

COLONIAL.

LOWER CANADA.

PROVINCIAL PARLIAMENT.

QUEBEC, Tuesday 7th Jan. 1884.

This day at two o'clock, His Excellency Lieutenant General Lord Aylmer, Governor in Chief, went in state to the Legislative Council Chamber, and being seated on the Throne, the House of Assembly was summoned to attend and having come up, His Excellency opened the Session of the Legislature with the following speech:

"Gentlemen of the Legislative Council,

"Gentlemen of the House of Assembly,

"The utmost diligence will be required during the Session which is about to commence in disposing of the business which remained unfinished at the close of the last Session, and of other matters of local and general interest which may be expected to claim your attention. A considerable portion of the Session moreover will probably be occupied in the consideration of the communications on highly important subjects, which it will be my duty to make to you, in pursuance of the instructions I have received from His Majesty's Government.

"At the commencement of the last Session I informed you that the period having arrived for effecting a new adjustment of the proportion of certain duties levied in this Province to be paid to Upper Canada under the provisions of the Act 3d of George 4th, cap. 19, the arbitrators who had been appointed on the part of Lower and Upper Canada respectively, had entered largely into the consideration of that subject, but that having separated without having come to any decision, and having moreover differed in regard to the appointment conjointly of a third Arbitrator, it became necessary according to the provisions of the same Act (section seventeen) to refer the matter to His Majesty's Government for the purpose of obtaining the appointment of a third Arbitrator under the Royal Sign Manual.

"I have now further to inform you that a third Arbitrator having been appointed accordingly, the three Arbitrators proceeded to the consideration of the important subject confided to their management; when after much discussion, in the course of which the Arbitrator of Lower Canada displayed the same ability and zeal for the interests of the Province as upon the occasion of the previous discussion with the Arbitrator of Upper Canada, the majority of the Arbitrators have assigned the proportion of one third of the duties to the Upper Province. It is to be regretted that the result of this decision will have the effect of materially diminishing the revenues of Lower Canada.

"Copies of the correspondence which took place between the Arbitrators, upon the occasion of their last meeting will be laid before you at an early period of the Session.

"The last Session having terminated without the completion of an Act for the more effectually providing for the establishment of a Quarantine Station, and other matters connected with the preservation of the Public Health, it was deemed advisable to revert to the Quarantine Act passed in the year 1795, and in order to give effect to the provisions of that Act, certain measures were adopted by the Executive Government, the details of which will be communicated to you by message in the course of the Session.

"In like manner will be brought under your notice, at an early period, the information which has been received by the Executive Government regarding the distress stated to prevail in certain parts of the Province, arising from the partial failure of the late harvest.

"Amongst the Acts which are about to expire, I think it necessary to draw your particular attention to the following:

"First, the Act 10 and 11 Geo. IV. cap. 3, entitled, 'An Act to provide for the defence of the Province and to regulate the Militia thereof,' continued by 2 Will. IV. cap. 55. Should it be judged expedient further to continue that Act, I would recommend to you to consider the expediency of embodying in it the provisions of the Act 2 Will. IV. cap. 42, entitled, 'An Act to authorize the appointment of Courts of Enquiry, for investigating the qualifications of Militia Officers in certain cases,' which Act is also about to expire.

"The second of these Acts to which I am desirous of drawing your attention, is the Act of the 2nd Will. IV. cap. 26, amended by the 3rd Will. IV. cap. 4, entitled, 'An Act to repeal certain Acts therein mentioned, and for the further encouragement of Elementary Schools throughout the Province.'

"The desire to afford to all classes of the community means of acquiring the benefit of education is so generally felt throughout the Province, as to make it necessary for me to say no more at present on that interesting and important subject, than merely to recommend to you to take into consideration the expediency of further continuing the Act in question, with such alterations and modifications as the experience derived from the operation of it hitherto may suggest.

"Gentlemen of the House of Assembly,

"The failure of the Supply Bill for the service of the Financial Year, which terminated in the month of October last, has been necessarily productive of very serious inconvenience in carrying on the public service, and although that inconvenience has been mitigated by the application of certain funds at the disposal of the Crown, to the payment in part of the Salaries of Public Officers, and in providing for such other branches of the public service as appeared to be most inconvenienced by any delay of payment, the balance remaining unprovided for upon the Estimate of that year, is still so considerable as to render necessary an appeal to your liberality, for making good the amount of the deficit.

"It will be my duty to make a special communication to you in relation to this important subject as soon as the customary forms of Parliament will permit; and in the mean while I think it necessary to apprise you that my instructions require of me to report to the Secretary of State, without delay the result, whatever it may be, of such communication, in order to enable His Majesty's Government to decide upon the course which it may be necessary to adopt in regard to the Financial difficulties of the Province. An estimation of the expenses of the Civil Government for the current year is in preparation, and will be submitted to you at an early period of the Session.

"Gentlemen of the Legislative Council, and

"Gentlemen of the Assembly,

"The people of the Province are anxiously looking to this, which will probably be the last Session of the present Parliament, for the accomplishment of various measures calculated to promote their general welfare. I entertain a confident hope, that their just expectations will not be disappointed, and that the Legislature, by directing its undivided attention to objects of real utility, will prepare the way to the attainment of that exalted state of prosperity which this country appears to have been destined by providence to enjoy."

OUTLINE OF THE DEBATES.

HOUSE OF ASSEMBLY.

Tuesday, 7th January.

Mr. Bourdages: Before proceeding to business, we must ascertain whether we have rights, privileges, and an existence. After a violation of our privileges, our monies have since been at the mercy of the Executive, which has dared arbitrarily to put its hands into our chest, and although the whole has not been taken out, that is no justification. There is no safety for the House in any further intercourse with the Executive; and the question which he was about to put was, whether there should or should not be a Session. He thought there ought not to be a Session, if the House wished to preserve its privileges. He would then propose for the moment, that the House go into Committee on the state of the Province to-morrow, when some measures would be taken to enforce the respect of the privileges of the House, and a redress of grievances. All applications had become tiresome and had made us more disrespected, and remained unanswered, and were useless. In fine, the Executive, in refusing documents last Session, had shown itself the determined enemy of the House.

Mr. Vanfelson thought the motion ought to be taken up immediately; that every body was prepared. The question had been agitated in the newspapers for months, and members were prepared. That he was prepared himself, and was ready to decide after hearing the debate; though he was disposed to oppose the motion. He would only remark on the speech from the throne, that a part of it was more suited to soldiers than to a legislative body; that it was taking us for children, to threaten us with reference to England, if no Civil List was given according to the taste of the Executive. As to the motion, the sooner it was decided the better.

Mr. Stuart did not wish to speak to the merits of the motion, nor to the defence of the Executive. The motion was without use; and as representing a portion of the people, he opposed it as a duty. The question could not be discussed, until after the address in answer to the speech.

Mr. Bourdages said he wished to proceed with reflection and time, so that we could not be accused of precipitation. The question important and dangerous, required this. That the question was one of privileges, and that in defending them, we were protecting the rights of our constituents.

Mr. Gagy had often seen precipitation in this House but never more serious precipitation. He would vote against the motion, as avoiding the greatest evil—the loss of privilege or the loss of a session. The gentlemen opposite had all the advantages of preparation, while they had none of them. Moderation was what he recommended, and obstinacy and firmness were different things; the former might bring on dangerous collisions with the mother country. He would follow the welfare of the country to the grave, but he would not draw her to the grave. Our privileges were in this instance opposed to the general good, and his rule was to sacrifice the greater evil to the lesser. The adoption of the resolution would be an excellent manner of throwing the whole of our monies which we complain are taken unlawfully into the hands of the Executive and inviting it to dispose of them as it wished.

Mr. Neilson at first thought that the question was one of privilege, and had precedence of all others; but finding it not so, he would move the introduction of a bill on Education, which it was his intention to have done, as usual. The bill was the one returned amended from the Council, too late to be adopted by the house. The motion on the state of the Province might be discussed at any time hereafter. What information had we, in truth, on the state of the Province; what documents; what Committee of inquiry?—Nothing. Is it not necessary to have some certain information before going into a question of this kind? If the monies have been illegally expended, there are laws to have recourse to. Would it not be more becoming to enquire, than to cry out and condemn before enquiry: to say aloud, "let us go away, our monies are all dissipated; let us go away." If the laws are violated, can nothing be done; can we have no redress?—All the allegations in support of this motion are mere conjectures; to act, we must have proofs, and not on-dits. The hon. member for the Upper Town had said what was true, that his motion was putting an end to the Session. He declared, that as long as he had a seat in the House, he would oppose (though he would like better to be at his own home) every measure fatal to the welfare of the country; and he persisted in saying, that the motion if adopted, would bring upon the Province the most disastrous consequences, and such as would be difficult to escape from. Seconded by Mr. Quesnel, he moved for leave to introduce a Bill on Education, in amendment of Mr. Bourdages' motion.

Mr. Vanfelson wished to ask the hon. mover what was the object he had in view by going into a Committee?

Mr. Bourdages said he intended to consider of the grievances of the country. That he would produce abundant documents; the desire every day manifested of becoming masters of us, of fastening chains on us. He might perhaps consent to a Session, but the reasons must be cogent, for the evils complained of were very serious. Is there any likelihood that our grievances will be redressed. To petition again when our applications were received as had been? would our prayers be better heard than before? The motion in amendment destroyed the original motion.

Mr. Quesnel thought it pleasant to sojourn with his family than to sit here. But could there be a question of cowardly deserting our rights—what good would come from the declaration that we shall do nothing, and shall have no session? If our privileges are attacked let us stay in the field to defend them with energy. The result of the motion involved great interests, and it may hereafter be necessary to make inquiries into grievances. The Governor had promised us many important despatches, perhaps themselves redressing our grievances, and common prudence required the postponement of the question. The maxims to be followed by the house, were neither to desert our posts, nor to act in haste.

Mr. Lafontaine thought the amendment went totally to annul the original motion which related to a question of great importance, viz: the breach of our privileges by the Councils, the Governor, and home government; privileges which were sacred. As to the report on the privileges in question, the Government had manifestly violated our rights in the enquiry on the Montreal election, and it was only the fear of seeing a return of the cholera that prevented us from enforcing the resolutions of the Committee. It is clear that nothing good can be effected by our intercourse with the Governor. The past is proof of it. Has not the house been treated as factious and revolutionary? Has it not been accused of wishing to establish a French republic? If it can be shown

that the Governor and the Council will furnish the necessary documents, and come back from their errors, then I will consent to a Session. But if no good can result, what is the use of staying here?—let us go back to our constituents to be judged by them. What would prevent the Executive, if we pass unheeded the present violation with hold the writ for one member, from withholding that of eight to ten counties, and thus getting the most disastrous measures adopted. This at least is possible, tho' I do not suspect the Executive.

Mr. Vanfelson; the merits of the question having been entered upon, he would say that we had a right to exercise our privileges with wisdom only, and it became necessary to look to the result, and not arrest the progress of the country, and sink it deeper, for a simple question of privilege. In suspending, last year, the exercise of the privileges for fear of cholera, we had adopted the least of the evils. Is the evil now not a sufficient one to suspend it still further. Is there not the Montreal affair of the 21st May which the whole country is looking forward, to be settled, waiting with anxiety for this event. The public wishes to know whether future elections are to be prosecuted at the point of bayonets, or the elective franchise respected. He did not address himself to the passions, but to the good sense of the house, which was bound to respect the wishes of its constituents. The Education bill too expires on the 1st May, and its advantages, so much felt for a few years past will be lost. Are these considerations less urgent than the fear of cholera. And again distress is general in the country, parishes and relief must be given. Last year, people died of cholera; but they can die of famine as well. It may be fortunate if the district of Montreal is exempt from this last evil; but they are not the less left in that of Quebec. Will it be pleasant to learn that our constituents have died of hunger, when we were discussing and chicaning a question of privilege. These, no doubt, are important considerations. Other, secondary ones may be mentioned. We have no civil list, and tho' a part of the monies have been paid, much remains to be paid, and is in the coffers. It is not the cause of the public officers that I plead, but those to whom they owe. A decision of this question must be had, allowing us, of course, means of protesting, if thought necessary. The election law also expires, and what will prevent corruption from mastering the elections. Twenty more laws expire, and among them the Lumber Bill, on the strength of the renewal of which advances have been made, and may be lost. These are important considerations. Last year we also sent home addresses, and answers may be ready to be communicated to us. Are we to wait till next year in ignorance of what ground we are treading upon?

Mr. Bourdages: What are we to pass a civil list to protect dealers in timber, tailors, and bakers. Distress is spoken of; but where is the money. Our sacrifice of time would be a pure loss, and who has assured us that the council will pass our money bills.

Mr. Neilson—Those who vote for the amendment, vote for a Session; those for the original motion, against a Session. To declare that we want no Session, is to put ourselves in collision with the colonial administration, and the Home Government; and what is there so urgent for such a step? There are rights which belong to an English subject, that no power, nothing can invade. We are in a country where liberty is flourishing, and where I hope to see it long flourish. But an unnecessary obstinacy may place us in a dangerous position, from which we can get out only with difficulty. In answer to Mr. Lafontaine, I must say, that it is not a reason to go away, because we can do nothing good; it is best to remain at our posts. It is not in running away, that we shall secure the public treasury; on the contrary, it will be doing a good turn to those who profit by abuses, to whom the separation of the Parliament is a day of festivities.

Mr. Kimber—The defence of our privileges does not necessarily imply an enforcing of them, by breaking up the Session; and to sit, is not to give them up. In attending to the necessary business of the country, we may get redress of any breach of them, by application to the Ministers.

Mr. Gagy—The original motion, in implying that there will be no Session, is unpatriotic. The amendment binds us to nothing, and when we have the necessary information, we may decide what we please. Our object ought to be, the public good; and it is not by irritating our enemies that that will be obtained. What proofs have we that even the Governor is not about to apologize, or satisfy us on the subject of this breach of privilege? When we punish, we ought to be sure that it is not ourselves, but our own constituents.

Mr. Stewart was satisfied that the original motion went to decide that there would be no Session. In that sense, it ought not to be concurred in instantly. I know nothing of the despatches mentioned in the Speech; but they may contain something. Power and force to be worth any thing, must be governed by reason and sense; and we must discard all these sounding words of slave, tyranny, &c., which are excellent to fill up a sentence, but have nothing to do with reason; and if personal interests were at stake, I might be disposed to get into a passion, and yet it would be but senseless. It is reflection that we want, and are these seen in the course proposed by the hon. mover?

Mr. Duval. Whether we consider the motion as a sign of war, or as an effort in defence of our privileges, it is equally dangerous. The amendment thus without its inconvenience. Are we to stop all our proceedings upon this single motion without inquiry. Whatever the mover may say, he appears to me to be disposed for war, and in truth he is a warlike character. Shall we be without a law for education; the people are moral and loyal, but ignorant. And if we leave our post, shall we not be unfaithful to our constituents. Would it not be better to laugh in the face of those who talk of a French republic, than to run away from them? And shall we run when liberty is assailed, or is it not a reason to stand the firmer. What could be thought of a soldier, who at the beginning of the action, taking his bat, would say, "this is warm work; farewell." Our monies are seized upon; is not England security for them?

The question being called for, the house divided:

For the amendment	36
Against it	17
Majority	19

FROM THE MONTREAL GAZETTE.

Our readers will be enabled by this day's *Courant*, to peruse the proceedings of the first day's session of our Legislature. Of the Governor's Speech little need be said, for it contains little matter; it appears intended as the preface to a volume of despatches now prepared for publication, and under this view of the matter, we will reserve our remarks till the work appears.

Mr. Bourdages' attempt to deprive his country of the benefits of a session of its Legislature, is one of the most mad acts of that mad legislator. Because the Executive may have unconstitutionally seized upon the public monies, Mr. Bourdages would have the guardians of the public purse run away from their post, and abandon it to those who are suspected of putting unlawful hands on it. What would Mr. Bourdages say to his steward, if he sent him to enquire after the safety of certain funds, and found him to return and say, "I found part of the money illegally taken from you, and therefore I ran away and abandoned the remainder, as well as all that may hereafter get into their hands." Doubtless the venerable Doyen would say to this 'unjust steward'; "why did you do so?" and if the reply was, "because the thieves scolded one of your labourers, and prevented me from hiring another," we venture to say that Mr. B. would fly into a paroxysm of anger, as bold and as sublime as any similar burst he ever exhibited on the floor of the Bishop's Palace. Yet such conduct is a parallel to his present Parliamentary vagaries; and such will it be considered by "dealers in timber, tailors and bakers," of which he speaks so contemptuously.

This first debate shews a very great want of order. Mr. Bourdages is represented as speaking four times during the discussion; Mr. Vanfelson thrice, Mr. Neilson twice, Mr. Stewart twice, and Mr. Gagy twice; if the proceedings be correctly reported, Mr. Speaker Papineau has thus permitted, the rules of the House to be violated seven times in one debate, for by these rules no member (the mover of the question excepted) has a right to speak twice on the same question, when the House is not in committee.

The electors of the East Ward of Montreal, will look with some surprise on the vote of their representatives as recorded.

Much anxiety will prevail both in and out of the Legislature, respecting the expected communications from the Imperial Government. It is probable that they will be forwarded to the House with little delay. That they will be satisfactory to the House of Assembly is to be doubted, if we may judge from the tone of the Colonial Secretary towards the sister provinces on this Continent. A short time, however, will bring the matters forward in a substantial form, and leave them open to investigation.

The UPPER CANADIAN Parliament have again resumed their sittings, after having adjourned from day to day for nearly ten days for want of a quorum.

Mr. Perry made a motion for an address to His Excellency to dissolve the House, which, after a long debate of four or five hours, was negatived by a majority of 24 to 14.

Mr. Ketchum's motions, for expunging all the proceedings relative to Mr. MacKenzie from the Journal of the House, was negatived by a majority of 22 to 16.

Friday 10th January, (Third Sitting.)

GOOD CORRESPONDENCE WITH THE COUNCIL.

Mr. Neilson moved the usual Committee of the House to keep up a good correspondence with the Legislative Council.

Mr. Bourdages—The rule followed in the present case is not of a very old date, and it has been productive of no good. What I name a Committee to keep up a good correspondence with a body which has declared itself to be opposed to us—which has said that we wished a revolution, that we were men desiring anarchy and the destruction of the Constitution—and which has manifested the most hostile intentions towards us. It would be compromising ourselves without advantage. I never can consent to the motion.—Mr. Bourdages here moved the reading, by the Clerk, of the Resolutions passed unanimously by the Council at the close of the last session, from which we take the following extract:—

"Having maturely considered, we trust without improper bias, the nature of the alterations in the Constitution, proposed by the Assembly, we entreat Your Majesty duly to weigh the opinion which we now humbly submit, as to the fatal consequences which may be expected to result from such a change. Its more immediate effects would be to render all offices in the Colony elective—to unsettle the minds of Your Majesty's subjects of British origin respecting the security of life and property, which they now enjoy—to prevent their further increase through emigration and to sever the ties which bind the Colony to the Parent State; while its ultimate result would bring into collision the people of Upper and Lower Canada and drench the country with blood, for it is our solemn conviction that the inhabitants of Upper Canada will never quietly permit the interpolation of a French Republic between that Province and the Ocean."

Mr. Bourdages then rose—Why, at this moment, ask a committee of the kind proposed, when it has been done but rarely before? Is it because war is declared, and abuse is showered upon us by the Council, that we are desirous to enter into good correspondence with it? Is the thing possible? This address, to be sure, is a sample of good correspondence. To propose such a motion, one must in truth be fond of abuse; and I wish the whole address in question may be published, that the people may see how they are treated.

Mr. Neilson thought himself bound to make this motion, which had uniformly been the parliamentary usage. Not to have made it, would have been to show that we were still unwilling to go about the public business with the customary zeal. The Address of the Council of last Session has been read and spoken of. I admit that it contains abuse. But is the abuse by others to determine and govern us in doing the public business of the country and seeking its welfare? No, certainly not. If the Council have compromised themselves, so much the worse for them; that is no reason for us to do the

same, and to do wrong. Besides, the address spoken of was only a plea to an attack on that part of this House. Whatever may be the case, let us not throw obstacles in the way of the public business. We shall thus exhibit a high-mindedness which the Council has shown that it does not possess.

Mr. Kimber thought that even with a desire to promote a good understanding, it was not essential to swallow every thing that was given to us. Would it not be well to let the Council itself first seek the appointment of such a committee? As to himself, he was well convinced that such a committee would be without use. It has been affirmed, that the Address of the Council is an answer to the reform of that body proposed by the House; but did not this reform tend to improve the Constitution, and to advance the public welfare? Besides, it is, in my opinion, the business of the Council to take the first steps.

Mr. De Blouy could not suppose it possible that any member could vote for this motion. How could we correspond with a body that unceasingly threw difficulties in the way of public affairs, and invaded public liberty? It would be covering ourselves with dishonor. I could not again present myself to my constituents, after having thus dishonored myself. I dare hope, therefore that this motion will pass in the negative.

Mr. Power thought it was urgently necessary for the public interest that a good understanding should exist between that House and the Council. Nothing could be done without it; and he conceived it to be an imperative duty in him to vote for the motion.

Mr. Lafontaine considered that more attention was paid, in this debate, to words than to things. It is said that we are to vote for a committee of good correspondence. Let it be shown that it will be a good correspondence, and that it will be productive of any thing useful.

Mr. Cuvillier had heard a thousand times more abuse of the Council in that House than was contained in its Address now in question. The public interests required that the two branches should correspond; and what possible harm can result from our declaring on our Journals that we wished a good understanding with the Council.

Mr. Rodier had heard a very fine apology for the council, and had learned that we had surpassed it in insults. If that had been the case, it was only in speeches under the influence of feeling, which were soon forgotten. A speaker may be allowed, without much just censure, to give vent to feelings in harsh and energetic expressions. But how shall we consider an Address, agreed to after deliberation and in cold blood, which nevertheless is filled with abuse and ignorance. But it is said, "Then you wish to have nothing further to do with the Council." Not to approve this motion, is not to end all proceedings. The Council would indeed be very punctilious and testy on proprieties and courtesies if it caught fire at the rejection of this motion, and took occasion to refuse all our Bills in consequence.—The newspapers who traffic in their services to the Administration, and public officers who profit by abuses, and attempt to outrage the people by defamation, deserve but contempt. They may make a trade in insults, but infamy is their reward. When the deliberative legislative body accuses us of wishing disorder and anarchy, how can we communicate with it? It has been said, (and who would ever have believed it?) that we wished a French Republic. What an absurdity! What ignorance! How opposite to reason!—Really I cannot imagine what was going on in the Council when this idea got into their heads—an idea truly eccentric, and which can come from the heads of councillors only. What then is the use of this motion? The risk of losing our Bills, it is said, in the Council, if we do not recognize it. But is not the House bound to defend its honour before every thing else? as was well said in a late English newspaper. All the courtesies of intercourse are secondary to it.

Mr. Neilson thought, that as his aim was to forward the public good, and he might, without doing it harm, take another course, he would follow the suggestion of Mr. Kimber, and wait till the Council took the first steps. He would therefore ask to withdraw the motion; which the House permitted him to do.

FIRE AT THE URSULINES NUNNERY.—A fire broke out early yesterday morning in the Ursulines Nunnery, having, it is supposed, originated in the baking-oven, used the day before, or from ashes. The damage done is considerable. The stock of provisions of the establishment (has particularly been nearly all destroyed). The kitchen has been burnt and apartments adjoining it partly consumed. Insurance to the amount of £3,000 had been made on the whole buildings.

The Religious Ladies take the earliest opportunity of returning their thanks to the Staff, Officers and men of the Garrison, the Town Council, the Seminary and the students who worked the engine of that establishment, and to the citizens in general, for the zeal and activity displayed, and the reserve and polite behaviour towards all the inmates of the Convent, as well as the care with which they guarded the articles removed, and continued to attend till this morning to prevent all chances of the fire breaking out again.

His Excellency the Governor in Chief, we are informed, offered the Castle to the Religious Ladies, as a temporary lodging in case of need, but they fortunately were not forced to leave their Convent. The total destruction of their provisions, made it necessary to provide for the Sunday the meals of about 150 persons occupied