

JUNE 20th, 1851.

Upon Mr. STUART'S motion for an address for the report of the Commissioners appointed to inquire into the fires at the Parliament Houses, Mr. MCKENZIE said that he had always expected a conflagration in the old buildings on account of their bad construction, and had pointed that out repeatedly to the Clerk of the House, and especially to the Commissioners of Public Works, whom he had warned as to increase the insurance on the building. He found, however, much to his surprise, that nothing had been done. So at the convent, the building filled with chips and shavings was left to take care of itself, without watchmen. Such conduct was a scandalous neglect of public duty. The motion was carried.

Mr. HARTMAN then proceeded with the debate on the Address. The House, he said had been told by the Cabinet that it had, by the legislation of last session, become incompetent to legislate upon any important subject. It was not prepared to say that a constitutional principle there was not some reason in this; but there were two questions about which there could be no doubt of the competency of the House—he meant the Reserves and the Tenure. There were very few people in the country not taken by surprise, after the declarations of the ministry in Upper Canada and in Parliament, with the announcement that these important reforms were not to be proceeded with. It was unnecessary to reply to the arguments of the ministry in support of their course—they had already been ably replied to by the press, and in that House; but he must express his opinion that with regard to the questions to which he alluded delay was without any possible excuse, because it was well known that there could be no change, unless it were a change by which public opinion would be rendered more strong than at present; but strong in the same direction as at present. He had not intended to say anything on the Tenure, but he now thought it would be well to have an amendment to Mr. CAUCHON'S amendment, so as to unite the two subjects. He had not voted for the amendment relative to the meeting of Parliament because he did not conceive that to be a point on which he could be justified in stopping all legislation. The expression of feeling last session was doubtless very plain; but still there was some discretion left in the hands of the government as usual, and all he could say, therefore, on that subject, was that the sooner an alteration was made in our system of government by which the prerogative was everything and the good of the people nothing, the better it would be for the country. The experience of the last ten years must convince any man that the influence of the Ministry on the House was highly injurious. The amendment of the member for Toronto the other night brought this strongly before him, and made him reflect that if ever the independence of Canada was to be carried out there must be less executive influence in the way of popular progress. He was glad to hear the gentlemen opposite declare themselves so strongly in favour of the settlement of the Reserves question, but he had heard none of them say they wanted them secularized, and his amendment would give an opportunity for the expression of their opinion on that point. He, like them, though, he believed, for another reason, desired the settlement of the question, but, unlike them, he had no fear of going to the country upon it. Still he knew that in the coming contest many

questions might be mixed up with this one, and the decisions arrived at might be very much influenced by extraneous considerations, and so in some cases, perhaps to be adverse. But he was at least certain that since the policy of the ministry had been made known there had been one outbreak of dissatisfaction in Upper Canada, from one end of it to the other. He then moved the following amendment to Mr. CAUCHON'S amendment, saying that he thought the two questions he had spoken of went together, and that he would not vote for the proposition without the other was joined to it—

Mr. HARTMAN moved an amendment to the said amendment, to leave out all the words after "House," and add the following instead thereof: "regrets that his Excellency has not been advised to recommend during the present Session, a measure for the secularization of the Clergy Reserves, and also a measure for the abolition of the Seigneurial Tenure."

Mr. LANOTON, though he had given notice of a separate amendment, thought it would be more convenient to speak upon the address at that stage of the debate than when he moved his own proposition. The House was now in a difficulty, which arose chiefly from the vacillating policy of the ministry in reference to the dissolution of the House: He believed this dissolution ought to have taken place the moment the representation bill was passed; but what had been the conduct of the government? When the subject was first mentioned by the hon. member for South York, the Inspector General expressed an opinion that the dissolution would at once take place. Afterwards, the member for Kingston objecting to the bill that it was good in itself, it was improper to pass it immediately upon the assembling of a new Parliament, since it must lead to an immediate dissolution, the hon. Inspector General again spoke of it, this time, in a rather different manner, for he said that he was not certain that an immediate dissolution was necessary. Again, a direct question was put to the Inspector General by the member for Gaspe, and then the latter gentleman expressly stated that there would be no dissolution on account of the passing of the representation bill. That pledge was as distinct as any pledge could be. There was therefore an evident gradual change of opinion, and the view at last arrived at must therefore be looked on as the natural one, come to after due consideration, and not meant as a mere trick of expediency to serve a temporary purpose. This idea appeared everywhere: it was said, for instance, that it would not be advisable to legislate at the end of the session on the Clergy Reserves; but there was not a word about the postponement of that legislation beyond another session. So in the after-dinner speeches, during the ministerial triumphal march through Upper Canada after the session, there was not a whisper about the propriety of putting off the settlement of the question. No one heard of that till the time approached at which Parliament ought to meet. Then the new light broke in. Here the hon. member read several extracts from speeches of the ministry at a great number of places in Upper Canada, all pointing to an immediate settlement of the Reserves question, and not one containing a hint that immediate meant anything else but next session.

Mr. HERTZ—Did I say it would be settled next session?

Mr. LANOTON—Not in so many words; but what did the hon. member lead the public of Upper Canada to believe? The

words of a minister of the crown were not to be taken like those of a lawyer, but in the sense which they conveyed to those who heard them; and when the hon. gentleman said at a public dinner, "the question of the Reserves is now in a position for immediate settlement," no one in the country could understand that the settlement was to be put off for two sessions. He confessed that he had been astonished at the turn given to this matter the night before by the President of the Council. For a gentleman who could so nicely explain the difference between moral and legal obligations, it did seem to him extraordinary that the hon. member should have thought the House might properly legislate on the Reserves, as it did last session, after the representation bill had passed; but could not do so after the assent of the Governor General, which every one knew was a matter of course, had been given. He was very sorry, too, to see a gentleman who possessed such a command of words of his own, resort to the practice of reading so much from newspapers. He had read from the journals of the members for Kent and Haldimand opinions which those members were present to explain much better for themselves, and had also read some opinions of the editor of the *Examiner*, which any one could have for a few dollars, though he had taken care not to read certain other opinions of the same gentleman, which others might think quite as interesting. He (Mr. L.) had been glad for the sake of the Inspector General that he was reposing at the time from state affairs, and, therefore, as unable to hear the remarks of his colleague, which, had he heard them, he must have felt to be applying the last to himself rather than to the opposition. When the hon. gentleman, with all his parliamentary and constitutional lore, spoke as he did about appealing to the people, did he not know that one of his colleagues had declared that he saw no necessity for such an appeal? But the hon. President of the Council was then reposing in philosophical calm on the upper benches, and the light which had since appeared had not then broken forth. The hon. gentleman, however, had reason to give for the course he had adopted. The franchise law was not yet in force, and upon this head the Inspector General had gone still further than his colleague, for he had alleged that there could be no such bill, and in that vehement manner of his, in which violent and repeated asseveration was made to stand in the place of proof, he had appealed to gentlemen around him to corroborate his assertion. Now he (Mr. L.) knew something of municipal law in Canada West, and he declared there was nothing to prevent such a law from being in operation. Even now the law was useless without farther legislation, and that legislation might have taken place last session by a supplemental bill just as well as now. But statesmen ought to know none of these impossibilities; it was their place to find a remedy for everything wrong, and thus the country had especially a right to expect when the remedy was so easy. But did it never occur to the President of the Council, with all his constitutional love, that the country ought never to be left longer that could possibly be avoided without an efficient Parliament, always ready to be called together to consult for the public good? Did he mean to say he would go on without the franchise law for a whole year, all the while having no competent Parliament? Why he (Mr. L.) could not imagine that the most ignorant members would not