

Kingston Herald

CANADIAN JOURNAL, POLITICAL, AGRICULTURAL & COMMERCIAL.

KINGSTON, CANADA, TUESDAY, JULY 6, 1841. No. 12.]

Parliament of Canada.

ROUTINE BUSINESS.

Tuesday, 22d June.
The House resolved to go into committee on the Usury Law, and directed the whole of the day, and the day following, to be devoted to the consideration of the bill.
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that hon. House, and with an act to alter for a limited time the place of the sittings of the session of the late Province of Upper Canada relative to the Heirs and Devises, and for other purposes therein mentioned. The said bill was read the first time—second reading to-morrow.

Mr. Prince presented the petition of certain freeholders of Frontenac against the return for that county. The Speaker intimated to the House that Edward Noble and Wm. Ferguson had entered into recognizances to contest the election for Frontenac.

The House resolved to form itself into Committee of the Whole to take into consideration the orders of the late House of Assembly of Lower Canada regulating property of the county.

The second reading of the Heir and Devise amendment act (Mr. J. S. McDonald's) was postponed to the 25th July.

The order of the day for balloting for a nominating committee was postponed till to-morrow, and then to form the first order of the day.

The Gaspie Fisheries bill was read a second time, and referred to Messrs. Hamilton, Christie, Burnett, Moffatt and Dunscomb.

The Judges' Independence Bill was read a second time, and referred to Messrs. Aylwin, Draper, Black, Baldwin, and Price.

Adjourned.

York was, on motion of Mr. Baldwin, to be considered on the 19th July.

FRIDAY, 25th June, 1841.
Mr. Neilson presented the petition of divers inhabitants of St. Eustache for relief, in consequence of the destruction of the Church and other buildings by the troops in 1837; and also a petition of divers inhabitants of Lower Canada, for the repeal of certain ordinances of the Special Council.

Mr. Morris moved that the officers connected with the several chartered Banks of the Province be respectfully directed to lay before this House the statement of the affairs of the said Banks, as required by the Acts of Incorporation.

Mr. Morris, from the standing committee on the printing of the House during the session, presented its first report, recommending that the Journals should be printed in the form adopted by the late House of Assembly of Upper Canada, and that tenders for the printing of the House should be received from the Kingston printers. The Report was concurred in.

Mr. Moffatt presented the petition of the members of the Montreal Ladies' Benevolent Institution, for an act of Incorporation.

Mr. De Salabery presented the petition of divers inhabitants of Frontenac, praying for indemnification for losses sustained from the invasion of brigands from the United States; also, that of Abraham Vossburg and others, of Caldwell manor, to the same effect.

Mr. Parent presented the petitions of divers militia-men and other inhabitants of the county of Saguenay, praying for the opening of the waste lands of the crown in that county, the division of the King's posts into townships and their being offered for sale; also, of divers inhabitants of the county of Saguenay, praying for the repeal of certain Ordinances of the Special Council; and of Michel Desjardins and other inhabitants of Saguenay, for an alteration of the place of election for that county.

Mr. Black brought up the petition of the masters and owners of British ships trading to Quebec, and of the Pilots of the River St. Lawrence, praying for a Light House on Bicquet Island; and of A. Wells, Esq. complaining of the return for the County of Shefford.

Hon. J. H. Dunn, by command of his Excellency laid before the House a schedule of Government Debentures redeemed and outstanding issued under authority of acts of the Provincial Legislature, and exhibiting the public debt of United Canada. 200 copies to be printed.

According to notice, Sir A. McNab moved for a committee of seven members to enquire what assistance it will be necessary to afford the clerk, and what other departments it is expedient to establish for the effective and orderly conduct of the business of this House; what remuneration ought to be given to the officers and persons to be employed in the said offices and departments, and what rules and regulations it may be desirable to adopt for their government; that the said committee be empowered to recommend to the House what they may deem necessary, should be respectively filled, and in so doing they be directed to take into consideration the claims talents and capacity of the different officers and servants of the former Houses of Assembly of Lower and Upper Canada, who may be desirous of entering into the service of this House, and to report with all convenient speed.

Sir A. McNab and Messrs. Morin, Small, Tasherat, Dunn, Durand and Black were named as the committee.

The House agreed to adjourn over from this day to Monday.

The petition of P. F. Verhoff and others presented on the 18th was referred to Messrs. Prince, Baldwin, Ogden, Boswell and Thorburn. The petition of J. C. Malcolm was referred to the same committee.

The Clerk was directed to affix in a suitable place lists of the committees of the House as named from time to time.

Mr. Holmes presented the petition of the Montreal Auxiliary Bible Society, praying for an extension of the term of office of the officers which they may deem necessary, should be respectively filled, and in so doing they be directed to take into consideration the claims talents and capacity of the different officers and servants of the former Houses of Assembly of Lower and Upper Canada, who may be desirous of entering into the service of this House, and to report with all convenient speed.

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had entered into it. Mr. Prince moved that the grounds and reasons of complaint set forth in the said petition are sufficient, if true, to sustain the prayer thereof. The motion deferred to Wednesday.

Mr. Prince moved that the petition of W. McDonald and others, against the return for Bonaventure, be discharged. Deferred to Wednesday.

Mr. Black reported on the petition of the Canada Fire Insurance Company for incorporation, by Bill, which was read a first time—second reading on Thursday.

Mr. Cameron brought in a bill to regulate the inspection and measurement of timber, masts, spars, and staves, in Quebec and Montreal, and other matters concerning the same. Second reading 12th July.

Mr. Cameron moved that the members of special committees by this House, when the committee to be named be of five members or less, the member proposing the same shall name the persons to compose the said committee, subject to changes to be made by the House, and that when the committee is to be composed of more than five members, it shall first be determined as to the number of which it shall be composed, and then each member shall write on a slip of paper the names of as many members as are requisite to form the same, and hand the same to the clerk, who will then examine the lists and report to the Speaker for the information of the House, the names of those having the most votes in their favor; and if any difficulty arise, two or more members having an equality of votes, the opinion of the House shall be taken on the choice to be made between them. Consideration of the motion deferred.

Mr. Durand, from the committee on the petition of divers inhabitants of the Gore District, brought up a report with a bill to establish the Sydenham Mountain Road Company. 2d reading on Friday.

The petition of J. A. Tailhades, presented on the 18th, was referred to Messrs. Moffatt, Holmes, Viger, Parent and Aylwin.

The consideration of the Huron Election was fixed for the 5th July.

The order of the day for taking Mr. Neilson's resolutions relating to contested elections in Lower Canada into consideration in committee was postponed to Wednesday at 10.

The second reading of the bill for the relief of infirm and disabled persons, postponed to Wednesday.

The order for going into committee on the Usury Law, was postponed to Wednesday.

The second reading of the bill to enable members of (U. C.) to vacate their seats in certain Acts, was postponed to Friday.

The order for going into committee on the West Guiliambury road act, was postponed to Wednesday.

Adjusted to Wednesday, (Tuesday being a holiday.)

LEGISLATIVE COUNCIL.

RESOLUTIONS submitted to a Committee of the Whole, on motion of the Hon. P. B. de BLAQUIERE, "to take into consideration the measures necessary to be adopted for the promotion and protection of Agriculture in this Province."

Resolved 1.—That the prosperity of this Province is essentially based on the promotion and protection of its agriculture.

Resolved 2.—That the gracious intention in the Speech from the Throne, of Her Majesty's intention to recommend to the Imperial Parliament to afford the means necessary for guaranteeing and alleviating the burden of the Public Debt, and for the development of the Communications of this Province, both by water and by land, is a wise, liberal, and prudent administration of such resources, holds out the fairest prospects and strongest inducements for the future settlement of this Province, and the enterprise of its inhabitants.

Resolved 3.—That this House is of opinion that the proposed facilities of communication, however general in their application, or in whatever degree essentially necessary to second the industry of the Province, require to be put into operation in so far as the agriculturist is concerned, a certain and remunerative market, in order to realize the contemplated great benefits of such undertakings.

Resolved 4.—That this Province, but more particularly that section of it included within the limits of the former province of Upper Canada, is a vast and fertile region peculiarly adapted to the growth of wheat and other grain, affording to the clearer of the soil the most certain and prompt return for his laborious occupation.

Resolved 5.—That the most fertile part of this highly favored portion of the globe is notwithstanding in a position with an extensive territory comprising the Western portion of the United States, which, from various causes, and amongst others, the greater facility and cheapness in clearing land, and the actual existence of extensive and well combined means of communication, effected chiefly through British capital, is enabled under existing arrangements to compete with successful, and undersell the Canadian farmer both in the markets of this province, and in those of Great Britain.

Resolved 9.—That such a contemplated change cannot be viewed in this Province, but with feelings of the most intense and anxious apprehension.

Resolved 10.—That the measure in question, if carried out, must utterly annihilate the prospects and hopes of the Canadian Farmer; who, even under existing arrangements, is now unable to compete with the western portion of the United States, either within this Province, or in the Home Markets; for it is evident that such a measure will operate as a direct bounty in favor of the United States—as against this Province; it must render inoperative the passage of our waters, however improved, as the medium for transporting western American produce to Great Britain, turning its current towards the United States to New York. And further, it will raise up a formidable and successful rival in the grower of European Corn; posed to this Province, and who does not, nor will ever offer to the Mother Country the reciprocal advantages presented to her, both by the British and the United States, in the progressive and indefatigable consumption of her Manufactures.

Resolved 11.—That this House assumes this data, upon well authenticated and incontrovertible grounds—the table of the exports and imports of the United Kingdom; and is thus called upon to bring into conspicuous notice the exports from Great Britain into Her Majesty's North American possessions, and the United States, compared with the exports of Great Britain to the Continent of Europe; whilst the subject derives vast additional importance from a view of the extensive tonnage of British Shipping engaged in such commerce, with reference to the maritime resources of Great Britain.

Resolved 12.—That for the foregoing reasons, this House is of opinion that the greatest and best interests of Great Britain and of this Province, are involved in the preservation of amicable relations with the United States; for this House only seeks as in reference to the latter Country, a protective admission for the industry of this Province, as a British possession in the Home Market, and it thinks this may be attained even by the continuance of existing regulations, provided the identity of American produce is established; and it is conceived this can be done by levying the duties now in operation as respecting such produce primarily in this country, upon such parts of such produce as may pass through this Province in transit to Great Britain.

Resolved 13.—That this House is of opinion that the foregoing resolutions be embodied in a respectful address to Her Gracious Majesty, through the medium of His Excellency the Governor General, praying Her Majesty that She will be graciously pleased to recommend the subject to the favourable consideration of the Imperial Parliament, with a view to the adoption of such measures therein as in their wisdom may be deemed necessary to give full and complete effect to the benign and gracious intentions of Her Majesty, as already expressed towards this Province.

Resolved 14.—In order to give greater weight to these Resolutions, it is highly desirable and expedient that the Legislative Assembly be invited to concur therein, so as to give the force of law to the same, and that the United Legislature of Canada; and for this purpose that a conference be sought with the Legislative Assembly assembled.

HOUSE OF ASSEMBLY.
WEDNESDAY, June 30.
The select committee to whom was referred the subject of Reporting the Debates, brought up their report.

Mr. SIMPSON, the chairman of that committee, moved that the Report recommending that 500 copies of the Mirror of Parliament should be ordered to be furnished to that House for the use of members, &c. be adopted.

Mr. THORBURN suggested the propriety of going into committee of the whole House upon it, as a vote of money was recommended.

Mr. HAMILTON desired to know if the motion were in order. A few days ago an application was made for the House to be ordered to subscribe for a certain number of copies of the Mirror of Parliament. That motion was negatived (no, no). I maintain that the application was negatived, and I cannot in three days' time forget what took place then. He would refer to the journals of the House for the correctness of what he had stated. His principal objection against the application which had then been made was that he considered it would be an act of injustice towards all other papers published in the town of Kingston. Another objection was that the reports contained in the Mirror were partial reports [hear, hear], and words were put in the mouths of hon. members which they never uttered [hear, hear]. It would be a perfect waste of the public money; and as the Mirror of Parliament was published only in the English language, it would be giving an undue preference to English members; they would have their speeches reported and French members would not have theirs, consequently the French portion of the House would be paying for the convenience of the English portion. The third ground of objection was that there was no necessity whatever for the measure. If hon. members desired their constituents to be made aware of what they say, they might put their hands in their pockets and let them report. This would be much better than involving that House in an expense of this kind.

Atty. Gen. OGDEN observed that the objection which had been taken against the immediate adoption of the report was perfectly correct. When an application for money was made the House ought to go into committee. He would take this opportunity of stating that he had been altogether misrepresented in the language which had been imputed to him in that paper, in stating that he had declared himself the servant of a majority of that House instead of what he actually did say, that he was the servant of Her Majesty. There was certainly a very wide distinction. [Hear, hear.]

Mr. THORBURN said it was a subject for consideration whether or not the House would not, by allowing a proposition of this kind to be brought forward a second time, stultify itself.

Col. PRICE said that as one of the committee who had made the report he felt it to be his duty to say a few words respecting it, in reply to the objections which had been urged against its adoption. It was true that a motion for subscribing to the Mirror of Parliament for one month had been made by himself, but that motion was negatived, and that immediately after the hon. member for Vaudreuil had moved that the subject be referred to a select committee, which was carried in the affirmative and resolved accordingly. He was willing to admit that according to a rule of the House when a motion had been once negatived the same identical motion could not be received, but the present report was found

ed upon the action of the House; and was drawn up in accordance with the views of the committee appointed to investigate the subject. Then with regard to an objection stated by the hon. member from Bonaventure, (Mr. Hamilton), it could be no hardship upon the French population of the country, because the second part of the report goes on to say that the clerk of the House should be directed to ascertain from the proprietors of newspapers printed in the French tongue the best mode of having these debates translated and published, so that that point had not been overlooked.

Mr. JOHNSON said he had opposed the motion the other day, and he should still do so; it was well calculated to lengthen out the session. [Hear, hear.] If no [Mr. Johnston] had five hundred copies of all the debates, he would lay them aside and not buy his constitution.

They would be less likely to find an opinion than their representatives could find nothing to do but to cavil and fritter away the time of the session. [Hear, hear.]

Mr. HALE could not consent that the House should concur in the Report. Those newspapers which furnished the best reports he believed would have the best patronage, and he would leave the matter entirely to the publishers. Another reason, perhaps, which influenced some hon. members, and made them so desirous that what they say should be published—there might possibly be an election at a future day in which those hon. gentlemen would be candidates, and they were therefore desirous of creating a feeling of confidence in their favor. He would move an amendment that the Report be adopted on this day six months.

Mr. THORBURN desired to be informed by the Chair whether the original motion for the adoption of the Report was in order.

The Speaker decided that it was not in order, as it was asking for a grant of money.

Sir ALLAN McNAB said he believed the majority of the House was in favor of having the reports go to the country. He [Sir Allan] was in favor of giving publicity to their proceedings, for the very reason which had been ironically alluded to by an hon. member, that the constituents of hon. members might have an opportunity of judging of their conduct.—He believed the chairman of the select committee, however, had been premature in moving for the adoption of the Report. It would be as well to allow it to remain upon the table until to-morrow.

Mr. SIMPSON remarked that it was extremely discourteous towards the committee which have been appointed by the House to enquire into this matter and report upon it, that the House should refuse to receive their report.

Sir ALLAN McNAB.—The Speaker has already decided that the original motion is irregular, the amendment is therefore irregular also.

The motion and the amendment having been withdrawn.

Mr. SIMPSON then moved that the House go into committee of the whole to-morrow, to take into consideration the report of the select committee.

Mr. HAMILTON said he should also oppose that motion, and in order to be very brief, he would at once move that the Report be taken into consideration this day five months, as six months hence there might be another session of Parliament.

Mr. HILLS said he hoped the House would not concur in the amendment; it was treated by the committee with very little courtesy. He [Mr. Hills] would be prepared at the proper time to discuss the question; to do so at the present was quite disorderly, although many hon. members had paid no attention to the impropriety. It was a question upon which a great deal of interest is taken by the country.

Mr. AYLWIN said he had the misfortune to differ with the hon. gentleman. He concurred in the remarks which had been made by the learned Attorney General Ogden. He was persuaded that the measure which the committee had recommended was completely at variance with every constitutional principle, and he would go farther and say it was unconstitutional. As one of the members of that committee he had been obliged to co-operate with that committee in procuring information, but he was opposed to the principle of the proposition which had been introduced into the Report, and he had heard nothing as yet which would induce him to alter his determination in any way. He would support the amendment.

Mr. THORBURN said he thought the House ought at all events to allow the Report to be considered in committee of the whole. It would be a direct insult upon the act of the House itself to refuse to consider that report.

Mr. BALDWIN said he certainly concurred entirely in what had fallen from the hon. gentleman who had just spoken, and dissented from the hon. member from Port Neuf. It was a subject upon which the constituency of the country take a deep interest, and he conceived it to be the duty of every hon. member to assist in affording them all the information in their power; all that was necessary at present was that the plan presented by the committee should be considered by the House, and he certainly thought that that consideration was due to the committee themselves.

Mr. HAMILTON.—Hon. members complain that the committee is treated with little courtesy. I think it is treating this House with very little courtesy to bring forward a proposition a second time which had been once rejected.

Atty Gen. OGDEN said that out of deference to the committee, he for one would be disposed that the report should be considered, but his mind was firmly made up beforehand. It is not by reporting incorrectly that information is afforded to the constituency of the country. He would rather the country should judge from the result of the session than from the reports of the debates as to the faithfulness and industry with which they carried on the public business. [Hear, hear.]

Mr. THORBURN said that he was not disposed to refuse to take into consideration the report of the committee; but he begged hon. members would reflect upon this point, that although they were authorized to apply the public money in transacting the business of the House and of the country, yet he did not think their right extended so far as to allow them to subscribe far to newspapers. It would be offering a dangerous precedent.

Mr. SIMPSON observed that he had been informed the House of Assembly in Upper Canada had been in the habit of paying £200 a year for reporting, and he thought if that principle were acted upon, surely the sub-

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