

CURRENT EVENTS.

QUEBEC.

THE LEGALITY OF ORANGE ASSOCIATIONS.— Considerable discussion has taken place during the past month concerning the legality of Orange Associations within the Province of Quebec. Those who doubted or denied the legality of such organizations were fortified in their position by the following opinion given by counsel learned in the law, at the request of the St. Patrick's Society of Montreal. We append the document, which has acquired historical interest and importance:—

MONTREAL, July 9, 1878.

Sir,—The St. Patrick's Society, of Montreal, placing full confidence in your eminent legal ability and impartial judgment as a lawyer, request you will give them, at the earliest possible moment, your opinion on the following case.

CASE.

An Association exists in Montreal, claiming to be an Orange Association or Lodge, and its chief officer, calling himself County Master, has directly or through some subordinate officer called upon the civic authorities for protection in connection with the intended procession of the Association through the streets of the city of Montreal on the 12th of July. The oath taken and subscribed by the members of the said Association is one not authorized by law, and, moreover, contains an engagement of secrecy not required by law.

The opinion of counsel is requested upon the following questions:—

1. Is the Association illegal under the 10th chapter of the Consolidated Statutes of Lower Canada, and if so, would such procession, should it take place, constitute an unlawful meeting?

2. Are parties, residents of the province or elsewhere, joining the procession in Montreal of such Association, although not members of the Association, equally liable as if they were members?

3. In case such assembly be unlawful, is it the right and duty of the conservators of the peace to disperse the same?

You may associate with you such other legal gentlemen as you may deem fit.

Your obedient servant,

M. Walsh,

EDWARD BERNARD, Esq., Q. C. Cor. Sec.

OPINION.

1. By the 6th Section of Chapter 10 of the Consolidated Statutes of Lower Canada (1861), every Society or Association, the members whereof are, according to the rules thereof, or to any provision or any agreement for that purpose, required to keep secret the oaths or proceedings of such Society or Association, or to take any oath or engagement not required or authorized by law; and every society or association the members whereof or any of them take, or in any manner bind themselves by any such oath or engagement, or in consequence of being members of such society or association the members whereof or any of them take, subscribe or assent to any engagement of secrecy, test or declaration not required by law; and every society or association which is composed of different divisions or branches of or different parts acting in any manner separately or distinct from each other, or of which any part shall have any separate or distinct president, secretary, treasurer, delegate or other officer elected or appointed by or for such part, or to act as an officer for such part, shall be deemed and taken to be unlawful combinations and confederacies. And by the 7th section, any person, who in breach of the provisions of the Act, shall be guilty of any such unlawful combination or confederacy and shall be convicted thereof, shall be imprisoned in the provincial penitentiary for a term not exceeding 7 years, nor less than 2 years, or to be imprisoned in the common jail or house of correction for for any term less than 2 years. And by the 9th section, Freemasons under any Grand Lodge in the United Kingdom are exempt from the operation of the Act, and by the 29th Vic., chap. 46 (1865), the exemption is extended to Freemasons under the Grand Lodge of Canada.

The Orange Association referred to being bound by an oath not authorized by law, and containing an engagement of secrecy not required by law, we are of opinion that it is an unlawful combination and confederacy within the meaning of the said Act, chap. 10, of the Consolidated Statutes of Lower Canada, and consequently that any meeting of the Society, either in a building or in any of the streets of this city, or in any other place within this Province, is an unlawful meeting or assembly. The right thus to meet or assemble