

APPENDIX.

Appendix.

EXTRACT from the VOTES and PROCEEDINGS of the LEGISLATIVE ASSEMBLY.

Quebec, Tuesday, September 14, 1852.

HONOURABLE Mr. Hincks moved, that an humble address be presented to Her most gracious Majesty to assure Her Majesty that this House deeply regrets to learn, from the despatch of the Right Honourable Sir John Pakington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act, 3 & 4 Vict. c. 78., intituled "An Act to provide for the Sale of Clergy Reserves in the Province of Canada, and for the Distribution of the Proceeds thereof."

Mr. Boulton moved in amendment the following proposed resolutions:—

1. That his Excellency the Governor-General, in his despatch to Earl Grey of 19th July 1850, accompanying the address of the Provincial Legislature on the subject of the Clergy Reserves (embodying certain resolutions introduced by the Honourable James Hervey Price, then a member of the Government and colleague of the Honourable Francis Hinckes), declared that he deeply regretted the revival of agitation on this subject, of which, he said, Lord Sydenham had truly observed, that it had been in Upper Canada the one all-absorbing and engrossing topic of interest, and for years the principal cause of the discontent and disturbance which had arisen, and under which the province had laboured.

2. That since the expression of the above language by the present Governor-General, he has not enunciated or communicated to Parliament any opinion that it is desirable to revive the agitation, or in anywise legislate on this subject, which has heretofore produced such discord, strife, and hatred in this colony.

3. That in the absence of any change of sentiments on this all-important subject, and of any recommendation from his Excellency that it should again occupy the attention of Parliament, it is right to infer that his Excellency's views thereon, as expressed in the above-mentioned despatch, are unchanged.

4. That this house has, therefore, the right to assume that on this all-important subject there is a difference of opinion between his Excellency the Governor-General and his present advisers as to the policy of "reviving agitation on this subject," which the re-opening of a Parliamentary discussion thereupon must inevitably produce.

5. That under our present system of responsible government, as introduced into and carried out in this province, the power and responsibility of the Executive Council cannot be dis severed from that of the Sovereign's Representative.

6. That the Representative of Her Majesty in this colony acts through his cabinet, who are responsible to Parliament for the acts and measures of the head of the Government, and that being incumbents of office by their own consent, they must be held as bound to defend and support in Parliament the acts and measures of the head of the Government.

7. That before discussing the resolutions on the subject of the Clergy Reserves proposed by the Honourable Francis Hincks, this House should not only be made aware by the Government of their views, as an administration, as to the final disposition of these Reserves, but also be informed whether the Cabinet, in introducing these resolutions, has the countenance and support of the head of the Government, or whether the Governor-General's expressed opinion, deprecating any renewal of agitation on this vexatious subject, still remains unchanged.

And the question being separately put upon the four first proposed resolutions, the House divided upon each:—

Yeas.—Messrs. Boulton, Burnham, Christie of Gaspé, Crawford, Dixon, Dubord, Egan, Gamble, Le Boutillier, Lyon, Macdonald of Kingston, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Smith of Frontenac, Stevenson, Street, Willson, and Wright of West Riding, York,—22.

Nays.—Messrs. Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor-General Chuaveau, Clapham, Attorney-General Drummond, Fergusson, Fortier, Gouin, Hincks, Langton, La Terrière, Laurin, McDonald of Cornwall, Mackenzie, Mattice, Merritt, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince, Attorney-General Richards, Rolph, Rose, Stuart, Taché, Terrill, Valois, Viger, White, Wright of East Riding, York, and Young,—37.

The question being then separately put upon the three last of the proposed resolutions, the House divided upon each:—

Yeas.—Messrs. Badgley, Boulton, Burnham, Christie of Gaspé, Crawford, Dixon, Dubord, Egan, Gamble, Le Boutillier, Lyon, Macdonald of Kingston, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Smith of Frontenac, Stevenson, Street, Willson, and Wright of West Riding of York,—23.