

COLONIAL.

PROVINCIAL PARLIAMENT OF LOWER CANADA.

QUEBEC, JANUARY 7.
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 Geo 4th, cap. 19, the arbitrators who had been appointed on the part of Upper and Lower 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 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 revenue 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 Wm. 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 Wm. IV. cap. 42, entitled 'An Act to authorise 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 2d Wm. IV. cap. 26, amended by the 3d Wm. 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 inconvenient 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 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 estimate 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."

[From Neilson's Gazette, January 13.]

We last night published a Supplement, with the Speech of the Governor in Chief, the decision of the Assembly, on the motion of Mr. Bourdages to enter into the consideration of the state of the Province.

The object of the motion was distinctly avowed to be, the cessation of all business, and the return of the Members to their homes, at a moment when the differences between the two branches of the Legislature have brought about a state of things already made the subject of interference by the Home Government. We confess that, with the known sentiments of Lord Brougham on questions of Colonial rights, with the unaccommodating interference of the present Ministry on the West India Negro question, and the bold, assiduous, and talented discharge of the duties of office by Mr. Stanley, we foresaw great danger in such interference. There is nothing more characteristic of the present Wilmot Ministry, in respect of our affairs, than their leaning to a very absolute exercise of their authority. The Tories were far more indulgent and cautious.

The motion, if concurred in, would certainly have brought on such an interference, while it would have left the Province without any provision for education, several other important laws expiring, with an accumulating revenue, hoarding up profitably almost the whole of the circulating medium in the Receiver General's chest; and, while arresting all new outlays in improvements, all new laws, all reform of laws and abuses, must have continued, in so far as lay in the House, the unjust withholding of the salaries of public officers. For these evils, even the enquiry in the Montreal election disturbances, the elective Council, &c. were to be abandoned.

We can find no other motive for the proceeding than something similar to what is understood by the word "Agitation." But to gratify such a propensity at the expense of so unaccountable a desertion of the rights and expectations of the Province at this particular crisis, is still more unaccountable.

In public questions, personal differences and private views are to be totally excluded. It is not the assertion of privileges, after unusual delays, from the alleged fear of cholera, and, we believe, in a new form, which obliged the Governor, under preceding instructions and from former difficulties of a similar kind, not to violate, but to keep in abeyance by reference home, the privilege of the House, that could warrant the House in withdrawing itself altogether, and leaving the whole concerns of the country to be settled without its voice. An act which would have been more disreputable to the representation of the country, and which involved a greater risk of its public liberties, cannot be imagined.

The proceedings moved last night, while they have been honourably defeated by a large majority, are a new proof of the danger of excesses, which, in this instance, appeared to us to tend very much to bring the Colony into serious collision with the Mother country.

YORK, JANUARY 2.—This morning, for the first time for ten days, there was a quorum in the House. When Mr. Perry's motion for addressing His Excellency to dissolve the House, after 4 or 5 hours debate was negatived by a majority of ten-ayes, 14; nays, 24. Mr. Ketchum's motion for expunging the proceedings relative to Mackenzie, from the Journals, was then negatived by a majority of six—ayes 16; nays 22.

POPULATION OF UPPER CANADA.

From the official returns communicated to the House of Assembly.

Eastern District.....	22,236
Ottawa.....	6,348
Bathurst.....	22,236
Johnstown.....	27,058
Midland.....	42,294
Newcastle.....	25,560
Home.....	47,650
Gore.....	31,890
Niagara.....	24,772
London.....	38,225
Western.....	16,788

Besides many emigrants settled in the new Townships.

Messrs. Wilson & Co. bankers, of London, have officially informed Mr. Dunn, the Receiver General of Upper Canada, that they will advance money to any amount on the security of the Province, at 5 per cent. interest per annum.

HALIFAX, JANUARY 15.

James Lee.—This wretched young man who is a native of England, was yesterday found guilty of Highway Robbery, upon the clearest evidence.

It appeared by the statement of Thomas Trueman, the prosecutor, that he and Lee worked for some time together in the employ of Mr. Dauphiney, at St. Margaret's Bay—that on the 11th December last, Mr. Dauphiney settled with them, and they both immediately afterwards started for Halifax—that just previous to leaving the Bay, Lee applied to Trueman for the loan of £4—that he lent him £3, and promised to let him have £1 more when they arrived in town—that they travelled together, and at 7 o'clock, in the evening, when they had nearly crossed the Exeicising Ground, Lee placed his left hand upon the forehead and over the eyes of Trueman, and with his right drew a razor across his neck, which passed through his neckerchief, some padding which was contained in it, his shirt, and cut his neck—that Trueman grasped at the razor, which he succeeded in wresting from him—that he staggered for a moment, when Lee thrust his hand into one of his trousers' pockets—seized his pocket book, containing six shillings Bank Notes, and a £1 Provincial Note with which he instantly made off—that Trueman proceeded into town, and reported the occurrence to the Police Magistrate, who lost no time in sending the constables, who, about ten o'clock, the same evening, fortunately discovered him in the house of one Franklin, who keeps a tavern in Barrack-street, and on his person found the Pocket book and Notes which had been stolen from Trueman. The evidence was so direct and conclusive, that the Jury pronounced him guilty, without leaving

them. The wretched man appeared fully sensible of the awful situation in which he was placed.

COMMUNICATIONS.

[For the Courier.]

MR. CHUBB.—I have so few opportunities of pressing your paper, that I cannot be sure whether or not some person has not already taken notice of the matter upon which I now address you. I am the more doubtful of this, as the transaction referred to some days back is a topic of public conversation in my neighbourhood. If the matter be already before the public in a tangible form, you will suppress this communication;—if otherwise, you will oblige me by giving this a place in the Courier.

Sunbury, 22d January.

It is reported and believed that the Corporation of King's College at Fredericton is giving a large sum of money to the Professor of Divinity, for the purpose of extending the extent of its revenue, yet by some peculiarly untoward circumstances, which I do not profess to understand, the funds are frequently inadequate to discharge the demands against it, and that the Professors and officers of the establishment cannot regularly receive the salary which they are entitled to. It is also reported that a sum of money of about £180, less or more, had been borrowed upwards of twenty years ago from the College, by a gentleman then residing in Fredericton; to secure which sum the borrower mortgaged real estate in the town of Fredericton, which at this day may be estimated at £2000. The interest of the loan was regularly paid according to the condition of the mortgage; and if the College Council only desired to have their money vested on good and sufficient securities, I think that in this case the most judicious among them could not point out more eligible security. It is also reported that the party was not prepared to pay the principal, and that the Treasurer of the College, the Hon. George F. Street, a Solicitor in Chancery, notified the mortgagee forthwith to pay up the principal, on pain of foreclosure; that money being wanted to pay the debts due from the University. The demand was unforeseen and unexpected; the party was not prepared to pay the principal, and petitioned the College Council for an extension of time, which was immediately granted, although the Treasurer had declared that no further time would be allowed. The principal was paid up; but not before the Treasurer had filed a bill of foreclosure against the mortgagee, and the party was not prepared to pay the principal, and petitioned the College Council for an extension of time, which was immediately granted, although the Treasurer had declared that no further time would be allowed. The principal was paid up; but not before the Treasurer had filed a bill of foreclosure against the mortgagee, and the party was not prepared to pay the principal, and petitioned the College Council for an extension of time, which was immediately granted, although the Treasurer had declared that no further time would be allowed. The principal was paid up; but not before the Treasurer had filed a bill of foreclosure against the mortgagee, and the party was not prepared to pay the principal, and petitioned the College Council for an extension of time, which was immediately granted, although the Treasurer had declared that no further time would be allowed. 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