IMPERIAL PARLIAMENT. House of Commons, May 2. Canadas tered! Whether the prosperity and settlement of those provinces were well suited to the one million of inhabitants that resided in those colonies, and well suited to those relations which ought to extst between cobe found that the system of administration now established could not any longer answer these views—if it could not go on, or be altered without the aid and authority of Parliament, it would then be the duty of Parment to see to the matter, after due inquiry and investigation-and to make such imshould call to mind the first principles upon which the constitution of these provinces was established. It was fit to remember the pledges and the engagements that were inade and given to the firts settlements; and, as far will admit, to introduce such a sysas they will admit, to introduce such a system of legislation as would best advance both. And he would say that there was no difficulty in examining fairly and deliberately, the present system of Government in these provinces, as compared with the Conststution that was given them by this country, by the Act of Parliament 1791 which we were at liberty to vary at our pleasure, as it was always reserved to Par-liament to alter what was established, as well as to establish what should be thought useful. But here he found that that power was not only reserved for Parliament by the Act, but also in the declaration of those who introduced that Act. There was nowho introduced that Act. There was no-thing here to be opposed against the intro-duction of any alteration that might appear to be required, even in respect to the lands reserved for the Clergy. [Hear, hear.] Par-jament was at full liberty to alter the Con-stitution of these colonies in such way as was required for the advantage of that community to which it was applied. There was not any doubt but the Parliament of this country had in it the supreme power to deal with that constitution as they should think proper. Setting aside for the pre-sent the excited feelings and troubles in these provinces, it was competent for us to use the authority of Parliament, and to apply it to the modeling of a better system for that community, if found expedient; and he was sure that whatever decision Parliament came to, these colonies would receive and acquiesce in. And it would be for us to carry on the government of the Canadas, with increased benefit to them, and with strength and security, and increas ed advantages to the mother country. He was anxious to save the time of the House, and for that reason would not enter into details of the charges of the Canadas since came to the crown of Great Britain The House was aware that these provinces were ceded by France to the crown of Great Britain in consequence of a convention with that country in the year 1763, and that without any stipulation or obligation on the part of this country, with respect to the revenue to arise on the subsequent administration of their government, but to be dealt with as with all other new conquests annexed to the Crown. These colonies were settled—as far as they were settled in the year 1760, and the population was then thin, and confined to certain districts on the banks of the river St. Lawrence, and chiefly to the towns of Montreal and The number of French settlers in the whole were then only 65,000. On that very limited population as a stock, it was thought wise by the government of France to ground the whole of the feudal system as it then existed in France in all its deformity. While the young and limited population was in its full vigour, and full of success, the French government grafted on it the system of Civil Government of France-not the law of primogeniture in respect to succession to landed property, but what were called the "customs of Paris." The Lords, poor as they were, holding immediately of the crown, gave out portions of the seignery to other Lords, who again gave out to others some of these lands, all which were subdivided into such small parts as not to be capable of further severance, and so those lands descended ever since; so that now these subdivisions of property became of the greatest difficul-In less than a century this course of merceding to property was going on. It was no longer ago than this morning that he read in a Canada newspaper an advertisement offering for sale 1,300th part of one of these lordships. [A laugh.] But it was a common thing to see and hear of a third of a seventh of a half of a sixth. By another advertisement, he saw a fortyfourth part of a fourth part of a fifth part of a sixth of a seignory. By another he saw the eleventh part of a fourth of a fifth of a sixth. By another, a forty-fourth part of a fifth part of a sixth, and so on in such away as made it quite impossible for any one to know what suit or service, or fines, he was to owe. Each possession owed arions services—as corn to be ground at uch a man's mill, with numerous other nights, liabilities, and duties, all of a most retations description. It was impossible to say on what tenancy any man held his That was the civil administration stablished by France in the Canadas in 1760. In the year 1763, when these prodees were ceded to the Crown of Great Britain, the King of England invited his subjects to settle in the Canadas, and omised to give them all the advan-

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ages and protection of British Laws. non that period to the year 1774 the British laws continued to be introduced nto these provinces, and Courts of Jus-tice were established after the British manasr; and all things were managed within that period according to Proclamations is-

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these colonies had from that time the give the Legislative Assembly a power to French Roman Civil Law and the Endirect the whole application of the revenue glish Criminal Law. From the year 1763 in that particular channel which, in their the Crown of Great Britain proceeded to make grants of land, which were given out ficial for the improvement of the province. in free and common socage, except the coutumes & the seignories which he before invest the executive Government with mentioned. But still these grants so made that controll over the immediate applicaremained under the administration of the Roman Civil Law of France, as before established in Canada. That was, the lament to see to the matter, after due inquiry and investigation—and to make such improvement as the state of these colonies required. If there was any imperfection in the present system of administering in those provinces, it did not therefore follow that fault was to be inaputed to any one. The constitution of these colonies was introduced and settled by the greatest characters that lived in this country. But if we consider how little settled these colonies were at that district, it would not be matter of surprise if we now began to discover omissions which must be supplied. It was fit that the house should call to mind the first principles upon lands were granted in free and common this view of the subject he did not anticipate ministration of justice in Canada. So that, in the year 1774 two considerable boons were bestowed on the Canadas. One of these boons was the restoration of the laws before the conquest and the recognition of the established religion, This latter was a boon which, he trusted, would never be disturbed.—[Hear. Hear.] The other boon was the securing to these provinces the application of the taxes and duties to as would be necessary to supply a Civil the establishment of their Civil Govern-List, as it were, for the renumeration of ment. Then he came to that important the officers of the Government. The re-Act passed in this country in 1778, which, mainder of the public revenue he would altho' it was not enacted expressly forthese colonies, yet was necessary to be stated in this place. He alluded to the famous Declaratory Act by which this country relining the colored to the public revenue he would leave to the benevolent consideration of the Legislative Body. In justice, however, he must say, that the King's Government, in the exercise of that control over the public revenue he would leave to the benevolent consideration of the public revenue he would leave to the benevolent consideration of the public revenue he would leave to the benevolent consideration of the public revenue he would leave to the benevolent consideration of the leave to the leave quished the power to tax America, and lie revenue, never hesitated to lay before allowed all duties arising from regulations the Assembly of the Provinces the particunued to be administered until, in 1791, Mr. Pitt iutroduced into that House the Quebec Act.—an Act which attracted notice at that time more from the separation to exist. He would sincerely rejoice in it house was about to be adopt some measure on the subject, if he had not acted towards Lower Canada in the manner in which the did not think there were many other topics tice at that time more from the separation differences grew u local Legislature and the Executive Go- ance; and if we were to judge from their in this Country, bred up under the Constitution of England, either in Canada, or other, such as France did with Louisiana? Constitutional Government, and which country was notharaassed by those distractions which afflicted other colonies: there sion, if the controversy be not speedily arranged. The Assembly of Lower Canada any starving. The inhabitants were, in a unfortunately, rested on their extreme rights infliexibly, in opposition to the local Government. This was the more to be which now form one of the greatest em deplored, as it indicated a bad feeling on pires in the world. There was not a re mote corner of the globe in which she had not carried her institutions and her system part of the Representatives of the people towards the Executive Government in the just exercise of those rights inherent in of laws; and there was no doubt but the all executive Governments. By proceeding in this disastrous course, the public Representatives cannot ground their conduct on any justification whatever. He did not stand up to press on the House of Commons of England the necessity of thers. We had made great sacrifices; but

were no distinction of castes, nor was there any starving. The inhabitants were, in

ly thrown out by the exertions of the Right | question? Is Canada the only country Hon. Gentleman (Sir James Mackintosh) below him. He deprecated the intention Did they never hear that in other countries of doing any thing on this subject, without as well as in the Canadas the law of real first consulting the colonists themselves. property and other law usages were as Mr. HUSKISSON explained. He appealed to the recollection of the House, if he had not stated distinctly that the first point of this proceeding should be to prethe preservation of its laws and liberties. Sir JAMES MACKINTOSH said that, before he proceeded to the discussion of this most important subject, he would an-ticipate the feeling of the house, and congratulated it and the public on the assurance given by the Hon. Gentleman who spoke last (Mr. Labouchere), that he would ecome a most useful member of that house, by exhibiting a rational and liberal curiosity, in exploring the situation of the colo-ries in America, while the fashion of the law to guide the Judgment of a Court, and political policy of distant colonies. After presenting petitions from 87,000 inhabitants of Lower Canada, setting forth the grievances complainted of against the administration of the Government, it would be inconsistent in him to withhold whatever observations he had to make on the present subject, and await the time when he provision of a measure should come before the House from the Right Hon. Gentleman. If it were not for these consideraallowed all duties arising from regulations relating to commerce among themselves it was true that there was a doubt whether that Act applied to the Canadas; but in the state he had described, the laws continued to be administered until, in 1791, connected with the present state of the Canadas a popular representation. By one of the provisions of that Act the right and control over all duties arising within the colonies, were reserved to that Assembly to dispose of, and all power in that respect was relinquished by our Government. The Right Hon. Gentleman then explained the operation of that Act, and explained the constitution of the Legislative Assembly created by it. The provinces were divided into districts, and these were to send representatives in proportion to their inhality. The proportion to their inhality is the following and the present civil government. The Right Hon. Gentleman then explained the operation of that Act, and explained the constitution of the Legislative Assembly created by it. The provinces were divided into districts, and these were to send representatives in proportion to their inhality and the country over the could not help almost an act and response of the House had stated. The trust and confidence reposed in him by the parties imposed on him the obligation of honour and detaining the House. He had observed to he House the thouse to these colonies, and without watching over the could not help almost a triple to the maintenance of their legitimate rights. In the exercise of the House the representation of the Legislative Assembly created by it. The provinces were divided into districts, and these were to send representatives in proportion to their inhality and the House the Canadas as apopular representation. By one of the House the representation of the House the data was established by the Act of 1791, and he could not feel himself justified in detaining the House. He had observed to he House the trouble into the House the trouble of the House the trouble into the House the country beautified in detaining the House the Canadas as tated. The trust and control over the House the Canadas that the House the Canadas that the House the country he had the House the Canadas that the House the country in that House, the exercise o presentatives in proportion to their inhabitants, without any provision for a future change. The provision was made permanent by the Act, which he conceived a great error. By what means and by what course of provisions, and by what course of provisions, who were our fellows and by what course of provisions, and by what course of provisions was made permanent by the Act, which he conceived a great error. By what means and by what course of provisions was made permanent by the Act, which he conceived a great error. By what means and by what course of provisions was made permanent by the Act, which he conceived a million of subjects, who were our fellows all those colonies scattered over the whole interference in the duties of subjects, who were our fellows all those colonies scattered over the whole all those colonies can all those colonies are a differences grew up, between the courselves to the duties of subbetween the jects, willing to remain under that allegi- were entitled to the protection of the em- of Paris, which had been in use since local Legislature and the Executive Goance; and if we were to judge from their
vernment, it would not be necessary for
him to trace or enter into; but it was sufthey were entitled to claim from us all that they were entitled to claim from us air that the same time the controversy which at present existed between the parties. The Assembly of Lower Canada claims the right of appropriating to what branch of the Civil Service, and in what proportion it pleases, whatever income proportion it pleases, whatever income may be received. On the other hand, it is maintained that the Crown possesses over that revenue that discretion of appropriating in its wisdom that portion of the revenue that discretion of the revenue that discretion of the revenue that discretion of the revenue that portion of the revenue that discretion of the relinquishment of them without the world were few and simple and these to moratty that the bold of laws to this colony, which could be defective as had been represented? In the retaining these colonies, and the moratty that the bold of laws to this colony, which could be defective as had been represented? In the retaining these colonies, and the moratty that the bold of laws to this colony, which could be defective as had been represented? In the retaining these colonies, and the moratty that the bold of laws to this colony, which could be defective as had been represented? In the retaining these colonies, and the moratty that the bold of laws to this colony, which could be defective as had been represented? In the retaining these colonies, and the moratty that the bold of laws to this colony, which could be defective as had been represented? nion ought to be the same as that which of laws to this colony, which could be so ver purposes might be deemed necessary. the possession of them with us. Would it and he believed that there was no lawyer be thought advisable that England should in this Country, bred up under the Conwhich they raised, neither should any resstitution of England, either in Canada, or elsewhere, who can deny that it belongs to the Crown to appropriate the revenue to the administration of justice in the Canadas and to the establishment of the Civil Government. But on the other hand, the Assembly holding the public revenue, withhold these supplies, in order to enforce that unreasonable assumption on their part. having a power over the public revenue, at the subject with which would he ought to entertain the House on this occacion or any other in which he might be discussing the that unreasonable assumption on their part a course which would be subversive of all interests coanect ed with Canada. That be remendied. Those maxims formed his creed with respect to Colonial Governments. He agreed with the Hon. Gentle-man who spoke last, that, of all these max-

ims, that would be the best, of leaving the

in all cases but those of urgent necessity-

naxims were subverted, and the most ma-

sued from the Government of the mother country. Then the one branch of the Provincial Legislature had no effect. In ment in order to show the House what the tracts from the government, and the provincial Legislature had no effect. In ment in order to show the House what the tracts from the government, and the provincial Legislature had no effect. In ment in order to show the House what the tracts from the government of the mother order to insure a permanent Government. The Hon. Gentleman here read some extracts from the government of the mother order to insure a permanent Government. The Hon. Gentleman here read some extracts from the government of the mother order to insure a permanent Government. The Hon. Gentleman here read some extracts from the government of the mother order to insure a permanent Government. The Hon. Gentleman here read some extracts from the government of the mother order to insure a permanent Government. The Hon. Gentleman here read some extracts from the government of the mother order to insure a permanent Government. The Hon Gentleman here read some extracts from the government of the mother order to insure a permanent Government. The Hon Gentleman here read some extracts from the government of the mother order to insure a permanent Government. The Hon Gentleman here read some extracts from the government of the go House of Commons, May 2.

CIVIL GOVERNMENT OF THE CANADAS.

Mr Secretary Huskisson rose and said that the was about to call the destrict which he was about to call the destrict which he was about to call the destrict of the House was one involving and bearing upon interests, and upon feelings, which were remote, and less execting incomparison to that subject, which was law subject of very great importance—hear, hear.] The question to which he was being to find the House to committee was this, whether those appended of the Crown of this country—the Committee was this, whether those appended of the Crown of this country—the Committee was this, whether the prosperity and settle-ord! Whether the prosperity and settle-ord. ject ; and the House would recollect that Knights, Burgesses, &c. of Great Britain, it was in the month of June, when there in Parliament assembled, to take the Civil were only about 60 Members in the House, Government of the Canadas into consider-The principle of this measure had in view ation, and legislate for these colonies. the destruction of the Constitution granted by Mr. Pitt. This Bill however, was mainhe should have rested the merits of the where grievances of that description exist? erve the good faith towards Canada, in a certain country, for the last forty years, a high legal character, of the greatest accute-ness, could not trace clearly what the law was, and went on doubting without end. This was well known. He would not allude more particularly to the individual, or pretend to mention names, but every one knew that in other countries as well as Canada the Common Laws and other laws were extremely defective. Did the Right Hon. Gent. never hear of any other counday was to loiter away on the Continent of Europe. Nothing was more honourable than that spirit of euriosity to pry into the of the country, and was Canada alone to be brought forward for judgment? because it was not superior to other countries? The third charge against its inhabitants was one of a serious nature—they were ignor-ant of political economy. The debates of the Legislature show the grossest ignorance on that point-they would not allow the importation of a single grain of foreign corn-[laughter;] they said they could raise different food for the people of the They were called an Assembly of seignoral legislators—grave, sedate, and imposing—but all what did this word seignoral was not at all likely, and he believed the fault lay not with the state of the laws, but the evil rose entirely from the mode in had passed a variety of Bills for reforming and improving the laws and customs of the country, but they were all thrown out by the Upper House—That House com-pletely under the control of Government.— The Lower House showed no fear of reformation; they, on the contrary, sanctioned it, earried it partially into effect, riety of measures of the most vital importance in a free state; but all these were rejected by the other House. This was opportunity of judging. He might be wrong but he was open to receive any ininternal management of a colony to itself formation, and would form his judgement manifest necessity. Under those circumstances, by the system of colonial policy about to be pursued by the Right Hon. Gentleman, the root and branch of these accordingly. One thing, however, he would say, the Legislature of the colony was sufficient to legislate for itself; and when the Government of this country interfered, they only were to blame. One part of their inteference, particularly, he thought was highly blameable—that which Of these two provinces, Lower Canada con-sisted of 700,000 souls. They were but a due to any justification whatever. He did not stand up to press on the House of Commons of England the necessity of holding just rights where just rights were just right were dead to the internal state of the country of control of the country with the majority was menterally to distress & disorganise the Government of that country who are responsible for the proper administration of the proper deministration of the proper securious of or subject of the suppose. We maintenance of the administration of the laws—poween the several thouse colonies dependant upon her for the subject were thing which was indispensibly necessary for the maintenance of the administration of the laws—poween ting every thing necessary for the Government of the subject and only in the proper execution of its functions—all improvement was at a stand-still, and was either neglected or obstrooked, public buildings neglected, and, in short, he would not state that anarchy yet existed, because the Government of the weather of the control of mixed population; but were of one race, try. [Hear. Hear..] He would say, with one happy state of society, and, by the

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