

leave it in the hands of the representatives of the people? His own opinion was, the people of Upper Canada do not desire the bill, and he thought, therefore, it would be the duty of the house to reject it. (Hear, hear.) He (Sir Allan) had as fair an opportunity of knowing what were the wishes of the people as the right hon. gentleman who cries hear, and who has the honor of representing the town of Kingston. [Hear, hear.] The hon. and learned gentleman declares the bill must pass exactly as it is; the bill he will have, the whole bill, and nothing but the bill. Therefore hon. members who were more desirous of preventing a dissolution of the house than of doing substantial justice to their constituents, would of course vote for the bill, the whole bill, and nothing but the bill. For his own part he would not be deterred from the fulfilment of his duty by any such threats.

Mr. SMALL said he had the honor of holding a seat in Parliament as long as the learned Knight, and he believed he was as well acquainted with the wishes of the people. At all events he believed he spoke the well understood wishes of the Home District when he declared that they were decidedly in favor of the bill. He hoped the members from Lower Canada would not be led astray by any declaration of the gallant Knight, nor assist in depriving Upper Canada of a valuable measure, because they may have had a bad measure thrust upon them. The passage of a liberal measure of this kind in this section of the Province will facilitate the procuring of a similar one in Lower Canada. He hoped the amendment would be withdrawn.

Mr. MERRITT said this was not the proper time for discussing the principles or the details of the bill. He thought there could be no objection to the adoption of the motion.

Mr. J. S. McDONELL said he should vote for the motion. It would be impossible for the administration to carry the measure through that house unless they were willing to grant a liberal measure to Lower Canada. He was of opinion that the Eastern District does not require a measure of this kind. It would require stronger arguments than he had yet heard to convince him of its necessity.

Hon. Mr. DAY said he felt himself called upon to offer a most determined resistance to the motion of the hon. member from Nicolet, because he considered it was an attack upon the bill itself. It appeared to him to be one of those artful strokes of policy which are sometimes made use of in the place of open opposition, to attack in an indirect manner a measure to which an hon. member happened to be hostile (hear, hear). I cannot without some degree of admiration observe the triple alliance which has been formed in this house (hear, hear). We find the learned and gallant knight from Hamilton in a state of perfect concord and good understanding with the hon. and learned gentleman from Hastings, and no doubt the reformers of Canada will regard with satisfaction the new combination of parties, and will regard the learned knight with all that confidence to which the hon. and learned gentleman from Hastings is entitled. But I am persuaded the motion is levelled at the measure itself (hear, hear). In point of fact, the Ordinance and the Bill are the same (hear, hear). It is the intention of the administration that the same measure of justice shall be meted out to both Provinces. It is therefore a fallacy to suppose that it is necessary to refer that Ordinance to the committee in order to provide a more liberal measure for Upper Canada. It may be necessary with respect to the ordinance of Lower Canada to make one observation. I cannot believe that any valid objections to that ordinance can be founded upon the source from

whence it is derived. I can easily conceive that there should be opposition to it; it is natural to suppose that those who were smarting under the withdrawal of the Constitution should look with distrust upon the acts of the Council. But it must be recollected that that Council sprung from the necessity of the times; that it was created by the paramount power of the realm, and that it was legitimately entitled to the powers of legislation. I do not mean to stand up as the defender of that sort of legislation, but I do say that that body has passed measures equal in their importance and in their beneficial effects upon the community to any measure to be found upon the Statute Book of Lower Canada.— (Hear, hear.) As to the question of order respecting referring this ordinance to the committee for alteration, I will not undertake to decide; but will merely say, in few words, that the new mode is calculated and intended to defeat the bill.

Mr. AYLWIN said if any thing were wanting to show that the motion of the hon. member for Nicolet was a good one, it would be found in the circumstance referred to by the hon. and learned gentleman from Ottawa, of the triple alliance, as the hon. and learned gentleman facetiously designated it, which had been formed in that house by the union of parties of opposite political sentiments. When he (Mr. Aylwin) saw persons of opposite opinions meeting in support of any particular motion, he desired no more forcible reason for concluding that the motion is a good one. (Hear, hear.) He (Mr. Aylwin) might retort the sarcasm of the hon. and learned Solicitor, and say that a much more extraordinary alliance has taken place between that hon. and learned gentleman and some of his hon. and learned colleagues. If there be, said Mr. Aylwin, any union to be wondered at, it is an union which I find in the Ministerial benches—an union of Reformers and Liberals with those who are the very antipodes of Liberal. (Hear, hear.) The hon. and learned gentleman has said there has been an attempt to mystify. Now God forbid there should be any attempt to mystify on this subject at all events. I am sorry if I am less cautious than the hon. and learned gentleman, but truth compels me to say that there is certainly mystification on the side of the house to which that hon. and learned gentleman belongs, although, perhaps, it is more properly attributable to the hon. and learned member who brought the bill before the house. Whatever may be the actuating motive of the learned and gallant Knight from Hamilton for his opposition to this bill, I can assure hon. gentlemen that my opposition shall be quite as strenuous as that of the hon. and learned gentleman, but my opposition shall proceed from diametrically opposite grounds—upon the ground that the measure is essentially despotic and tyrannical. I invite hon. gentlemen to examine the acts of the Special Council of Lower Canada, and point out, if it be possible, half a dozen of their acts of legislation which are above contempt. (Hear, hear.) Let gentlemen who represent our Upper Canadian constituency weigh well the consequences of the adoption of a measure similar to one which has been enforced upon Lower Canada. Let them hesitate before they accept the supposed boon. They will find it is the wooden horse. (Hear.) There are Simons in this house. I will not now point out who they are. (Hear, hear.) Hon. gentlemen must remember that the power of this house is exceedingly small, and it is perfectly evident that it is the intention of the bill to deprive us of what little remains of power we have. (Hear, hear.) It is a deadly blow aimed at the house itself. We have been told, pass this bill, give it a fair trial, and if it be not found to work well repeal it. I would put hon. members upon

their guard against the fallacy of such a supposition. Why should the people of Upper Canada be subjected to inconvenience until they see the result in Lower Canada? I feel that I have trespassed too long upon the patience of the committee.

Mr. HINCKS said he could not, after the speech which he had heard from the Solicitor, give a silent vote upon this question. The learned gentleman had stated that the object of the motion was to defeat the Bill. If he (Mr. Hincks) believed that the hon. gentleman from Nicolet had any such intention, he would be the very first to resist the motion. He (Mr. Hincks) was decidedly in favor of the bill, he would therefore be extremely sorry to see any steps taken which would have the effect of destroying it, or even to embarrass the proceedings; but he was convinced that the best course to be taken was to refer the ordinance of the Special Council of Lower Canada with reference to the municipal institutions to the same committee, because he was determined as far at least as his vote was concerned, to place both sections of the Province upon an equal footing, (hear, hear): although there were some of its provisions of which he disapproved, yet he was bound to state that on the whole it must be regarded as a boon, and it was far better to have the bill as it is rather than have none at all. (Hear, hear.) He felt bound to say also, that he had no confidence in the administration as it is at present formed; so long as there is no one belonging to that administration who speaks the sentiments of Lower Canada. If a vote of want of confidence were brought forward he would be disposed to vote for it, but he would prefer that it should be upon any other measure than the one now before them. (Hear, hear.) Believing as he did, that this motion would not prejudice the bill he would vote for it.

Mr. BOSWELL said he should not feel that he was acting right by giving a silent vote upon a question of this kind. Various shades of opinion among members of both sides of the house seem to be entertained with reference to the question now under discussion. But he had not heard, in the whole course of the arguments advanced by hon. members on the floor of that house, any substantial reason why the house should be encumbered with two questions at the same time [hear, hear]. There was no one who entertained a higher opinion of the hon. gentleman from whom the present motion had proceeded than he (Mr. Boswell) did; he believed the intention of that hon. gentleman was perfectly pure, but the question with him (Mr. Boswell) was, would the motion impede the action of the house? Is it pretended by any hon. member on the floor of this house that these measures can be so assimilated that they may be included in one act? If it were possible to reduce the two into one act, which should be applicable to both sections of the Province, he (Mr. Boswell) would have no hesitation in supporting the motion; but he believed he would be borne out in saying that it would be impossible to frame such a measure.

A great deal had been said with regard to the Special Council of Lower Canada; hon. members from that part of the Province could of course speak as to the correctness of the complaints which had been urged against the arbitrary measures of that council, but this much he (Mr. Boswell) would say that if the ordinance now complained of was to be taken as a test of their liberality, he thought they had certainly evinced more liberality than the legislature of Lower Canada itself during its existence had ever exhibited. (Hear, hear.) Yes, he would go further, and say there was no measure of the same liberality on the Statute Book of either province. (Hear.)

TO BE CONTINUED.