

of juries. If the hon gentleman had taken present, it is for the house to decide whether have local self government. [Hear, hear.] the pains to examine the records of the high a measure of this kind should be adopted and As far as regards the principle, he fully con- er courts, he would have found that where a trial given to it. curred in it: he thought the people were new trials are granted it does not always Mr. VIGER said he had been at considera- perfectly competent to manage their own af- arise from the mistake or misconduct of the ble pains in examining the ordinance of fairs. (Oh yes.) Nevertheless, he believed jury, in fact such cases are very rare, it more Lower Canada upon this subject, and he was there were some clauses which were objec- frequently arises from the fault of the par- sorry to say it was of such a character as no tionable, and which he hoped would be so ties not having gone into evidence so fully man could approve of. It had been passed modified as to meet the approbation of the as they ought. Thus objection then carries by a set of men who did not represent the people. very little weight. Another objection sug- people. By it a new machinery of govern- Mr. BALDWIN said he could not help ex- gested by the hon gentleman is that bailiffs ment had been established, for which there pressing some little surprise at the manner shall have the service of all writs and sub- was no example in the whole civilized world, in which the hon and learned gentleman had parnas. The bill is merely declaratory that Hon. Mr. HARRISON said it was true there brought forward this measure, which he he shall be compelled to serve subpoenas were no precedents for these institutions pre- seemed to consider one of those great mea- where either party wish to avail themselves cises in the form adopted by the ordinance sures which the people look for from the go- of his services: the law remains as it was in and that contemplated by the bill. But there vernment; but he seems to think it necessa- that respect. Then comes another fault, were abundance of precedents which were ry to make some sort of apology for its intro- and if I felt disposed to shrink from the re- substantially analogous. One he would men- duction. He feels that it is not such a bill sponsibility of defending this point other hon uon was, the vestry system. The great as ought to be submitted to the representa- gentlemen would come to my assistance, as principle of both systems was local taxation tives of the people (hear, hear); else where- it was suggested by them, that judgment and expenditure. The only difference was, fore make an apology? I am absolutely as- should not be given upon the oath of either the councils were to be made bodies corpo- tonished that an administration so strong in the confidence of the people, as we are bound party. There is a power given to the judge, rate in order to give them an existence be- to suppose this is, for we have been repeat- edly informed that this is the case, should to examine a party upon oath, but no judge- yond the passing year. Mr. VIGER.—The vestry system is the pa- have considered that one of their great med- advantage, by this means no inducement is land, Scotland, Ireland, in France and in- sures required an apology for its introduc- held out to a party to commit perjury. Ha- Lower Canada, but I would like to hear the tion. It is perfectly well known that I am in favor of establishing municipal corporations; ving now gone through the objections of the hon. gentleman point out the analogy be- but I certainly feel great objections against the details of this bill, and I came down to ly of improving a system which is defective; of this ordinance? I shall not follow the sev- the house this evening with the expectation and defective to such a degree that the reit- eral clauses, but will notice merely the ma- of hearing the hon and learned gentleman erated complaints of the country could not terial features. First, the Governor divides propose to postpone its consideration, in or- be longer disregarded. The commissioners the province according to his own will; he der that the existing differences might be appointed to investigate the subject took no parcels it out in districts; he appoints cer- reconciled; and I would now suggest that inconsiderable degree of pains, as the hon tain of the officers of the councils; he con- the committee rise, report progress, and re- gentleman must know, inasmuch as their re- trols the meeting of the councils, and he has commend the measure to be referred to a se- port forms part of the appendix to our jour- the power of dissolving them at pleasure; lect committee. nals; and whoever examines that report and these are called the municipal corpora- Mr. Solicitor General DAY rose and said he thanked the hon and learned gentleman must be at once convinced that a measure tions! institutions for the people's self-gov- he thanked the hon and learned gentleman for his extreme good nature, and for his very kind offer to relieve himself and colleagues from trouble. The disposition manifested by the hon and learned gentleman was high- ly creditable to him, and exceedingly grati- fying to the feelings of himself and his col- leagues: however, continued Mr Day, as the country expects from us these measures, I beg leave to decline the very liberal and kind offers of the hon and learned gentle- man. [Hear, hear.] I view this measure as a measure of immense importance: per- haps it is the greatest political step which has ever been taken by any government in the way of legislation: it is one, however, which ought long ago to have been carried into effect: the people ought to have been long ere this period placed in a situation to manage their own local affairs. It is a mea- sure which I have no hesitation in declaring is calculated to confer great benefits upon the country. It must be borne in mind that the measure is one of a novel character, and I would put it to the good sense of any hon member whether in the creation of a power of this kind it is not a matter of common pru- dence to retain certain checks upon its ope- rations, that the machinery may be put fair- ly in motion, and when the people have be- come familiar with the operation of the sys- tem alterations may be made if found neces- sary; and I will say with regard to these municipal corporations, they partake of a po- litical character, distinguishing them from mere corporations of an ordinary character. The hon and venerable member for Riche- lieu says this bill is unprecedented: it is un- precedented in liberality! [Hear, hear.]—The hon and learned member objects to the power of disallowance of the by-laws of the District Councils being vested in the Exec- utive, and also the power of dissolving the councils: these are not greater powers than exist with regard to this legislature [hear, hear]; and as to the appointment of the Wardens, the appointment of Lord Lieuten-

TUESDAY, August 3.

MUNICIPAL CORPORATIONS.

The House resolved itself into a commit- tee of the whole upon the Bill to provide for the internal government of that part of the Province which formerly constituted the Province of Upper Canada, by the estab- lishment of local or municipal authorities therein.

Hon. Mr. HARRISON said, previous to mo- ving for the adoption of the several clauses of this bill, it would perhaps be proper for him to make a few observations upon the nature of the measure. The object of the bill is to put into the hands of the people themselves the management of their own internal affairs. To accomplish this object as far as the east- ern part of the Province is concerned, an or- dinance was passed some time ago, and is just now going into operation. The present bill is intended to place the western part of the Province upon the same footing. There has been no difference made except such as the respective situations of the different parts of the province rendered necessary. The western part having heretofore been provi- ded with township officers, it was only ne- cessary to superadd the plan which I have now the honor to submit to this committee, proposed for our adoption.

In the eastern part, on the contrary, there having been no such thing in existence, it was necessary to give an individual charac- ter to the machinery of this measure. It be- came necessary, therefore, that some slight difference should be made in non-essentials; the main features of both are the same. It may become a very material question whe- ther the Bill as it now is will be satisfactory to this house in all its details. That, howev-

er, it is a matter for future consideration; at ney bills: in place of this we are now to

Mr. DURAND said he rose merely for the purpose of making a few remarks upon the principle of the bill. It was that prominent and important measure which had been anx- iously looked for by the people; he was con- vinced that it would prove a boon to the country. By it we should recover the ad- vantages which had been lost by the passing of the Union bill. [Hear, hear.—laughter.] We formerly had the right to originate mo- nicipal bills: in place of this we are now to