friday, we have received the following notice of the expected changes at Toronto:—

Government Office, 12th Feb., 1840.

HIS EXCELLENCY THE GOVERNOR GENERAL has been pleased to make the following appointments, until Her Majesty's pleasure thereon shall be known:—

CHRISTOPHER A. HAGERMAN, Esquire, to be Judge
in the Court of Queen's Bench.
Honourable WILLIAM H. DRAPER, to be Attorney
General; and
ROBERT BALDWIN, Esquire, to be Solicitor General.

The Governor General's speech on closing the session of the Legislature is given in our columns to-day. It merely reviews the business of the

session, and expresses his Excellency's satisfaction with their proceedings. In truth, he could not help being satisfied, for the Houses have done his bidding on most questions with obsequious servility.

ity; and when he praises their measures, he in effect praises his own, for they were passed nearly as he proposed them. The real merits of the case lie in this—that the measures of the session are

not so bad as they would have been but for His Excellency's presence. That has restrained the Tories from adopting several measures to which they were naturally inclined, and which they

they were naturally inclined, and which they intended to adopt, and has also led them to take several steps towards a better policy than they formerly pursued. Of the former class is the stip-

pression of all measures for restricting the franchise by new oaths at elections; and of the latter class is the passage of the Clergy Reserve Bill through the Council; for that Bill, with all its

Yet, though the Governor has, perhaps, made as much of the materials with which he chose to

work as could have been expected, it must not be disguised that he might have produced a far better result had he called around him better materials. The influence of his personal character and prin-

ciples has barely held in check a strong Tory opposition, both legislative and executive; whereas he might and ought to have been sustained by executive officers and a legislature of principle.

like his own. The difference between acting with and acting against a majority, is as great as sailing against or with the stream. Had the Govern-

his favour, he might have looked with much greater satisfaction on the events of the session for though his measures have passed, they will b

he has left in power, and thus a great part of the effect which he anticipates will be neutralized.—It looks like extreme simplicity to expect the fu-

effect of his measures while the men who are to execute them can hardly be restrained from insulting him to his face. He has left his opponents in power throughout the province. With one

exception, he has not exercised his executive powers to produce any change in favour of liberal principles. He found the whole power of the government in the hands of the Tories, and he left it so. Whatever may have been his reason for

this, it has a depressing effect on his friends, and proportionably exalts his enemies. If his policy be, as it probably is, to defer any executive change until the union takes place, he will find the difficulty of acting with men who detest him, a

No sooner will his back be turned, than the official compact will toss their heads on high, display their colours to the breeze, career round the border-lands of selfish aggrandizement at

public expense, and while they pocket their gain snap their fingers at every man and measure the finish by leaving them in power. It is not that that the Tory dragon is to be slain, or even chain-

ment to a future day, the people are impatient, suspense, and still more impatient of being victimized at Tory will and pleasure. The recent refuse grants of public money show that the govern-

are determined to bleed the body politic until death or life trembled in the balance. These executioners should have been banished to Siberia.

Let no man then suppose that because the Governor expresses his satisfaction with the measure

of the session, therefore they are all the count desired, and would have obtained if his Excellency had given his principles fair play, for they far from it. He has prevented some evil that would otherwise have happened, but he has not done

the good that the country expected at his hand. It is necessary to speak plainly on this subject for the people have been so long cajoled and sulked with pretended remedies for the country

numerous diseases, that their rulers should know they expect something more than mere words. It was a very partial performance of liberal promises. There was a fair opportunity of doing great good and pacifying the people's complaints; but it

been thrown away. "There is a tide in the aff

PUBLIC RECORD OFFICE.
C ARCHIVES, OTTAWA.

6	7	8	
---	---	---	--

"men" &c. We fear that tide has not been taken at the flood" in this instance, and whether the error can be redeemed or not is very questionable. The Government has not done so very quickly as it might have done, and it is not clear how much good. With this "fair praise" on the whole, let us examine its measures more in detail.

The first measure is the *Union of the Provinces*. The Government intend to render Lower Canada British, and to remove the various peculiarities of the provinces. The latter it will probably effect; but the former requires other measures as much or more than the union. It is not in the nature of the people to change their manners, character and habits. It is as impossible to make men British by legislation, as it is to make the physicians, lawyers, or divines by Act of Parliament. The Government must improve the characteristics by statute, as it is to improve the intellectual properties in the same way. We do not see how the Government can improve the people as well talk of legislating stones into cement, or the moon into a man, as to talk of making the people British by legislation.

If legislation could have done it, the Government would have become British many years ago; because for many, many years, the government could legislate as they pleased for Lower Canada. With respect to the Province of Quebec, we know that Papeau was ever known? the government could have legislated as they pleased within the last twenty thirty years. Why then did not its legislation do it? The Act of Union is now put forth to delude the people, and to make them believe that British legislation, but that did not possess the magic power which is now ascribed to it, for no change was

produced in the manners of the people under it was looked to instead of the Executive. The Legislature was the latter that must originate and mature the desired change. The Canadians are blinded because they did not amalgamate with the British, not that they were not anxious to amalgamate? They were shut up in a prison by themselves, and had no British to amalgamate with. Until of late years the great body of the Canadians through the country were seldom save a British subject, and the small number of British seldom had an opportunity of being favourably impressed with the British character, so as to make it an object of imitation. The whole country was composed of the same habits, with at best an interesting contrast of colour. The British man acted on his neighbour, and they mutually strengthened and perpetuated all their distinctive peculiarities. They were an immense majority, and it need not have been expected that they would be so easily won to the side of the British by the ruling power. To make Lower Canada British it must be filled with a British population—not to displace or rob the Canadians either of lands or franchises, for there is a world of territory yet to be explored, and the small number of British to be mixed among them, spread them abroad throughout the whole country, and bring the British character to act on the Canadian in all his social and political life, not thus his distinctive habits may be so easily swept away. The British must be energetic, and intelligent race, and the Jesuiticalness of the coming age may take his place and add pressure on the British mould into which he is cast. The Canadians must be placed in a position to be able to resist the influence of the British, and will avail but little to make them a minority in the Legislature. Let this be done, and let us and all liberal government care for their instruction and general improvement, and then the union of the two peoples will be a union of two peoples, and not only an empty name. The attainment of it can depend more upon the Executive than upon the Legislature. It is not strict truth to say—"What ever is best-administered is best," but it is so in the present case. The Executive is the one that depends greatly on the administration of its com-

The next measure is the *Bill for the apportion of the Clergy Reserves*. On this we have already said a great deal, and I have no doubt that you will all be of the opinion we adhere to, a twelfthman the Governor says—"I rely on your efforts proving successful." Their *deliberate and recorded judgment* may pass for what it is worth, and that is a little. It is not to be had except in itself—there is no mercy allowed when mixed with the judgment of wiser men. The people of the province have considered their judgment on this matter for many years, and would have said so again if they had not allowed the opportunity. They are now to have been proved by no judgment was set up in opposition to theirs: They will speak on this question again. We may add that there is no notion of having the proceeds of the Reserves for improving public funds, or for the relief of the poor; all that is mere moonshine. The fund is to be divided between £3 and £4000 a year, and the claims are above £1100. Those who expect an surplus may get and dig for gold; they will find it as soon as the others.

The next subject, which has not been a matter of the season, is the *relief of the Finances*. This question has been laid over until the time enables us to increase our revenue by contributions from the Colonies, and to turn the eastward. The report of the Committee on Finance, which we published a fortnight since, presents our affairs as bright much less desperate than they had been generally considered, but no ray of light is assumed to be thrown by the report of the Inspector General gave a deficiency of present of £90,000; but the report of the Committee gave a surplus of £30,000. The former was founded on facts; the latter on fancy. For the Committee assumed that the Colonies would contribute by some reductions in expenses; by assuring an increase for the coming year in several terms of income; but chiefly by the sale of £250,000 of Bank Stock, and funding £700,000 of the Public Debt. The Committee assumed that the Colonies would contribute in their own estimate, or why did they propose to fund £700,000 of debt, when £400,000 would have been sufficient, thus increasing the debt and

that was necessary by £300,000. It was then that the Government had to ask the Bank of England to advance £700,000. But the Bank, when they did that, they proposed to sell the Bank Stock, which would not be needed, and paid good interest! The fact is, the Committee knew that their course was visionary—knew that there was not the prospect of funding the £700,000, especially with the £1,111,241; and therefore they would sell the Bank Stock when was in their power, and as to the surplus it was another bag of moonshine, because it depended on a contingency (the sale of the debentures). The Committee thought that the surplus would be realized. To talk about a surplus under such circumstances is like talking about a railway to the moon—a symptom of lunacy. A surplus arising from real income is real property; but a surplus arising from a sale of property is not real property, and would be only so much additional debt and embarrassment, were it to be had, and therefore is no surplus at all. In every point of view then, the Committee's statements on this head are deceptive; and the observations of the Committee of the year 1870, say the least, extremely doubtful. Instead of rigidly confining themselves to the actual income of the province, they have gone astray after a speculation of borrowing more money, and, in consequence, thus, have introduced a doubtful view on our financial condition. To raise a surplus from borrowed money, would be only to plunge the State into a Serboian bog" in which the present Government is already snarled and nearly lost. The Government have since then, by the way, been doing so extremely well satisfied, being truly deceived, placing the finances in a sound condition, and would have reduced the expenses of the province as the surest way of equalizing income. The present Government have been doing this, and have not increased the expenses without an adequate cause. Let any man look at the income of the province, and see that they are not levying charges, and say if they are not greatly increasing the income of the province, and what the condition of the province will be under the Administration of Justice and support of the Receiver General's salary, Inspector General's do, Vice Cancellor's do, and so on.

Adjutant General of Militia and Adjutant
Clerk of the Crown in Chancery,
Contingent expenses of the Legislature,
Officers of the Legislature,

[illegible]